EXTENSIONS OF REMARKS

THE U.S. NAVY'S PROJECT SANGUINE—WILL IT BECOME A BILLION-DOLLAR BOONDOGGLE?

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, May 14, 1971

Mr. NELSON. Mr. President, in 1959 the U.S. Navy began work on Project Sanguine, a communication system intended to provide one-way emergency contact with submerged submarines armed with nuclear missiles. Project Sanguine is supposed to be a backup for existing communication systems in the event their capabilities are somehow impaired or destroyed.

Since 1959 the Navy has spent $50 million to design a Sanguine system that would work. Final construction costs have been estimated as high as $2 billion.

On Monday, May 3, the Wisconsin Committee for Environmental Information distributed a report in Madison that concluded the Navy's concept for Project Sanguine simply will not work. The report said, essentially, that it would take so long to send a verifiable message that jamming of the signal by a foreign nation would be a relatively simple task. As one of the committee members suggested, "No sensible engineer would put a nickel into it."

At one point, the Navy was considering a system that would cover 21,000 square miles in 26 counties of northern Wisconsin. In this area, 6,000 miles of criss-crossing cable buried 6 feet underground supposedly would provide an antenna grid to transmit extremely low-frequency radio waves to the submarines. The justification for such a massive antenna was that a very large system would be less vulnerable to attack, making the fail-safe method of communication a strong deterrent to any first strike nuclear intentions by an enemy nation.

In 1969, the Navy sought a $20 million Sanguine budget to allow the department to proceed to contract definition. This is a phase where engineering and contract and planning are accomplished, after which full-scale development could follow. The Congress wisely rejected the $20 million request.

In 1968, I raised a number of questions about the environmental impact of such a super communications project. Massive amounts of electricity would run through the cables to maintain the system in a readiness state. This raised the serious question whether wildlife, aquatic life and the intricate ecosystems of flora and fauna would be seriously disrupted by this major alteration of the environment.

At my request, the Navy has undertaken an environmental impact study to see what would happen environmentally if Sanguine would indeed be built in northern Wisconsin. That study is far from finished. And it must be before the Navy can comply with section 102(c) of the National Environmental Policy Act.

After its request to enter contract definition was denied by Congress, the Navy began to develop some technological approaches to its communications problem that would enable construction of a much smaller system, and one that would require substantially less power input.

Most recently, the Navy requested $2.14 million for fiscal year 1972 to investigate the possibility of burying Sanguine "thousands" of feet below ground. Under this concept, the antenna would be housed in four tunnels situated in parallel pairs perpendicular to one another—like the tic-tac-toe configuration. Each tunnel would be 30 to 40 miles long.

It should be borne in mind that this flurry of technological investigation and discovery took place after the Navy sought—and was denied—authorization to proceed to contract definition with its much larger system and without the environmental impact study.

Sanguine still is in the concept formulation stage, during which feasibility of the system from an economic and technological standpoint is supposed to be satisfied.

At a news conference in Madison, Wis., on Monday, the Wisconsin Committee for Environmental Information released "A Report on the Technical Feasibility of Project Sanguine." It was prepared by Dr. Michael McClintock, a physicist, and Prof. Alwyn Scott and Paul Rissman, both electrical engineers. This report has been subjected to scientific scrutiny both within WCEI and by electrical engineers and antenna experts throughout the country.

In another report that has been sent to my office, Dr. Albert W. Biggs, an electrical engineer at the University of Kansas at Lawrence who has had wide experience in antenna design and operation, also discusses the technical feasibility of an underground Sanguine. Dr. Biggs' report is entitled: "Communication Between Buried Antennas and Extremely Low Frequencies."

In both reports, the authors said that the Navy's design for Sanguine was given the benefit of the doubt in calculations to determine its feasibility to operate as intended. So the conclusions represent a very liberal appraisal of Sanguine's feasibility.

It is interesting to read the conclusions of the reports, first the one by the Wisconsin Committee for Environmental Information:

This study has shown that a Sanguine type communication system with a buried transmitting antenna would have either an excessively slow data transmission rate or would require an excessive amount of input power. One disadvantage can be traded for the other. With the power input to the antenna announced by the Navy, for example, the time required to transmit a message of twelve letters would be almost two hours. These conclusions can easily be calculated from both experimental and theoretical work reported in the open scientific literature. They cannot be escaped by using sophisticated receiving equipment since they are an inevitable result of the extremely poor efficiency of underground low frequency transmitting antennas. It should be noted that it is not the low antenna efficiency in itself which casts doubt on the feasibility of Sanguine, but the fact that low antenna efficiency leads to a low data transmission rate.

The slow transmission rate of the Sanguine system makes it susceptible to jamming by another nation. If such a nation were willing to use a long above-ground transmitting antenna for jamming, an easily available power line for example, the power requirement would be far less than that of the Sanguine system. Sanguine would therefore be easy to render ineffective.

On the grounds that it either requires an unrealistic amount of power, or that it is an extremely slow system of communication, and that these features lead to the fact that it can be easily jammed, the Sanguine system must be regarded as technically infeasible.

The conclusions reached by Dr. Biggs are as follows:

Starting with Hertz's first dipole and rambling through a few of the many exciting highlights in antenna history, it was noted that the tendency in VLF communications was in the direction of higher efficiency and lower power. A tremendously difficult concept to grasp is the Sanguine Project. A reversion from the VLF system at Cutler, Maine, where one Megawatt is radiated with two Megawatts of input power, to the ELF system in Wisconsin, where one Watt is radiated with 25 Megawatts of input power, is a unique change. At the receiver, a power input less than 10^{-12} Watt (one millionth of one millionth of a Watt) is fairly small for the cost of 25 million Watts of power.

With the bandwidth requirement of 4×10^{-5} Hz for a signal-to-noise ratio of one, a period of 3 hours for one BIT of information makes the 25 Megawatt level too low. Unless about a hundred nuclear power plants were installed along Lake Superior, homers, or homing pigeons, might be a faster mode of communication.

A recent newspaper article in the Minneapolis Tribune (Tuesday, March 9, 1971) indicated that the Navy plans to bury the antenna system several thousand feet underground. With the passage of time, the area for Sanguine decreases, the power decreases, the burial depth increases, and the costs apparently rise and fall. All of these changes reduce the power radiated.

Although the Sanguine Project may argue with the numbers mentioned in this study, they do not represent a "worst case analysis." If the "worst case" numbers were used for soil conductivity variations, atmospheric noise levels, and electronic component failures, the signal level would be much lower than the values developed here. The Sanguine results apparently followed the policy of a "best case" analysis to justify its feasibility.

It should be pointed out that in the conclusion by Dr. Biggs, where he says that a period of 3 hours is required to transmit one bit of information, there are 5 bits in an alphabet letter. Therefore, it would take 15 hours to send a single alphabet letter via Sanguine, according to Dr. Biggs. In another part of his conclusion, Dr. Biggs said that 100 powerplants would have to be built in the area of the antenna—most likely on the shores of Lake Superior—to provide the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

power that is needed for a Sanguine that might approach the level of feasibility. Each of the 100 powerplants that he speaks of would produce 500 megawatts of electricity, making them equivalent in size to many of the modern-day giant nuclear powerplants.

The conclusions drawn by these scientists demand the attention of Congress lest we buy a billion-dollar boondoggle.

In a letter to the distinguished chairman of the Senate Appropriations Committee (Mr. ELLENDER), I have suggested that no funds be appropriated for the contract definition phase of Project Sanguine until assurances have been made of its technical feasibility, its military value and until all environmental implications are evaluated.

In a separate letter to Mr. John H. Chafee, Secretary of the U.S. Navy, I have suggested that an independent technical review of Sanguine be undertaken by experts designated by the Office of Telecommunications in the U.S. Commerce Department, the National Academy of Sciences, the American Association for the Advancement of Science and the Scientists' Institute for Public Information.

This approach seems to me to be the most adviseable to answer the very serious questions raised in the reports by the distinguished scientists.

Mr. President, I ask unanimous consent that the reports by the Wisconsin Committee for Environmental Information and by Dr. Biggs be printed in the RECORD.

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

COMMUNICATION BETWEEN BURIED ANTENNAS AT EXTREMELY LOW FREQUENCIES

(By Albert W. Biggs) *

INTRODUCTION

In 1865, James Clark Maxwell, with mathematical reasoning, predicted that electric oscillations in a circuit produce electric waves in surrounding space, and that these waves travel with the velocity of light.

Professor Amos Dolbear of Tufts College, Medford, Massachusetts, received a patent in 1882 for a wireless system which consisted of an induction coil with one terminal of the secondary grounded, and the other terminal connected to a condenser. A microphone and battery were connected to the primary of the induction coil. A similar system was proposed for reception with a telephone receiver and battery connected between a condenser and ground. While Dolbear's system had some of the components used successfully by Marconi at a later time, there were no high frequency electrical oscillations. Consequently, any transmission would be due to induction rather than to radiation.[1]

Heinrich Hertz used the first true antennas in his classical experiments at Karlsruke in 1887, when he proved the existence of electromagnetic waves in space as predicted by Maxwell. His transmitting antenna consisted of two flat metal plates, 40 centimeters square, each attached to a rod 30 centimeters in length. The rods were placed in the same straight line, and were terminated with metal spheres separated by a 7 millimeter spark gap. The spark gap was energized by a Ruhmkorff coil. Hertz's receiving antenna was a circular loop of wire broken by a microscopic gap. The loop radius was 35 centimeters, which was found by experiment to be the proper size to be in resonance with the transmitter. He later placed his rod antenna in the focal plane of a large cylindrical mirror so that the effects could be perceived at greater distances.

In 1894, Sir Oliver Lodge described a method of detecting distant thunderstorms by connecting a "coherer" (receiver) to a grounded gas-pipe line. Lodge estimated that his system would respond to signals at distances of half a mile.[2]

In 1895 Professor Popoff of Kronstadt set up apparatus for the study of atmospheric electricity. He used a metal filings coherer developed by Professor Branly of Paris in 1890. In this study, he connected one terminal of the coherer to a metallic rod extending above his housetop as a receiving antenna. The other terminal of the coherer was grounded.

In 1897, Marconi described a complete system for wireless telegraphy. One terminal of a spark transmitter was connected to earth, and the other terminal was connected to an elevated wire. His receiver utilized an improved coherer with similar connections to earth and to an elevated wire. Marconi's success was partly derived from his understanding of the importance of the elevated antenna. In a lecture before the Royal Institute of Great Britain, Marconi [3] said:

"My early tests on wireless transmission by means of the elevated capacity method had convinced me that when endeavoring to extend the distance of communication it was of little utility merely to increase the power of the electrical energy applied to the transmitting circuits, but that it was necessary to increase the area or height of the transmitting and receiving elevated conductors. As it was economically impractical to use vertical wires of very great height, the alternative was to increase their size or capacity, which, in view of the facts I had first noted in 1895 seemed likely to make possible the efficient utilization of electrical energy."

As the length and capacity of the elevated antenna was increased, the wavelength was also increased. This led to the attitude that long wave-lengths (low frequencies) should be used for long-distance communication, especially during daylight hours. The usefulness of short waves for long-distance communication was delayed for some 30 years later, when Marconi again pioneered in the development of long distance daylight communication with short waves.[4]

The transmitting antenna used at Poldhu in Cornwall during the experiments in transmitting to Newfoundland was a vertical fan-like structure of 50 vertical copper wires supported at the top by a horizontal wire stretched between two masts 157 feet high and 200 feet apart. They converged at the bottom like a fan. The wavelength was 366 meters (a frequency slightly under one MHz) with an input power of 15 kw. The receiving antenna in Newfoundland was supported by kites.

By 1914, the U.S. Navy had over 50 shore stations and 250 ship stations in operation.[5] The first high power station was the famous "NAA" at Arlington, Virginia, in 1916. In 1917, the General Electric Company in cooperation with the Navy, installed Alexanderson alternators at the Marconi station at New Brunswick, N.J.; the outstanding feature of this installation was the large improvement in the radiation efficiency of the antenna with multiple tuning.[6] The Marconi antenna was a flat-top 5,000 feet long, 600 feet wide, supported by 13 guyed masts 400 feet high. At the operating wavelength of 13,600 meters (22kHz) the effective height of the antenna was 90 meters making the radiation resistance 0.07 ohms. The total resistance was 3.8 ohms, making the radiation efficiency about 1.85 per cent. Multiple tuning at six points along the antenna reduced ground resistance so that total resistance was 0.5 ohm, increasing the efficiency to 14 per cent.

At Rocky Point, New York, two multiple-tuned antennas were erected in 1921. Because of the low conductivity of the soil at Rocky Point, a very extensive ground system was required. The length of buried ground wires exceeded 280 miles.[7] To obtain high radiation efficiency, it is necessary to reduce the ground resistance to the greatest extent possible. VLF antennas have been constructed with radiation efficiencies of 50 per cent at 15 kHz.

To achieve world-wide reliable communication other VLF antenna systems were installed and in operation in the 1920's. Following Alexanderson's design procedures, these antennas had top-loaded vertical down leads connected to large tuning coils over extensive ground systems. Top loading serves to provide a greater effective height for the down leads, but also allows a large current in the down leads to radiate up to 250 kw at 15 kHz without voltage breakdown. Radiation efficiences reached 26 per cent.[9]

The preceding discussion describes the development of a vertical monopole antenna above a conducting earth. Top-loading provides a capacitive plate to insure that the current will be uniform over the vertical antenna wire. The ground wires provide a higher radiation efficiency by reducing ground resistance. At Jim Creek, Washington, (NPG at 18.6 kHz), the VLF antenna has a radiation efficiency of 25–35 per cent, while the VLF antenna at Cutler, Maine, (NAA at 14.7 kHz), has a radiation efficiency of about 50 percent. The lower efficiency at Jim Creek is due to older ground wires and the inland location, while the Cutler system has a more extensive ground wire system with ground wires going into the ocean. Some of the superpowered (2 megawatt) VLF transmitters were established by the Navy to cover world ocean areas and reach submerged submarines.[10]

VLF MONOPOLE ANTENNAS

The preceding discussion briefly described antenna history in a transition from the first real antenna made by Hertz to a superpowered VLF installation operated by the U.S. Navy at Cutler, Maine. In any communication system, antenna performance must be adequate for both radiation and reception. One parameter of interest in almost all antennas is the input impedance. In the top-loaded vertical monopole, it is primarily capacitive reactance, especially when the antenna height is small in comparison with the wavelength. When power is radiated, this indicates that there is a real part of the input impedance even when the antenna structure has negligible ohmic losses. The average power radiated is proportional to the radiation resistance, the real part of the input impedance in the absence of other losses.

Another quantity of interest in the description of antenna performance is the directive gain. It is the ratio of power density produced by an antenna, at a given distance in a given direction, to the average radiated power density at that distance. Although directive gain and input impedance may be familiar concepts, they are introduced here because of their impact on system performance.

In physical structures, the ordinary ohmic, dielectric, and/or magnetic losses contribute to the input resistance in addition to the radiation resistance mentioned above. One figure of merit for antennas is the r. diation efficiency,[11] defined as the ratio of the radiated power to the input power. For monopole antennas, the radiation efficiency η is

$$\eta = \frac{I^2 R_r}{I^2 R_{total}} = \frac{R_r}{R_{total}}, \quad (1)$$

where R_{total} is the sum of the radiation resistance R_r plus all of the resistance arising from the dissipative losses. With highly con-

Footnotes at end of article.

ducting terrain or with extensive ground wire systems, the input resistance decreases. The resistance of the large VLF installations has been reduced to a fraction of an ohm, but such installations have been extremely costly. It has been reported [11] that the Cutler, Maine, installation includes more than 2,000 miles of No. 6 copper wire.

Clairvoyance is not a prerequisite ability to perceive that some locations are better sites for monopole antenna systems than other locations. The ground conductivity of 30 millimhos per meter [12] in Kansas or in Texas is much higher than 4 millimhos in Washington, home of the Jim Creek VLF system, and 2 millimhos in Maryland, home of the Annapolis system. Although ground conductivity favors Kansas and Texas, the proximity of the Atlantic and Pacific Oceans favors Washington and Maryland. The highly conducting propagation paths over sea water and shorter distances equalize the radiation efficiency reductions. The swampy wooded acres in central Florida went for $2 an acre a few years ago. It would have been suitable for a VLF installation until the Walt Disney World arrived. With the sale of a one-acre lot for $300,000 the cost of acreage for a VLF site would be excessively high. Inherent in the high price of land is the dependence of ground wire requirements on wavelength. As frequencies drop and wavelengths increase, the length and quantity of ground wires increase. With the limited bandwidths and size limitations encountered at lower frequencies, the shift has been into increasingly higher frequencies. Nevertheless, for peculiar, cryptic, and enigmatic reasons, antenna configurations are occasionally developed where radiation efficiency and frequency decrease with tremendous increase in overall cost. In order to examine these monopole and dipole systems, we will start with an ideal monopole antenna.

The current distribution on an ideal vertical monopole is constant along the antenna. The horizontal ground has an infinitely high conductivity. The only input resistance is the radiation resistance, so that the input power is equal to the radiated power. The "image" of the monopole formed by the ground plane, or "mirror" combines with the actual monopole to create a dipole twice as long as the original monopole. This is to say the field pattern of a dipole antenna in free space is identical to the field pattern of a monopole antenna with a length equal to half of the dipole length. In a Cartesian coordinate system, where the X–Y plane is the perfectly conducting ground plane, and where the monopole is a thin wire perpendicular to this plane along the Z axis, the magnitude of the electric field intensity in volts per meter is [13]

$$E_\theta = 120\pi I \left(\frac{l}{\lambda}\right) \frac{\sin\theta}{R}, \tag{2}$$

where θ is the polar angle measured from the Z axis, I is the antenna peak current in amperes, l is the monopole length in meters, R is the distance from the antenna in meters, and λ is the wavelength in meters (3×10^8 dividend by frequency). There are other field components, but they vary inversely with the second and third powers of R. These are not part of the radiation field, which varies inversely with R. The radiated power W_r in watts is

$$W_r = 80\pi^2 I^2 \left(\frac{l}{\lambda}\right)^2 \simeq 800 I^2 \left(\frac{l}{\lambda}\right)^2, \tag{3}$$

and the radiation resistance R_r in ohms is

$$R_r = 160\pi^2 \left(\frac{l}{\lambda}\right)^2 \simeq 1600 \left(\frac{l}{\lambda}\right)^2. \tag{4}$$

Footnotes at end of article.

In terms of the radiated power density, P_r in watts per square meter,

$$P_r = 60\pi I^2 \left(\frac{l}{\lambda}\right)^2 \frac{\sin^2\theta}{R^2}$$

$$= W_r \frac{3\sin^2\theta}{4R^2} \tag{5}$$

shows the dependence on θ and R. Finally,

$$E_\theta = 300\sqrt{W_r}\,\frac{\sin\theta}{R} \tag{6}$$

represents W_r in kilowatts, E_θ in millivolts per meter, and R in kilometers.

When compared with a real monopole antenna,

$$E_\theta = 300\sqrt{\eta W_{IN}}\,\frac{\sin\theta}{R} \tag{7}$$

where W_{IN} represents input power and η is the radiation efficiency.

BURIED ANTENNAS

Although the ideal monopole may not be found in the real world, it provides a standard of comparison for actual monopole antenna systems. It also provides a standard of comparison for dipole and monopole antennas buried in soil, sea water, or ice. With the high cost of copper for ground wire ($.53 per pound in April, 1971) and increased labor costs for tower construction, several antenna designers began to follow the guidelines of utility and telephone engineers and buried their antennas. Buried antennas can be the germination of an antenna farm of dipoles similar to those in Peru but the combination of very low frequencies and high conductivities reduce the radiation efficiency to a tiny fraction of one per cent.

Propagation on and below the earth's surface has been of interest for many years. Propagation on the surface has been popular from Hertz's first antenna development. Motivations for earth or water propagation are [14] (1) earth current signaling, (2) VLF submarine communications, and (3) the needs of geophysical prospecting where the aim was to locate and delineate certain rock formations with a sort of bistatic radar. Earth current signaling interest dropped quickly because radio waves attenuate expotentially on paths through soil or sea water. Submarine and geophysical applications continue. Nuclear weapons and blast-hardened systems have created a new interest in buried antennas.

The transmission of a signal from one antenna below the surface of the earth to another is fairly complex. It includes multilayer spherical media made up of the stratified earth (or sea water or ice), the atmosphere and the ionosphere. Discussions are found in papers by Anderson,[15] Burrows,[16] Wait,[17] and Moore.[18] In these papers, propagation paths include (1) "up-over-and-down" paths using buried horizontal dipoles in highly conducting media, (2) transmission between dipoles in low conductivity rock layers below high conductivity surface layers,[19] (3) cases where the earth and ionosphere are flat conducting plates of a parallel plate waveguide,[15] and (4) replacement of parallel plates by concentric spherical shells. The use of extremely low frequency (ELF) in the cavity formed by the earth and the ionosphere has been discussed by Brown [20] and Laycock.[21]

Investigations of short dipoles buried in the earth were made by Tai,[22] Moore,[23] Baños,[24] Wait,[25] Biggs,[26] Biggs and Swarm,[27] and more recently, the earth of soil and sea water was replaced by Antarctic ice.[28-29] If we use their results and return to the Cartesian coordinate system where the earth's surface is the X-Y plane (formed by the X-axis and Y-axis), the horizontal electric dipole in a conducting soil has a vertically polarized field intensity with a magnitude

$$E_\theta = 120\pi I \left(\frac{l}{\lambda}\right) \frac{\cos\phi}{nR}\, e^{-h/\delta} \tag{8}$$

where ϕ is the azimuth angle measured from the X-axis in rotating about the Z-axis. The changes from Eq. (2) are in the refractive index n, given by

$$n^2 \simeq \frac{\sigma}{\omega\epsilon} = 1.8 \times 10^{10} \frac{\sigma}{f}, \tag{9}$$

where σ is the soil (or sea water) conductivity and f is the radio frequency in *Hz* (cycles per second), and in the skin depth δ, given by

$$\delta = 159\sqrt{\frac{10}{\sigma f}} \text{ meters}. \tag{10}$$

The value of σ varies from 0.004 mho per meter (m/m) in Wisconsin to 0.030 m/m in North Dakota and 5.0 m/m in sea water.[12] Power varies as the square of $E\theta$, hence the square on n is used in Eq. (9). The depth of burial h is a short propagation path through the ground to the surface. In most situations, h is very small in comparison with δ. For each distance δ in the ground, the field intensity decreases one neper or 8.686 decibels (db).

In addition to $E\theta$, which is a vertically polarized wave, another component is present,

$$E_\phi = 120\pi I \left(\frac{l}{\lambda}\right) \frac{\sin\phi\cos\theta}{\eta R}\, e^{-h/\delta} \tag{11}$$

which is a horizontally polarized wave. In a vertically polarized wave, the electric field intensity is parallel to the plane perpendicular to the earth's surface wherein the radio wave propagates. In a horizontally polarized wave, the electric field is perpendicular to this plane and therefore parallel to the earth's surface. If these reductions in radiated electric fields seem large, in a buried vertical dipole antenna, the magnitude of the electric field is

$$E_\theta = 60\pi I \left(\frac{l}{\lambda}\right) \frac{\sin\theta}{\eta^2 R}\, e^{-h/\delta}. \tag{12}$$

During the subsequent discussion, he will be assumed to be negligible except in specifically designated cases.

When the horizontal dipole is buried with grounded ends, the input resistance is approximately [14 23 30]

$$R_{in} = \frac{\omega\mu l}{8} = 30\pi^2 \left(\frac{l}{\lambda}\right) \simeq 300 \left(\frac{l}{\lambda}\right). \tag{13}$$

The input resistance for a buried dipole with grounded ends is that of the ground return circuit. The wire is insulated so that current flows through the wire, from the grounded wire end into the soil, through the soil and into the opposite end of the wire. Since the conduction current is much higher than the displacement current, the grounded dipole antenna has been described as a loop antenna in some unpublished and unwritten papers. The similarity with conventional loop antennas is in the inductive reactance of the grounded dipole antenna. Although our discussion here will be directed to a short ELF grounded dipole antenna, the other configuration is one where the dipole ends are terminated in an open circuit (insulated dipole). Both grounded and insulated dipoles correspond to the most efficient buried antenna configurations, but a choice between them may be made according to the following comparative charateristics.[31] The grounded antenna has a low Q for short lengths. It also has an efficiency per unit length 30 per cent higher than the insulated antenna. However, these desirable features rely on the assumption that the grounding electrodes present zero impedance termination for the dipole. This assumption is not generally true. Grounding electrodes, unless elaborately constructed and grounded, do not present zero impedance but only low impedance. Furthermore, they can corrode and eventually increase the input impedance thereby lowering the antenna efficiency. With short lengths the Q of an insulated antenna is too high.

However, for longer lengths it has the advantage of being more predictable (no grounding rods). For a given length of antenna wire, the insulated configuration requires fewer feed points than to grounded configuration to keep current flow in phase. Fewer feed points infer shorter feed cables, hence, lower losses. In spite of these considerations the Sanguine antenna uses grounded ends.

In the descriptions of buried horizontal and vertical dipoles, a relative comparison of their relative influences may be obtained if a square loop antenna is buried. The orientation of the loop has two sides normal and two sides parallel to the earth's surface. The negligible radiation fields from the vertical wires in contrast to those of the horizontal wires create a radiation field identical to that of two horizontal dipoles (current in opposite directions) separated by a width equal to the height of the vertical wires in the loop.

In the above and subsequent examples, only the extremely low frequency segment of the spectrum is utilized. Therefore, with the extremely large refractive index associated with ELF, the transformation of a square loop into two horizontal dipoles is readily achieved. Similarly, if a horizontal dipole is elevated above the surface of an infinitely high conducting earth, grounded at both ends to this earth, then the radiation pattern (above the surface) is identical to that of a rectangular loop in space. The loop is formed by the horizontal dipole with two vertical monopoles for grounding at either end above the earth's surface and their images below it. As the grounded dipole approaches the surface of the earth, the image approaches the dipole until the antenna is on the surface. The loop in free space becomes two adjacent wires with currents flowing in opposite directions. The result is no radiation. Then, as the antenna sinks slowly into the highly conducting terrain, another loop antenna appeals. This "loop" must be the source of the "Mystery Waves" described in Brown's[29] description of the Sanguine system.

Returning to Eq. (10), the vertically polarized power radiated above the earth's surface is

$$W_v \text{ (horiz)} = 60\pi^2 \frac{I^2}{n^2}\left(\frac{l}{\lambda}\right)^2 \simeq 600 \frac{I^2}{n^2}\left(\frac{l}{\lambda}\right)^2, \quad (14)$$

and to Eq. (11), the horizontally polarized power is

$$W_H \text{ (horiz)} = 20\pi^2 \frac{I^2}{n^2}\left(\frac{l}{\lambda}\right)^2 \simeq 200 \frac{I^2}{n^2}\left(\frac{l}{\lambda}\right)^2. \quad (15)$$

Although the horizontally polarized electric field is not important because of its rapid attenuation with distance,[32] the combined powers in (14) and (15) correspond to the power radiated by a vertical monopole above the earth if n square is disregarded. The radiation resistances are

$$R_r \text{ (horiz)} = 120\pi^2\left(\frac{l}{\lambda}\right)^2 \frac{1}{n^2} \simeq 1200\left(\frac{l}{\lambda}\right)^2 \frac{1}{n^2}, \quad (16)$$

for vertical polarization, and

$$R_r \text{ (horiz)} = 40\pi^2\left(\frac{l}{\lambda}\right)^2 \frac{1}{n^2} \simeq 400\left(\frac{l}{\lambda}\right)^2 \frac{1}{n^2} \quad (17)$$

for horizontal polarization. For a buried vertical dipole, the radiated power is

$$W_v \text{ (vert)} = 80\pi^2 I^2\left(\frac{l}{\lambda}\right)^2 \frac{1}{n^4}. \quad (18)$$

In Eqs. (14) through (18), we see the radiated power. The input power, using the same current I and the input resistance in Eq. (13), is

$$W_{IN} = 1/2 I^2 R_{IN} \quad (19)$$

from which

$$1/2 I^2 = \frac{W_{IN}}{R_{IN}} = \frac{W_{IN}}{300\pi(l/\lambda)}. \quad (20)$$

Footnotes at end of article.

With Eqs. (20) and (14),

$$W_{RAD} = \frac{1200}{n^2}\left(\frac{l}{\lambda}\right)^2 \frac{W_{IN}}{300}\left(\frac{\lambda}{l}\right) = 4\left(\frac{l}{\lambda}\right)\frac{W_{IN}}{n^2}, \quad (21)$$

for an efficiency relationship

$$\frac{W_{RAD}}{W_{IN}} = 4\left(\frac{l}{\lambda}\right)\frac{1}{n^2}. \quad (22)$$

In terms of skin depth δ, given by Eq. (18),

$$\frac{W_{RAD}}{W_{IN}} = \left(\frac{2\pi\delta}{\lambda}\right)^3\left(\frac{l}{\pi\delta}\right), \quad (23)$$

which is identical to that of Wheeler.[30] The electric field intensity becomes

$$E_\theta = \frac{300}{n}\sqrt{3 W_{IN}\left(\frac{l}{\lambda}\right)}\frac{\cos\phi}{R} \quad (24)$$

with E⊕ in millivolts per meter, R in kilometers and W_{IN} in kilowatts. Use of the ELF waveguide mode for propagation renders Eq. (24) only suitable for short distances.

SOIL CONDUCTIVITY

The location of a buried antenna is important. If the ground conductivity map of the United States[12] is selected, it is a fine choice for broadcast band frequencies. Wisconsin has a conductivity equal to 0.004 m/m, while that of North Carolina is 0.002 m/m. Since a lower frequency gives a better indication of lower subsurface ground, Maxwell[33] examines ground conductivity at 10 kHz. This map gives Wisconsin 0.003 m/m, with 0.0003 m/m for N. Carolina. The extrapolation of results for antennas in the hilly wooded regions of N. Carolina to the brushy flat regions of Wisconsin should deserve more detailed study. Although the value of 0.0003 m/m appears on Maxwell's map, the influence of hills and valleys in the Blue Ridge Mountains will lower this figure by one order of magnitude (to 0.00003 m/m). The same influence has been observed in South Dakota.[34] Using the four-stake method for conductivity measurements,[35] the actual soil conductivity was found to be 0.020 to 0.030 m/m. In the Black Hills, terrain irregularities such as hills, ridges, hummocks, and valley decreased the effective conductivity to about 0.002 m/m. Indications of ELF test results in the Blue Ridge Mountains of N. Carolina support this assumption of very low effective conductivity.

Interest in effective conductivity, which is an integrated effect of the different media below the surface of the earth, stems from its influence on the antenna efficiency. With decreasing ground conductivity, the radiation fields from a horizontal dipole continuously increase, while those of a vertical monopole decrease. Conversely, higher ground conductivities favor vertical monopole antennas over horizontal antennas. In Antarctica, Greenland, or the Yukon, the extremely low conductivity of the ice, snow, and tundra make the horizontal dipole a logical choice. Similarly, at locations near the ocean or in the central states, vertical monopoles are more suitable.

Measurements at audio frequencies (10 to 10,000 Hz) were made by DECO Electronics[36] in Colorado and Wyoming. They concluded that the conductivity does not rise significantly at depths under 10 kilometers.

RADIATED POWER

It is interesting to consider some of the radiated power from ELF antennas in a typical state such as Wisconsin. With a soil conductivity of 3 x 10^{-3} m/m, the refractive index (squared) is

$$n^2 = \frac{5.4\times10^7}{f} = 1.2\times10^6 \quad (25)$$

for f equal to 45 Hz. If another frequency, say 75 Hz was used, then the refractive index (squared) would drop to

$$n^2 = 7.2\times10^5. \quad (26)$$

The choice of frequency also changes the wavelength from 4,000 miles (6667 kilometers) to 2,400 miles (4000 kilometers) for 45 Hz and 75 Hz, respectively.

The frequency range from 45 to 75 Hz represents the tentative operational region for the ELF Sanguine. The antenna length has a tendency to decrease with time. The original area, covering over a third has reduced to about a twelfth of the state of Wisconsin. Tentatively, a length of 100 miles (160 kilometers) is assumed for a typical dipole antenna. With this length, the input power required to radiate one watt at 45 Hz is, with Eqs. (22) and (25),

$$W_{IN}(45Hz) = \frac{n^2 W_{RAD}}{4(l/\lambda)} = \frac{1.2\times10^6\times1}{4\times(160/6{,}667)} = 12.5 \text{ Megawatts}, \quad (27)$$

and with Eqs. (22) and (26) for 75 Hz,

$$W_{IN}(75Hz) = \frac{7.2\times10^5\times1}{4\times(160/4{,}000)} = 4.5 \text{ Megawatts} \quad (28)$$

In order to assure uniform (in any direction) coverage, a second dipole is installed with its axis perpendicular to the first dipole. When the currents between the two dipoles are 90° out of phase, the pattern changes from a figure "8" to a circular pattern. This pattern requires equal power in each 100 mile antenna, so that Eqs. (27) and (28) become

$$W_{IN}(45Hz) = 25 \text{ megawatts}, \; W_{IN}(75Hz) = 9 \text{ megawatts}. \quad (29)$$

PROPAGATION LOSSES

On the basis of the waveguide formed between the earth's surface and the ionosphere, the rms vertical electrical field E at a great circle distance d from the transmitter in kilometers is

$$E \simeq 300\frac{\sqrt{W_v}}{d} \quad (30)$$

for distances up to 100 kilometers. The electric field is in millivolts per meter, and W_v is in kilowatts of radiated power. At longer distances, usually greater than 1000 kilometers, the electric field becomes[37]

$$E \simeq 30\sqrt{\frac{W_v}{a\sin(d/a)}}\, e^{-\gamma d}, \quad (31)$$

where a is the radius of the earth, 6,400 kilometers. Some of the analytical field expressions are described in a recent paper by Galejs.[38] The attenuation factor α produces a varying decrease between 0.6 db (45 Hz) and 0.8 db (75 Hz) per 1,000 kilometers.[39] At short distances, sin(d/a) is approximately (d/a), so that the decrease in E varies inversely with the square root of distance. The power thereby decreases inversely with distance, corresponding to two dimensional propagation along a surface.

If the angle (d/a) is 90°, for a receiver located a quarter of the distance around the world, the vertical field intensities are

$$E(45Hz) = 6 \text{ microvolts/meter}, \quad E(75Hz) = 4.8 \text{ microvolts/meter}. \quad (32)$$

The power density at this location is

$$P = \frac{E^2}{\eta_0} = \frac{E^2}{120\pi} \text{ watts/meter}^2 \quad (33)$$

or

$$P(45Hz) \simeq 10^{-12} \text{ watts/square meter}, \quad P(75Hz) \simeq 8\times10^{-14} \text{ watts/square meter}. \quad (34)$$

ATMOSPHERIC NOISE

A major problem affecting above-earth communication is radio noise, both external to the receiver and internal. The energy of the desired signal should be greater than the noise signal for intelligible signal reception. External noise has three sources: atmospheric (thunderstorms), cosmic, and man-made. By choosing suitable non-metropolitan receiving

sites, such as lakes and oceans, man-made noise can normally be kept below the noise from other sources.[40] At such locations, thunderstorms (at distances up to several thousand kilometers) normally are the principal noise sources below 15 MHz. For frequencies between 15 MHz and 150 MHz, the noise is chiefly from cosmic sources. Receiver noise, with good system design, is due to thermally-caused random motion of electrons in resistors, and to various fluctuation noises in transistors.

An additional external noise is the thermal noise associated with the antenna radiation resistance. This noise power originates in the antenna surroundings which are capable of radiating power to the antenna. The available noise power is kTb, where k is Boltzman's constant (1.38×10^{-23} joules per degree Kelvin), T is an average temperature of the antenna surroundings (often taken as 288°K), and b is the receiver band width in Hz (cycles per second).[41] The value of this available noise power for a one Hz band width is 3.97×10^{-21} watts. Atmospheric and internal receiver noises are commonly described by giving their power at some frequency as a ratio to the thermal radiation resistance noise power. The internally-generated receiver noise is referred back to the antenna terminals before the comparison is made. The available noise power from all sources is assumed to be proportional to the receiver band width (a characteristic of random noise), as is the radiation resistance power reference. Then the ratios describing atmospheric and receiver noise are independent of receiver band width.[42]

In the standard method of noise prediction, contours of equal noise grade are drawn throughout the world. The noise grade is the expected median value of atmospheric radio noise, F_{am}, in db above kTb at MHz. The noise grades vary from 10 to 100. For example, a contour of noise grade 85 lies within the midwestern United States (including Wisconsin) from midnight until 4:00 a.m. from June to August. A noise grade 35 covers almost the same area from noon until 4:00 p.m. from December to February. While the noise grade 85 covers midwestern United States, this level is only of interest when it covers receiving locations. When receivers are located in Antarctica and Iceland, noise grades are 25 and 40, respectively, during this time period. Noisier areas include Mozambique and Nicaragua with noise grade 100. During the Wisconsin winter afternoon, the very quiet noise grade 35 provides good radio reception, and, at the same time, noise grades in Antarctica and Iceland are 20 and 30, respectively. Similarly, Mozambique and Nicaragua have quieter noise grades of 45 and 25. These examples indicate both seasonal and diurnal (day-to-night) variations.

The noise factor F_{am} is the variation of noise with frequency for each noise grade. It is similar for the different 4-hour time blocks in the winter, spring, summer, and autumn. On an autumn morning, for instance, noise grade 70 starts at 163 db for 10 kHz, decreases to 120 for 100 kHz, to 70 at 1 MHz (hence the "70" grade), and to 38 at 10 MHz. The noise factor f determines the relation between received power P_e available from a loss free antenna

$$P_e = frkTb, \tag{35}$$

or in *db* below 1 watt,

$$P_e = F_a + R + B - 204, \tag{36}$$

where R is the required signal-to-noise power ratio in db for the given bandwidth, B equals 10 log b. The −204 comes from 10 log kT. If a receiver is located in a noise grade 70 location, with a signal-to-noise ratio of 10, a bandwidth of 10 kHz, and a signal frequency of 100 kHz, then

$$P_e = 110 + 10 + 40 - 204 = -44 dbW, \tag{37}$$

or 0.04 milliwatts.

Noise grade contours and data above 10 kHz are taken from a CCIR Report (reference 42) and represent reputable data. Actual noise measurements have been made only for a few places in the world, as might be expected, and the noise predictions for many parts of the world are interpolated from a knowledge of thunderstorm distribution and radio propagation characteristics.[42] In the 1 to 10 kHz range noise information is rare. CCIR curves are extended down to 1 kHz by estimates based on measurements by Watt and Maxwell.[43-44] They, to a large extent, measured peak-noise electric field strengths instead of noise power, but on the basis of some noise power measurements they predict a noise behavior with frequency similar to their peak field strength measurements. Their measurements were made at Boulder, Colorado, (about noise grade 70) and the assumption is made that the results can be extended to other noise grades.

Atmospheric noise below 1 kHz was measured by Maxwell and Stone.[45] Their data compared favorable with CCIR Report 65[46] (revised later by CCIR Report 322 in referdence 42) for frequencies from 10 to 100 kHz, and with 1 to 100 kHz data from reference 44. Using these results and Don Watt's VLF system design book,[47] a mean value of rms noise field (vertical) strength for a one Hz bandwidth is 60 db above one microvolt/meter in the Boulder, Colorado, locality. The relationship between the noise field E_n and F_a is

$$E_n = F_a + B + 20 \log f_{MHz} - 95.5, \tag{38}$$

and for $b = 1$ *Hz*, $B = 0$.

Fluctuations, in F_a (and therefore E_n) vary, as indicated above, from place to place, time of day, and season. The noise power corresponding to Eq. (38) is

$$P_n = E_n H_n = (10^{-3} \text{ volts/m}) \times (2.5 \times 10^{-6} \text{ amp/m}) = 2.5 \times 10^{-9} \text{ watts/square meter} \tag{39}$$

in a one Hz bandwidth where Hn is the corresponding (horizontal) magnetic field of the noise is 8 db above one microampere per meter.

RECEIVER BANDWIDTH

The ratio of signal power, 10^{-12} watt per square meter, given by Eq. (34), to noise power, 2.5 x 10^{-9} watt per square meter in one Hz, given by Eq. (39), is

$$\frac{\text{Signal}}{\text{Noise}} = 4 \times 10^{-5}. \tag{40}$$

If a signal-to-noise ratio of unity is desired, a bandwidth BW must be less than

$$\text{BW} = 4 \times 10^{-5} \text{ Hz}. \tag{41}$$

Following the sampling theorem, the time for one BIT in post detection integration system is about

$$\text{Bit Time} \simeq 10{,}000 \text{ seconds}. \tag{42}$$

The above time is about three hours! If the noise level drops to a quiet level, 20 db, then the Bit Time is about one hour. For a letter of 5 Bits in a binary system, 5 to 15 hours may be needed. If a word is mis-spelled, the time is longer.

The time requirement may be reduced. If the power input is increased ten times to 250 Megawatts, then the Bit Time drops to 18 minutes. A 1,000 Megawatt power input requires only 4.5 minutes per bit.

A one letter word, using 22.5 minutes, could be sent in one minute with 22 power inputs of 1,000 Megawatts. Due to power line losses, load balance, and other factors, about 22 power stations with 1,500 Megawatt capacities may be needed for one letter.

AIR-SURFACE LOSS

For a submarine communication, the medium would be sea water with a 5.0 mho per meter conductivity. This loss is, from Eq. (9), using 100 Hz

$$n^2 = 9 \times 10^7 \simeq 10^8, \tag{43}$$

so that the horizontal electric field is reduced from 6 microvolts/meter, in Eq. (32), to

$$E_{Aerial} = 6 \times 10^{-10} \text{ volt/meter} \tag{44}$$

and, with a skin depth of 22 meters (100 Hz), the attenuation of 8.686 db per 22 meters, or 40 db per 100 meters, is present. The receiving antenna, with a matching load, has an input power

$$W_{REC} = \frac{V^2}{4R_{ANT}} = \frac{E^2 l^2}{4 \times 300 (l/\lambda)} = 1.5 \times 10^{-12} \text{ WATTS}, \tag{45}$$

where l is the antenna length (about 1 kilometer), λ is the wavelength (5,000 kilometers or 3,000 miles), and E is the horizontal field intensity of the signal. At 100 meters depth, the above increases to

$$W_{REC} \simeq 1.5 \times 10^{-16} \text{ watts}. \tag{46}$$

The noise power decreases like the signal power, but one must dig fairly deep before he switches from atmospheric noise limited to receiver noise limited cases.

CONCLUSIONS

Starting with Hertz's first dipole and rambling through a few of the many exciting highlights in antenna history, it was noted that the tendency in VLF communications was in the direction of higher efficiency and lower power. A tremendously difficult concept to grasp is the Sanguine Project. A reversion from the VLF system at Cutler, Maine, where one Megawatt is radiated with two Megawatts of input power, to the ELF system in Wisconsin, where one Watt is radiated with 25 Megawatts of input power, is a unique change. At the receiver, a power input less than 10^{-12} Watt (one millionth of one millionth of a Watt) is fairly small for the cost of 25 million Watts of power.

With the bandwidth requirement of 4 x 10^{-5} Hz for a signal-to-noise ratio of one, a period of 3 hours for one BIT of information makes the 25 Megawatt level too low. Unless about a hundred nuclear power plants were installed along Lake Superior, homers, or homing pigeons, might be a faster mode of communication.

A recent newspaper article in the Minneapolis Tribune (Tuesday, March 9, 1971) indicated that the Navy plans to bury the antenna system several thousand feet underground. With the passage of time, the area for Sanguine decreases, the power decreases, the burial depth increases, and the costs apparently rise and fall. All of these changes reduce the power radiated.

Although the Sanguine Project may argue with the numbers mentioned in this study, they do not represent a "worst case analysis." If the "worst case" numbers were used for soil conductivity variations, atmospheric noise levels, and electronic component failures, the signal level would be much lower than the values developed here. The Sanguine results apparently followed the policy of a "best case" analysis to justify its feasibility.

FOOTNOTES

[1] G. W. Pierce, *Principles of Wireless Telegraphy*, McGraw-Hill Book Co., Inc., New York, p. 77, and chs. 9 and 12, 1910.

[2] R. A. Fessenden, "Wireless Telephony," *Trans. AIEE*, vol. 27, pp. 558–629, June, 1908.

[5] G. Marconi, "Transatlantic Wireless Telegraphy," Presented before the Royal Institute of Great Britain, March 13, 1908.

[4] E. H. Armstrong, "The Spirit of Discovery—An Appreciation of the Work of Marconi," *Elec. Engineering*, vol. 72, pp. 670–676, August, 1953.

[5] W. H. G. Bullard, "The Naval Radio Service," *Proc. IRE*, vol. 3, pp. 7–28, 1915.

[6] F. W. Alexanderson, "Trans-Oceanic Radio Communication," *Proc. IRE*, vol. 8, pp. 263–285, August, 1920.

[7] E. F. W. Alexanderson, A. E. Reoch, and C. H. Taylor, "The Electrical Plant of Trans-Ocean Telegraphy," *Trans. AIEE*, vol. 42, pp. 707–717, June, 1923.

[8] H. H. Beverage, "Antennas and Transmission Lines," *Proc. IRE*, vol. 50, pp. 879–884, May, 1962.

[9] L. J. Chu, "Growth of the Antennas and Propagation Field Between World War I and World War II," *Proc. IRE*, vol. 50, pp. 685–687, May, 1962.

[10] J. D. O'Connell, A. L. Pachynski, and L. S. Howeth, "A Summary of Military Communication in the United States—1860 to 1962," *Proc. IRE*, vol. 50, pp. 1241–1251, May, 1962.

[11] W. L. Weeks, *Antenna Engineering*, McGraw-Hill Book Co., New York, Ch. 2, 1968.

[12] H. Fine, "An Effective Conductivity Map for Continental United States," *Proc. IRE*, vol .42, pp. 1405–1408, September, 1954.

[13] E. C. Jordan and K. G. Balmain, *Electromagnetic Waves and Radiating Systems*, Prentice Hall, Inc., Englewood Cliffs, N.J., ch. 11, Second Edition, 1968.

[14] R. C. Hansen, "Radiation and Reception with Buried and Submerged Antennas," *IEEE Trans. Antennas and Propagation*, vol. AP–11, pp. 207–216, May, 1963.

[15] W. L. Anderson, "Fields of Electric Dipoles in Sea Water—The Earth-Atmosphere-Ionosphere Problem," *J. Res. NBS*, vol. 66D, pp. 63–72, January–February, 1962.

[16] C. R. Burrows, "Radio Communication within the Earth's Crust," *IEEE Trans. Antennas and Propagation*, vol. AP–11, pp. 311–317, May, 1963.

[17] J. R. Wait, "Some Factors Concerning Electromagnetic Wave Propagation in the Earth's Crust," *Proc. IEEE*, vol. 54, pp. 1193–1194; September, 1966.

[18] R. K. Moore, "Effects of a Surrounding Conducting Medium on Antenna Analysis," *IEEE Trans. Antennas and Propagation*, vol. AP–11, pp. 216–225, May, 1963.

[19] H. Mott and A. W. Biggs, "Very Low Frequency Propagation Below and Bottom of the Sea," *IEEE Trans. Antennas and Propagation*, vol. AP–11, pp. 324–329, May, 1963.

[20] K. Brown. "ELF: How We'll Broadcast with 'Mystery' Radio Waves," *Popular Science*, pp. 104–107, September, 1969.

[21] G. Laycock, "Not All Is Sanguine in Wisconsin," *Audubon*, pp. 104–109, January, 1970.

[22] C. T. Tai, "Radiation of a Hertzian Dipole Immersed in a Dissipative Medium," Cruft Laboratory, Harvard University, Cambridge, Massachusetts, Report No. 21, October, 1947.

[23] R. K. Moore, "Theory of Radio Communication Between Submerged Antennas," Ph. D. Thesis, Cornell University, 1951.

[24] Baños, *Dipole Radiation in the Presence of a Conducting Half Space*, Pergamon Press, New York, 1965.

[25] J. R. Wait, "The Electromagnetic Fields of an Electric Dipole in a Semi-Infinite Conducting Medium," *Can. J. Phys.*, vol. 39, pp. 1017–1028, July, 1961.

[26] A. W. Biggs, "Radiation Fields from a Horizontal Electric Dipole in a Semi-Infinite Conducting Medium," *IRE Trans. Antennas and Propagation*, vol. AP–10, pp. 358–362, July, 1962.

[27] A. W. Biggs and H. M. Swarm, "Radiation Fields of an Inclined Electric Dipole Immersed in a Semi-Infinite Conducting Medium," *IEEE Trans. Antennas and Propagation*, vol. AP–11, pp. 306–310, May, 1963.

[28] A. W. Biggs and H. M. Swarm, "Radiation Fields from an Electric Dipole Antenna in Homogeneous Antarctic Terrain," *IEEE Trans. Antennas and Propagation*, vol. AP–16, pp. 201–208, March, 1968.

[29] A. W. Biggs, "Dipole Antenna Radiation Fields in Stratified Antarctic Media," *IEEE Trans. Antennas and Propagation*, vol. AP–16, pp. 445–448, July, 1968.

[30] H. A. Wheeler, "Useful Radiation from an Underground Antenna," *J. Res. NBS*, vol. 65D, pp. 89–91, January–February, 1961.

[31] G. Hasserjian and A. W. Guy, "Low Frequency Subsurface Antennas," *IEEE Trans. Antennas and Propagation*, vol. AP–10, pp. 225–231, May, 1963.

[32] K. A. Norton, "Propagation of Radio Waves Over the Surface of the Earth and in the Upper Atmosphere," *Proc. IRE*, vol. 24, pp. 1367–1387, October, 1936; Part II, vol. 25, pp. 1203–1236, September, 1937.

[33] E. L. Maxwell and R. R. Morgan, "A 10 kHz Effective Conductivity Map of North America," paper persented at the AGARD Symposium on Sub Surface Communications, Paris, France, April 25–29, 1966.

[34] A. W. Biggs, "Terrain Influence on Effective Ground Conductivity," *IEEE Trans. Geoscience Electronics*, vol. GE–8, pp. 106–114, April, 1970.

[35] J. R. Wait and A. M. Conda, "On the Measurement of Ground Conductivity at VLF," *IRE Trans. Antennas and Propagation*, vol. AP–6, pp. 273–277, July, 1958.

[36] E. L. Maxwell, A. J. Farstad, J. J. Jacobson, and J. R. Portman, "Electrical Conductivity Measurements of the Earth at Audio Frequencies," Report No. 30–F–1, DECO Electronics, Inc., Boulder, Colorado, November, 1961.

[37] J. R. Wait, "A Study of VLF Field Strength Data: Both Old and New," *Geofisica pura e Applicato* (Milano), vol. 41, pp. 73–85, 1858/III.

[38] J. Galejs, "Near Fields and Antipodal Fields in the Terrestrial Earth-Ionosphere Waveguide," *Proc. IEEE*, vol. 116, pp. 1150–1158, July, 1969.

[39] F. W. Chapman and R. C. V. Macario, "Propagation of Audio Frequency Waves to Great Distances," *Nature*, vol. 117, pp. 930–933, May, 1956.

[40] K. Henney, *Radio Engineering Handbook*, McGraw-Hill Book Co., New York, pp. 15–19, 1959.

[41] S. Goldman, *Frequency Analysis, Modulation, and Noise*, McGraw-Hill Book Co., New York, pp. 213, 254, 401, 1948.

[42] International Radio Consultative Committee (CCIR), *World Distribution and Characteristics of Atmospheric Radio Noise*, Report 322. Published by the International Telecommunication Union, Geneva, Switzerland, 1964.

[43] A. D. Watt and E. L. Maxwell, "Measured Statistical Characteristics of VLF Atmospheric Radio Noise," *Proc. IRE*, vol. 45, pp. 55–62, January, 1957.

[44] A. D. Watt, "Characteristics of Atmospheric Noise from 1 to 100 KC," *Proc. IRE*, vol. 45, pp. 787–794, June, 1957.

[45] E. L. Maxwell and D. L. Stone, "Natural Noise Fields from 1 cps to 100 kc," *IEEE Trans. Antennas and Propagation*, vol. AP–11, pp. 339–343, May, 1963.

[46] International Radio Consultative Committee (CCIR), *Revision of Atmospheric Radio Noise Data*, CCIR Study, Group VI, Report No. 65, 1957.

[47] A. Donald Watt, *VLF Radio Engineering*, Pergammon Press, New York, 1968.

A Report on the Technical Feasibility of Project Sanguine: Wisconsin Committee for Environmental Information, May 3, 1971

(Prepared by Michael McClintock, Paul Rissman, Alwyn Scott, University of Wisconsin)

Summary of the Report

The U.S. Navy's plans for Project Sanguine involve a buried antenna system intended to allow communication to submerged submarines at frequencies on the order of those used for electrical power transmission (45 or 75 cycles per second have been mentioned). The present report uses theoretical and experimental information published in the open scientific literature which is applicable to the Sanguine concept to demonstrate that a Sanguine type system is not technically feasible.

The basic difficulty is the inherently low efficiency of an underground antenna. With the Navy's announced input power, under the most optimistic conditions, this leads to a transmission time of nearly two hours to send a simple twelve letter message. Power input to the antenna can be increased to decrease the transmission time, but again under the most optimistic conditions, it would take the entire electrical output of several large power generating plants to reduce the transmission time to one minute.

In these calculations the benefit of every doubt has been given to the Sanguine system. Several specific losses are mentioned which have been ignored in the present calculations, all of which would decrease the system's performance. A more realistic estimate would increase the necessary transmission time over that of the present "best case" analysis by perhaps one hundred or one thousand times for a given power input.

It is emphasized that these calculations do not depend upon the details of the transmission or receiving equipment used in the Sanguine communication system. The conclusions are consequences of the basic laws of physics applied to the concept of a Sanguine type system.

Given the fact that the Sanguine system is a one-way communication device, and that it takes an inordinately long time to transmit even a simple message, it cannot be considered a normal communication system. It must have a special purpose. Navy statements and our own analysis suggest that its main purpose is to serve as the communication link in a "last strike" capability of this nation; i.e., to allow for the release of submarine based nuclear missiles even after an earlier nuclear exchange may have rendered communication by normal methods impossible. But it is precisely the low data rate capability (the long transmission time) of Sanguine that thwarts the system's purpose, since this characteristic makes it especially susceptible to jamming by a foreign nation (the introduction of confusing information at the Sanguine frequency). It is only necessary to receive a Sanguine signal for a few seconds in order to begin jamming, and the power requirements for jamming are far less than those required by the system itself. These arguments are supported in greater detail in the main body of the report.

I. Introduction

The U.S. Navy has announced plans for Project Sanguine, a world wide communication system from the continental United States to the U.S. nuclear submarine fleet.[1] The cost has been projected between $0.75 and $1.5 billion;[2] since 1958 about $50 million has been spent on feasibility studies.[3]

The Wisconsin Committee for Environmental Information is interested in Project Sanguine because of its possible effects on the environment. During our investigation, however, we have become aware of certain problems which cast serious doubt upon the technical feasibility of the Sanguine communication concept. The purpose of this report is to describe these technical problems.

In Section II we present a brief description of the Sanguine communication concept which introduces the important features of the system. Sections III and IV analyze the above mentioned technical problems in de-

---

Footnotes at end of article.

tail. Section V describes the strategic function of Sanguine and Section VI emphasizes susceptibility of a Sanguine type system to jamming. Section VII lists our conclusions. Appendix A discusses briefly another paper on this subject, released in September 1970. Appendix B discusses a feasibility test conducted by the Navy in North Carolina.

II. DESCRIPTION OF THE SANGUINE COMMUNICATION SYSTEM

The principles of the Sanguine communication system are indicated schematically in Figure 1 (not reproduced). The system essentially consists of a buried transmitting antenna which radiates an extremely low frequency (elf) electromagnetic wave (45 or 75 cycles per second) into the air space between the ionosphere and the surface of the earth. This wave propagates through the air space to a position above a submarine. A small fraction of the wave power then leaks downward through the rather highly conductive sea water and is received by the submarine [4] along with noise (commonly called "static") that originates at many sources.

The power fed into the transmitting antenna is indicated by P_G watts. A fraction, F, of this power is actually launched into the wave which propagates through the air space. The power per unit area in this wave becomes less intense as it propagates away from the transmitting antenna because it spreads out and covers a wider area. There are other propagation losses as well, but we ignore them.

Atmospheric disturbances, such as lightning, radiate random noise power, P_N, into the air at the Sanguine frequency. This noise power can interfere with the proper reception of a Sanguine signal. One of the main requirements of the system design must be to insure that the signal power intensity in the vicinity of the submarine is sufficiently large compared with the noise power intensity, that the signal can be reliably received.

In the following section we determine the fraction, F, of the antenna input power which is actually radiated. We show that the Navy's estimate of F is optimistic by *at least* a factor of about a hundred. In Section IV the feasibility of the system is considered.

III. DETERMINATION OF THE ANTENNA EFFICIENCY

It is clear from the preceding discussion that the antenna efficiency, F, (or the fraction of antenna input power which is actually radiated into the propagating wave) is an important system parameter. The Navy has indicated that [4]

$$F \leq 10^{-4}$$

We will show here that this value is very optimistic and that a more reasonable value is

$$F = 10^{-6}$$

The problem of radiation from an antenna buried in the earth has been thoroughly discussed in the scientific literature. In 1942 Sommerfeld and Renner investigated the radiation fields of both vertical and horizontal buried dipole antennas.[5] They showed that the radiation of a buried horizontal antenna into the air (the "Nutzstrahlung" or useful radiation) falls rapidly to zero as the ground conductivity increases. These results were confirmed experimentally by Proctor [6] and summarized by King.[7] In 1952 Wait considered the radiation efficiency of a submerged magnetic dipole [8] and in 1961 Wheeler published simple formulas for calculating the radiation efficiencies of a buried vertical loop and a buried horizontal dipole.[9] In 1962 Biggs studied the radiation fields of a buried horizontal electric dipole in detail [10] and showed that the effect of burying an antenna to depth h is equivalent to reducing the radiation field intensity by a factor

$$e^{-h/\delta}$$

where δ is the electromagnetic skin depth of the earth. Hensen gave a thorough review of the performance of buried antennas in 1963 paying particular attention to the calculation of radiation efficiency.[11] Experimental confirmation of these results was provided by Hasserjian and Guy.[12] More recently Biggs has carried out an extensive study of the performance of antennas buried in the arctic and antarctic regions.[13-15] There is no shortage of scientific literature applicable to the Sanguine system, and the application is straightforward.

As the Navy points out, the Sanguine antenna is equivalent to a current loop lying in a vertical plane which penetrates into the earth a distance of the order of δ, the electromagnetic penetration depth.[4] This antenna is also often referred to as a grounded horizontal dipole. The efficiency of the antenna for radiation into the appropriately polarized mode (electric vector vertical) can be calculated as [9 11 22]

$$F = 8\pi^2 S^2 L/\lambda^2 \tag{1}$$

for an antenna near the surface of the earth. Eq. (1) neglects power loss in the end (or grounding) resistance and in the conducter (or wire) resistance,[9] factors which would reduce the efficiency further. This efficiency will be reduced in addition by the factor

$$e^{-2h/\delta} \tag{2}$$

if the antenna is buried a distance h, where [7]

$$\delta = 1/\sqrt{\pi f \sigma \mu_o} \text{ (meters)} \tag{3}$$

is the electromagnetic penetration depth and

L is the total length of the antenna (meters)
λ is the wave length in free space (meters)
h is the depth of the antenna (meters)
f is the transmission frequency (cycles per second)
σ is the ground conductivity (mhos per meter)
μ_o is the magnetic permeability of the free space ($4\pi \times 10^{-7}$ henrys per meter)

The ground conductivity in Northern Wisconsin is taken by the Navy as [16]

$$\sigma = 5 \times 10^{-4} \tag{4}$$

thus for a system frequency [4]

$$f = 45 \text{ cycles per second} \tag{5}$$

We have used the value 45 cycles per second since ionospheric losses become unfavorably high at 75 cycles per second [18] we find from Eq. (3) that

$$\delta = 3.3 \times 10^3 \text{ meters} \tag{6}$$

At a frequency of 45 cycles per second the free space wave length

$$\lambda = 6.7 \times 10^6 \text{ meters} \tag{7}$$

Several alternative antenna systems have recently been mentioned in a communication from the Navy to Senator Nelson.[17] These are divided into "non-survivable", "surface survivable" and "deep underground" antennas. As will be pointed out below, Sanguine would be primarily useful to provide a "last strike" nuclear capability; thus "non-survivable" antennas are of little practical interest. A "surface survivable" system might be of limited practical interest. The most efficient "surface survivable" system suggested by the Navy is a grid 81×81 miles. Of the systems of practical interest proposed by the Navy, this system leads to the most optimistic calculation of antenna efficiency, so this is the one we will consider in detail. Suppose the grid consists of ten elements each 81 miles long running parallel to each other, crossed by another such array perpendicular to the first. For a submarine at a given location, only ten elements are effective in transmitting a signal so the total antenna length would be 810 miles or

$$L = 1.3 \times 10^6 \text{ meters} \tag{8}$$

Substituting (6), (7), and (8) into (1) yields $F = 3.9 \times 10^{-6}$. Taking conductor and grounding losses into consideration would reduce the efficiency to at most [24]

$$F = 10^{-6} \tag{9}$$

for a "surface survivable" antenna.

For a "deep underground" antenna the efficiency would become even smaller. Suppose, for example, that the antenna were buried to a depth

$$h = 10^3 \text{ meters} \tag{10}$$

The factor given in Eq. (2) would then be equal to 0.55. Such an antenna would necessarily be considerably shorter than 810 miles because of the high cost of such long tunnels. Thus we should expect the efficiency to be at least as small as

$$F = 10^{-7} \tag{11}$$

for a "deep underground" antenna. For the present, however, we adopt the more optimistic figure of 10^{-6}.

IV. THE FEASIBILITY OF THE SANGUINE CONCEPT

To evaluate the feasibility of the Sanguine communication concept as recently outlined by the Navy [4] we use the following system parameters:

1. *Generator power.*[4] (Level suggested by the Navy)

$$P_G = 3 \times 10^7 \text{ watts}$$

2. *Radiated fraction of generator power.* (Calculated in Section III of this report for a "surface survivable" antenna)

$$F = 10^{-6}$$

3. *Height of ionosphere.*[18]

$$H = 8 \times 10^4 \text{ meters}$$

4. *Circumference of the earth.*

$$C = 4 \times 10^7 \text{ meters}$$

Only FP_G watts of input power will actually be radiated into the propagating wave. This wave "spreads out" over a greater area as it propagates. For a submarine one quarter of the way around the earth, the area through which the wave passes equals HC. Thus, at most, the

$$\frac{\text{signal power}}{\text{area}} = \frac{FP_G}{HC} = 10^{-11} \text{ watts/meter}^2 \tag{12}$$

Actually, this power would be considerably smaller due to refractive losses into the ionosphere and ground.[18]

The atmospheric noise level can be expected to vary greatly with local thunderstorm activity. A mean value for Boulder, Colorado (we do not suggest that submarines will actually be located at Boulder; this is simply one of the stations at which reasonably reliable mean atmospheric noise data in the 50 to 100 cycle per second range is available), is about 60 db below 1 volt per meter in a cycle per second between 10 and 100 cycles per second.[19] This corresponds to a

$$\left[\frac{\text{noise power}}{\text{bandwidth area}}\right] = 2.5 \times 10^{-9} \frac{\text{watts}}{\text{cycles per second-meter}^2} \tag{13}$$

Dividing (12) by (13) gives a receiver bandwidth of 4×10^{-3} cycles/second for which the signal power level greater than the *mean* atmospheric power level at Boulder, Colorado. In practice one might wish to have the signal power level greater than the *mean* atmospheric noise level because of seasonal and local variations.[20] But again adopting

Footnotes at end of article.

the most optimistic figure for the system, the receiver bandwidth must be at least as small as

(14) [receiver bandwidth] $=4\times10^{-3}$ cycles/second.

The receiver bandwidth directly limits the response time of the receiver. It is related to the bandwidth by: [21]

(15) $$[\text{response time}]=\frac{0.4}{\text{bandwidth}}$$

From (14) and (15) it is evident that the

(16) [receiver response time] $=10^{2}$ seconds or almost 2 minutes.

The receiver response time is the time required for the receiver to make a transition from one output level to another. It is the time necessary to transmit one "bit" or fundamental unit of information. To send a message in the English alphabet, for example, a 5 bit symbol is required for each letter. Thus to transmit a twelve letter message (for example "Fire Missiles") would require 60 bits of information. Via this system, the sending of such a message would require 6×10^{2} seconds or 1.7 hours of transmission time. Other codes might be used, of course, but for such weighty matters as those communicated to missile submarines, this many bits or more would be desirable to prevent error.

Such a lengthy transmission time for a short message is clearly unacceptable for reasonable communications. The receiver bandwidth could be increased and, through Eq. (15), the receiver response time could be shortened if the power input to the antenna were correspondingly increased. To decrease transmission time of Fire Missiles from 1.7 hours to one minute would require an increase of antenna input power by a factor of 100. This would imply

(17) $P_G=3{,}000$ megawatts

or about 3 nuclear power stations each producing 1,000 megawatts. The design dilemma may be epitomized in the following way.

(18) $$\left[\begin{array}{l}\text{Number of 1,000}\\ \text{megawatt power}\\ \text{stations}\end{array}\right]\times\left[\begin{array}{l}\text{Number of minutes}\\ \text{to transmit Fire}\\ \text{Missiles}\end{array}\right]=3$$

This relation is illustrated in Figure 2 (not reproduced).

But even one minute falls far short of acceptibility. When the transmission time exceeds a few seconds the ease of jamming the signal by a foreign nation increases greatly. We address the jamming question in Section VI.

It must be emphasized that Eq. (18) is not the result of a "worst case" analysis. On the contrary whenever there was an uncertainty we have chosen those parameter values most favorable to the system. In particular we have neglected to consider the following effects which could degrade system performance.

(1) *Higher ground conductivity near the surface.* In calculating antenna efficiency we have used a value for deep ground conductivity estimated by the Navy.[15] The conductivity near the surface, where near field losses predominate, will be larger, [20] especially during rainy weather. Due to this factor alone the antenna efficiency could easily be an order of magnitude smaller than the value given in Eq. (9).

(2) *Ionospheric losses.* As Wait has shown,[18] ionospheric losses cannot be neglected in a realistic calculation of elf wave attenuation. Thus Eq. (12) considerably overestimates the signal power per unit area a quarter of the way around the globe. If we had evaluated the system at 75 cycles per second, the antenna efficiency would have increased by a factor of about three, but the increased ionospheric losses would have more than cancelled out this slight advantage.

(3) *Fluctuation in the noise level.* Our calculations were made for an observed *average* value of atmospheric noise. The instantaneous noise level can be expected to vary considerably about this mean. The system, of course, must be designed to operate reliably at peak noise levels.

(4) *Reduced efficiency of "deep underground" antennas.* We have estimated in Eq. (11) that the efficiency of a "deep underground" antenna would be at least an order of magnitude less than that for a "surface survivable" antenna. We have not, however, used this lower value of efficiency in our calculations.

(5) *Attenuation of the signal in sea water.* The Sanguine signal will be strongly attenuated as it attempts to penetrate the sea water to a deeply submerged submarine. Eventually the signal would become so weak that other noise sources (thermal noise, electrical noise generated in the submarine, etc.) must be taken into account. We have not considered this effect.

(6) *Antipodal cancellation.* The waves propagated from the Sanguine antenna will cancel at the antipode of Northern Wisconsin. Thus the system would be relatively useless for a large area in the Indian Ocean.

Consideration of these effects would lead to a system evaluation several orders of magnitude (several factors of ten) less favorable than our "best case" results of Eq. (18) and Fig. 2.

V. SANGUINE AS A "LAST STRIKE" CAPABILITY

We have shown in the previous section that a Sanguine system with a "surface survivable" antenna operated at the power levels suggested by the Navy will have an extremely low data transmission rate. A conservative estimate indicates that at least 100 seconds would be required to transmit a single bit of information and about 1.7 hours would be needed to transmit a simple twelve letter message. Furthermore, Sanguine would be a one-way communication system for the transmitting antenna to the submarine fleet.[2] Thus Sanguine would not be a "communication system" in the normal sense. It is clearly a highly specialized system for the transmission of very limited messages (perhaps code words which convey more complex meaning by indexing to a code book), under conditions that would prevent the use of normal, more efficient communication devices. Such emergency conditions could arise, for example, if a nuclear exchange between nations had ionized a portion of the earth's atmosphere, preventing transmission by the systems usually employed.

From its easily determined characteristics, then, we conclude that Sanguine's main purpose is to serve as the communications link in a "last strike" capability of this nation; i.e., a way to insure the launching of Polaris and Poseidon missiles from our submarines toward preselected targets even after the start of a nuclear war has prevented the use of normal communication systems. Indeed, an indication of this has already been provided in a news story carried in the Madison, Wisconsin *Capital Times* of March 9, 1971. This story quotes the Navy's John R. Hennessey, director of public and congressional affairs for the Naval Electronic Systems Command in Washington, as saying in reference to Sanguine, "It's got to be survivable. The fact that you can hit back is a good reason for the other guy not to hit you." In other words, the merits of Project Sanguine would appear to rest upon its credibility as a "last strike" weapon system to deter an enemy attack. If a Sanguine signal can be easily jammed, however, the system's credibility is seriously impaired. This question is addressed in the following section.

VI. JAMMING OF THE SANGUINE SYSTEM

In a recent study by Biggs and Marier [22] (see Appendix A) it was pointed out that the Sanguine system is very susceptible to jamming by an enemy nation (the introduction of confusing information by another antenna operating at the same frequency). This criticism is crucial because a system which can easily be jammed is not reliable. An unreliable Sanguine system has little "last strike" strategic value.

A conventional high frequency communication system is difficult to jam because it can broadcast information very rapidly (in a fraction of a second) and at any one of many available frequencies. Thus it is almost impossible for an enemy to know when and at what frequency he must radiate a jamming signal. Furthermore, in a two-way communication system the receiving station can always request a confirmation of the message.

We have shown that Sanguine would necessarily be a *slow* "communication system". It would require, for example, at least 1.7 hours to transmit a 12-letter message. The Sanguine frequency would therefore be precisely known to anyone who chose to monitor its radiation. Thus an enemy would not need to overpower the Sanguine signal; he would only need to introduce errors into the transmitted message. A submarine commander, of course, would require absolutely reliable information before he launched a nuclear missile.

The power required to jam a Sanguine system would likely be less than the power needed to operate such a system for the following reasons.

(1) A much more efficient above ground antenna could be used for jamming since its survivability is not crucial. For example, a section of a conventional power line could be employed on a part time basis or specially constructed for the purpose.

(2) The jamming antenna could be closer to the submarine than the submarine is to Wisconsin. In this case the jamming antenna would require less power simply because its signal would not be susceptible to the geometrical spreading losses of the more distant Sanguine signal.

We must conclude, therefore, that a Sanguine system could easily be rendered ineffective by any foreign power which chose to do so and was willing to spend the necessary power for a jamming system.

VII. CONCLUSIONS

This study has shown that a Sanguine type communication system with a buried transmitting antenna would have either an excessively slow data transmission rate or would require an excessive amount of input power. One disadvantage can be traded for the other. With the power input to the antenna announced by the Navy, for example, the time required to transmit a message of twelve letters would be almost two hours. These conclusions can easily be calculated from both experimental and theoretical work reported in the open scientific literature. They cannot be escaped by using sophisticated receiving equipment since they are an inevitable result of the extremely poor efficiency of underground low frequency transmitting antennas. It should be noted that it is not the low antenna efficiency in itself which casts doubt on the feasibility of Sanguine, but the fact that low antenna efficiency leads to a low data transmission rate.

The slow transmission rate of the Sanguine system makes it susceptible to jamming by another nation. If such a nation were willing to use a long above-ground transmitting antenna for jamming, an easily available power line for example, the power requirement would be far less than that of the Sanguine system. Sanguine would therefore be easy to render ineffective.

On the grounds that it either requires an unrealistic amount of power, or that it is

Footnotes at end of article.

an extremely slow system of communication, and that these features lead to the fact that it can be easily jammed, the Sanguine system must be regarded as technically infeasible.

APPENDIX A—A DISCUSSION OF NOREC RESEARCH PAPER NO. 5

In September 1970 the Northern Environmental Council published a report concerning the technical feasibility of Project Sanguine by A. W. Biggs and D. L. Marier.[22] Professor Biggs is a highly respected scientist with an established research position in the design of underground antennas.[10-12-15] This report seriously questions the Sanguine communication concept on the basis of the inherent inefficiency of buried antennas at low frequencies.

Some questions have been raised concerning the credibility of this report.[2] These questions appear to be misunderstandings of the ambiguities which often arise in the attempt to explain scientific technicalities to a nonscientific reader. We have examined the NOREC Report No. 5 in detail and feel that its *Summary and Conclusions* should be given serious consideration.

APPENDIX B—THE NAVY'S NORTH CAROLINA FEASIBILITY TESTS

After a preliminary version of this report was prepared, we received data from the Navy on the tests which were conducted using a transmitting antenna at Site Alpha in Western North Carolina and Virginia.[24-25] Important data from these tests are:

1. Power input to antenna 120 kilowatts at 78 cycles/second.

2. Power radiated from antenna 0.96 watts at 78 cycles/second.

3. Antenna length 176 km on 10 meter high telephone poles. Effective elevation angle zero; azimuth angle 23 degrees east of north.

4. Maximum distance to submarine 3864 km.

5. Minimum power observed at receiver with a maximum integration time of 300 seconds.

6. Tests conducted during the first several months of 1963 with receivers at New York, Labrador, Iceland and Norway.

It is important to note (item 6) that these tests were run in the Northern Hemisphere during the winter months. Noise levels in the 10–100 cycle per second frequency range can be expected to be 15 db (or a factor of 30 in power) higher during the summer months.[19] Thus the system's integration time would need to be increased by a factor of 30 to about 10^4 seconds in order to operate reliably during the summer with a radiated power of one watt and a range of 3864 km.

Our calculations in Section IV (see Eq. (16)) indicate a response time of 10^2 seconds for a radiated power of 30 watts. The corresponding response time for a radiated power of one watt should be 3×10^3 seconds over a path length considerably longer than the 3864 km used in the Navy's tests (see item 4). For maximum range the North Carolina tests would imply a response time even longer than 10^4 seconds. Thus on the basis of the Navy's test data it appears that the calculations in Section IV are *conservative* in the sense our results tend to make the Sanguine system look better than it actually would be. The reason for this discrepancy is probably because we have neglected to include in Eq. 12 the refractive losses into the ionosphere and into the ground (propagation losses).[18]

FOOTNOTES

[1] F. L. Brand (Captain, USN), "Project Sanguine: A New Voice in the North Woods," speech given at Madison, Wisconsin, March 5, 1969.

[2] U.S. Navy figures quoted in T. J. Murray, "Evaluating Project Sanguine: A Non-Scientist's View," University-Industry Research Program, The University of Wisconsin, Madison, January 1971, page 16.

[3] Private communication from the office of Senator Gaylord Nelson.

[4] Sanguine System Environmental Compatibility Assurance Program (ECAP) Status Report, Appendix A. The ELF Communication Concept. December 1970.

[5] A. Sommerfeld and F. Renner, "Strahlungsenergie und Erdabsorption bei Depolantennen," Annalen der Physik *4!* (1952) 1–36.

[6] R. F. Proctor, "Input Impedance of Horizontal Dipole Aerials at Low Heights Above the Ground," J. Inst. Elect. Engrs. (London) *97*, Pt. 111 (1950) 188–190.

[7] R. W. P. King, *Theory of Linear Antennas*, Harvard University Press (1956) 799–808.

[8] J. R. Wait, "The Magnetic Dipole Antenna Immersed in a Conducting Medium", Proc. IRE *40* (1952) 1244–1245.

[9] H. A. Wheeler, "Useful Radiation from an Underground Antenna", Journal of Research of the NBS *65D* (1961) 89–91.

[10] A. W. Biggs, "Radiation Fields from a Horizontal Electric Dipole in a Semi-Infinite Conducting Medium", Transactions of the IEEE on Antennas and Propagation, *AP–10* (1962) 358–362.

[11] R. C. Hansen, "Radiation and Reception with Buried and Submerged Antennas", Transactions of the IEEE on Antennas and Propagation, *AP*–11 (1963) 207–217.

[12] G. Hasserjian and A. W. Guy, "Low-Frequency Subsurface Antennas", Transactions of the IEEE on Antennas and Propagation *AP–11* (1963) 225–231.

[13] A. W. Biggs and H. M. Swarm, "Radiation Fields from an Electric Dipole Antenna in Homogeneous Antarctic Terrain", IEEE Transactions on Antennas and Propagation *AP–16* (1968) 201–208.

[14] A. W. Biggs, "Dipole Antenna Radiation Fields in Stratified Antarctic Media", IEEE Transactions on Antennas and Propagation *AP–16* (1968) 445–448.

[15] A. W. Biggs, "Influence of Inclination Angles for Antennas Buried in Arctic Terrain on Space Wave Radiation", IEEE Transactions on Antennas and Propagation *AP–17* (1969) 790–795.

[16] Sanguine System Environmental Compatability Assurance Program (ECAP) Status Report, December 1970, p. 2–28.

[17] Alternative Sanguine Systems", sent by Rear Admiral F. J. Fitzpatrick to Senator Gaylord Nelson on April 8, 1971.

[18] J. R. Wait, *Electromagnetic Waves in Stratified Media*, Pergamon Press (1970) Ch. X.

[19] A. D. Watt, *VLF Radio Engineering*, Pergamon Press (1967) Chapter 5, p. 479, Fig. 5.3.6.

[20] *World Distribution and Characteristics of Atmospheric Radio Noise*, Report 322, International Telecommunication Union, Geneva (1964) p. 45.

[21] J. L. Stewart, *Circuit Theory and Design*, Wiley (1956) p. 331.

[22] A. W. Biggs and D. L. Marier, "A Technical Feasibility Analysis of Project Sanguine," Northern Environmental Council Report No. 5, September 14, 1970.

[23] Private communication from A. W. Biggs.

[24] "Some technical aspects of Project Sanguine", received from W. K. Hartell, 25 March 1971.

[25] J. Merrill, "An Overview of ELF Propagation Investigations prior to July 1970", presented at CSC, Falls Church, Virginia, 17 February 1971.

[26] H. Fine, "An Effective Ground Conductivity Map for Continental United States", Proc. IRE *42* (1954) 1405–1408.

JUSTICE DELAYED IS JUSTICE DENIED

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. EILBERG. Mr. Speaker, court congestion has increasingly become a matter of concern to those interested in efficient judicial administration. Increased urbanization as well as the economic and social complexities of contemporary society have swelled court workloads to such an extent that few States and cities have escaped the resultant adverse consequences.

More than 30 years ago, Roscoe Pound indicated his concern with this trend when he observed that an appellate judge in the 1920's was faced with a workload five times as great as that of his counterpart a hundred years before. In 1971, the problem of congestion and delay in our court systems has become far more widespread and acute. Our society has placed an ever-heavier responsibility on the courts for aiding in solving the vital problems of our day, and yet the judicial system throughout the Nation is encumbered in fulfilling this increased responsibility by insufficient manpower, faulty facilities and poorly organized court structures. As a result, the quality of American justice has been strained.

This situation calls for immediate attention. Procedural reform, structural reorganization and additional personnel are common needs of the judiciary throughout the country. The status of the judicial system of my own city of Philadelphia is no less acute than that generally existing. An article treating this vital problem in terms of the need for additional judicial manpower for Philadelphia, recently appeared in the Shingle, the monthly publication of the Philadelphia Bar Association. Feeling that this excellent study, "Requirements on Additional Judges for the Court of Common Pleas of Philadelphia," would be of interest and benefit to my colleagues, I include it in the RECORD:

REQUIREMENTS ON ADDITIONAL JUDGES FOR THE COURT OF COMMON PLEAS OF PHILADELPHIA

There exists in Philadelphia a definite and urgent need for some additional judges for the Court of Common Pleas. There has been extensive discussion on exactly how many such judges would be necessary in order to provide a manageable court system with prompt trials of both civil and criminal cases. There are currently pending in the State General Assembly bills which would add ten additional positions to the judicial roster.

Since the time of the Constitutional Convention held in 1967–68, the figure of thirty additional judges has been mentioned as a feasible goal.

A COMPARISON WITH OTHER LARGE JURISDICTIONS

The courts of the large cities throughout the country face the same problems and challenges as our court system faces in Philadelphia. These include on the criminal side a steady increase in the crime rate and

in the time needed for disposition of individual criminal cases. On the civil side, these include mounting delays in bringing cases to trial and a steady growing stream of civil litigation. Recently, a number of national magazines, including Life and Fortune, have published articles setting forth the scope of this delay. The large metropolitan daily newspapers, including the Philadelphia papers and the New York Times, have also extensively investigated this situation and come up with similar pessimistic conclusions.

Accordingly, a review of the number of judges existing in other metropolitan court systems, based on unit of population, is significant as a comparison of the extent to which we are functioning better or worse than other jurisdictions. Such statistics can aid in forming a realistic basis for determining the number of additional judges needed in the Court of Common Pleas. Below is a tabulation of the situation in the five largest city judicial systems:

City	Number of law judges	Population	Ratio of law judges to unit of population
Cleveland	74	1,733,000	1 (23,000)
Chicago	236	5,428,000	1 (23,000)
New York	328	8,022,000	1 (24,000)
Los Angeles	244	6,900,000	1 (28,300)
Philadelphia	63	2,070,000	1 (32,500)

If we are to use the standard of one judge per 23,000 population, which exists in the most favorably organized jurisdictions, we would see from simple arithmetic that Philadelphia should have ninety law judges. Since Philadelphia at the present time has a complement of fifty-six Common Pleas judges and seven Municipal Court law judges, the number of additional judges necessary to maintain this standard is twenty-seven.

It is important to point out here that, even with one judge per 23,000 population, reports are clear that the justice systems in Cleveland and Chicago are functioning at far from an adequate level. Furthermore, since the President Judge of the Municipal Court has recently stated that the criminal and civil backlogs in his area have reached proportions which exclude Municipal Court judges from any further service in Common Pleas Court, we in fact would need thirty-four additional judges to approach the level of one per 23,000 population. The use of retired Common Pleas Court judges for further service on the bench cannot significantly decrease these figures, since such judges by category are not available on a protracted basis.

THE SCOPE OF THE CASE LOAD

A few detailed tabulations as presented in this section serve to outline the intense scope of the problem facing our court system in terms of case disposition.

The recent riot in Holmesburg Prison was caused by a number of factors as outlined in a report submitted by the District Attorney's Office. In this report, a detailed tabulation was made by category of charge to show the nature of the offenders in Holmesburg Prison. An updating of these figures as of September 10, 1970, shows the following:

	Untried	Deferred sentence	Total
Homicide	170	45	215
Robbery	169	38	207
Assaults	35	10	45
Burglary	76	14	90
Larceny	15	2	17
Forgery and fraud	6	0	6
Rape and sex offenses	50	13	63
Narcotics	44	5	49
Arsons, weapons, etc.	6	2	8
Miscellaneous	78	3	81
Probation violations	8	1	9
Total	657	133	790

The city prisons have been overcrowded with many inmates awaiting trial, because the entire criminal justice system lacks the facilities and personnel to try cases promptly due to a variety of reasons including:

(a) more criminal cases to be tried due to an increased crime rate;

(b) extra pre-trial proceedings (hearings on suppression of confessions, evidence obtained by search and seizure, lineup identification, etc.);

(c) more jury trials (more major crimes to be tried, more demands for jury trials);

(d) elongated trials;

(e) additional post-trial rights; and

(f) proceedings under the Post Conviction Hearing Act.

In addition to criminal trials for both inmates in detention and defendants on bail, there is an extensive backlog of other matters which must be scheduled and disposed of in the Court of Common Pleas. According to statistics from the office of the Court Administrator of Philadelphia, the Court of Common Pleas had the following cases to be tried as of September 8, 1970:

Arbitration	1,179
Unmarried Mothers	208
Juvenile	*1,710
Domestic Relations	1,561
Criminal Listings	5,741
Civil Listings (Non-Jury)	2,609
Civil Listings (Jury)	11,121
Adoptions	202
Total	24,331

*This figure is as of August 3, 1970.

Little attention has been paid recently to the mounting civil backlog due to the almost total commitment of the courts to criminal business. According to the Court Administrator, the average time between the filing of a Certificate of Readiness and a civil jury trial has increased to 47.7 months. There is undoubtedly considerable hardship on many civil litigants resulting from this. A better balance in the number of judges assigned to this mounting accumulation of cases can only be achieved by addition to members of the Common Pleas bench.

Requiring special attention within the criminal listings as of September 8, 1970, were:

1. Pending Homicide Cases, 385.
2. Major Felony Trials, 424.
3. Rape Cases, 156.
4. Recidivist Cases, 197.
5. Deferred Sentences, 528.

These last categories include the most serious cases for the administration of criminal justice. The July 4 riot at Holmesburg pointed out the danger created by lengthy pre-trial detention of men, many of whom are charged with the commission of serious crimes of violence. The number of defendants in the Deferred Sentence category is also of deep concern because a significant proportion of these are men who have been convicted of serious crimes of violence and are out on bail pending final disposition.

JUDGE NEED AS PROJECTED FROM CASE DISPOSITION RATES

Compared to the workload in other Pennsylvania counties, there can be do doubt that the Philadelphia judges bear a much greater burden. Some counties have four court terms of three weeks of trials each, making a total of twelve weeks a year. With the probable exception of Allegheny and Dauphin Counties the other counties may have even less, though again with few exceptions.

The judicial compensation is the same, again with slight differences in a few judicial districts. In Philadelphia the Court Administrator reports that the effective weeks per judge per year for trial work is thirty-seven weeks, leaving only fifteen weeks for all post trial motion hearings, research, opinion writing, judicial conferences, vacations and sick leave.

Statistical data has been maintained on case dispositions in the various areas of the Court's jurisdiction together with the number of judges assigned to such areas in a composite fashion since the date of the new Judiciary Article, January 1, 1969 and prior to that time on an individual court basis. The dispositions per judge per year have been determined by dividing the total number of judges assigned in an area of the Court's jurisdiction into the total case disposition of that area during the year, and projecting this disposition rate against the existing case loads and the number of cases backlogged in each area of the Court's jurisdiction.

The following statistical information forms the basis of projecting existing needs:

CIVIL JURY CASES

Disposition per judge per year, 459.

Total civil jury cases anticipated in 1970 (1969—5,367 cases plus projected increase of 537 cases), 5,904.

Judges required to dispose of annual case input, 13.

There are at the present time open active cases numbering 10,241.

Judges required to dispose of presently pending cases within two years, 11.

Total judges required for civil jury cases, 24.

Total number of civil jury cases disposed of during 1969, 5,430.

The above projection does not take into account the real probability of a greater increase in the number of cases ordered on the trial list occasioned by the very fact that the backlog has been substantially reduced or eliminated. Many cases are settled prior to being ordered on the trial list because of the time lag between the time the case is ordered on the list and the date it is called for trial. Counsel and the court have been successful in effectuating settlements when they were able to effectively point out that the monetary difference between plaintiff's demand and defendant's offer made it economically unfeasible to take a chance on a trial which could not take place for at least two years or more.

In this connection, as part of the overall program initiated by the Calendar Judge in 1969, a series of settlement conferences were held in cases where the injury had occurred within six to eight months prior to the conference. The percentage of success in those conferences (in excess of eighty percent were settled) was due in a large measure to the fact that plaintiffs were more likely to settle for a lesser amount rather than take a chance on getting more later when the "later" meant a delay of at least two years or more.

Thus, if the backlog is eliminated, it is highly probable that cases of this type will not settle and will be ordered down for trial. Certainly, if counsel can expect that his case will be reached for trial on a current basis, he will be more likely to order it on the list rather than settle it, in the hope that his client will receive a higher amount without having to wait any length of time. Although it may be a seeming paradox, the reduction or elimination of the backlog will in itself generate an increased number of cases ordered on the list over and beyond the projection set forth above.

CIVIL NON-JURY AND EQUITY CASES

Disposition per judge per year, 370.

Total civil non-jury and equity cases anticipated in 1970 (1969—3,058 cases plus projected increase of 272 cases), 3,330.

Judges required to dispose of annual case input, 9.

There are at the present time open active cases numbering 1,791.

Judges required to dispose of presently pending cases within two years, 3.

Total judges required for civil non-jury and equity cases, 12.

Total number of civil non-jury and equity cases disposed of during 1969, 2,618.

MAJOR CRIMINAL CASES (INCLUDING HOMICIDE CASES)

Dispositions per judge per year, 119.

Total major criminal cases anticipated in 1970 (1969—1,845 cases plus projected increase of 185 cases), 2,030.

Judges required to dispose of annual case input, 17.

At the present time there are pending cases numbering, 2,064.

Judges required to eliminate pending cases within two years, 8.7.

Total number of judges required for the trial of major criminal cases, 25.7.

Total number of major criminal cases disposed of during 1969, 1,706.

NON-MAJOR CRIMINAL CASES (INCLUDING MOTIONS, PCHA, ETC.)

Dispositions per judge per year, 1,247.

Total non-major criminal cases anticipated in 1970 (1969—12,686 cases plus projected increase of 1,284), 13,970.

Judges required to dispose of annual case input, 11.2.

At the present time there are pending cases numbering, 10,638.

Judges required to eliminate pending cases within two years, 4.1.

Total number of judges required for the trial of non-major criminal cases, 15.3.

Total judges required for criminal courts, 41.

Total number of non-major criminal cases disposed of during 1969, 15,351.

In arriving at the number of judges assigned to the civil equity-non-jury list, there were included judges assigned to the civil motion list on which appear various preliminary motions which must be disposed of before a case can proceed to trial. Judges assigned to this list made 10,019 dispositions in 1969 in addition to the equity-non-jury dispositions set forth.

In arriving at the number of judges assigned to the non-major criminal list, there were included judges assigned to the Criminal Motion Court on which appears all preliminary motions including lengthy suppression hearings. These motions must be disposed of before a case proceeds to trial. Judges assigned to this list made 3,838 dispositions in 1969.

In arriving at the number of judges assigned to the juvenile list, there were included judges assigned to pre-trial and detention hearings in accordance with the United States Supreme Court mandate. Judges so assigned held approximately 5,000 hearings in 1969.

JUVENILE CASES

Dispositions per judge per year, 2,179.

Total juvenile cases anticipated in 1970 (1969—12,511 cases plus projected increase of 1,122 cases plus 8,105 cases previously disposed of by administrative hearings), 21,738.

Judges required to dispose of annual case input, 10.

There are at the present time open active cases numbering, 1,904.

Judges required to dispose of presently pending cases within one year, 1.

Total judges required for juvenile court, 11.

Total number of juvenile cases disposed of during 1969, 14,275.

DOMESTIC RELATIONS CASES

Dispositions per judge per year, 1,980.

Total domestic relations cases anticipated in 1970 (1969—14,257 cases plus projected increase of 1,712 cases), 15,969.

Judges required to dispose of annual case input, 8.2.

There are at the present time open active cases numbering, 5,585.

Judges required to dispose of presently pending cases within one year, 2.8.

Total judges required for domestic relations, 11.

Total number of domestic relations cases disposed of during 1969, 14,667.

ORPHANS' COURT DIVISION CASES

Number of Judges required by the Orphans' Court Division for assignment to Orphans' Court matters.

SUMMARY OF JUDGES REQUIRED

Civil Jury Cases	24
Civil Non-Jury Cases	12
Major Criminal Cases	25.7
Non-Major Criminal Cases	15.3
Juvenile Cases	11
Domestic Relations Cases	11
Orphans' Court Division Cases	4
Total	103

We cannot permit the pace of the past totally to govern the future. Improved methods of scheduling and more efficient utilization of judicial manpower through the extension of the use of existing courtrooms could result in an increased rate of disposition. Also, the number of judges projected for the elimination of backlogs may not be fully needed to dispose of simultaneous increases in new cases. Based on these factors, the projected number of judges required has been reduced by ten percent. Applying this ten-percent factor to the projected need of 103 judges reduces the immediate need to ninety-three Common Pleas Court Judges or an increase of thirty-seven judges over the present judicial complement.

Total number of judges required to expeditiously dispose of the annual case input and eliminate the existing backlogs, 93.

Existing complement of Common Pleas Court Judges, 56.

Additional judges required for the Common Pleas Court in Philadelphia, 37.

Additional judges will of course require supporting personnel and facilities. The leasing of the Gibson Building space on Market Street will soon make eight new courtrooms available. Twenty-four more could be created in the remaining floors of that building.

CONCLUSION

Since the figure of thirty additional judges has been a constant reference point during the several years in Philadelphia, it would appear sensible to continue this figure as the current realistic goal. We state this with the full understanding that the case load may itself continue to increase in the coming few years so that there would again be a need for additional judges within the decade of the 1970s.

In assessing the realistic need for thirty additional judges, we are not suggesting a figure which we expect to be compromised downward. We realize that some may be inclined to choose the number ten, fifteen or even twenty as the number of new judges. We re-emphasize that thirty, and not less than that number, are needed. If there is any inclination to reduce the number below thirty, then we suggest that the General Assembly vest in the Chief Justice of Pennsylvania the discretion to authorize the specific number of new judges up to thirty as the Chief Justice may determine the requirements to be.

Both as a matter of correcting false impressions and unjustified accusations against the work of present judges and as an aid to establishing the need for thirty additional judges, a program of public information on these subjects should be considered.

Subcommittee on Court Needs—John J. McDevitt, III, J., Chairman; Louis J. Goffman, Arlen Specter.

SALUTE TO AGRICULTURE PROVES VALUE OF RESEARCH BETWEEN FARMERS AND BUSINESS LEADERS IN CREATION OF NEW PRODUCTS TO BENEFIT MANKIND

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 17, 1971

Mr. RANDOLPH. Mr. President, on May 9, following the worship service at the White House, I visited the "Salute to Agriculture" exhibits that were then on display on the Presidential lawn. This exhibition was designed to focus attention on the contributions to American life made by our country's farmers in cooperation with business and industry.

Several thousands of men and women and children saw the displays, during the exhibitions, opening with a special program on May 7. I commend the work that has been done in this creative effort. The results of research and effort were clearly shown and explained by a knowledgeable group of people from the various offices in our Agriculture Department. One of these men is Sam R. Hoover, of Elkins, W. Va., assistant to the Associate Administrator of the Research Service within the Department.

Among the many splendid exhibits, one particularly impressed me. It showed the new foods and fibers developed through utilization research in the U.S. Department of Agriculture. This kind of research is aimed at expanding agricultural markets and lowering the costs of processing and distributing farm products. Part of this research involves devising new food products that are attractive and economical, and improving the properties of cotton, wool, and mohair to make them more appealing to consumers. The work appears to have been highly successful.

The shearlings were especially interesting. Shearlings are woolskins that have been tanned by a process that makes them suitable for hospital and home use, and for high fashion clothes. They can be used as bed pads for invalid and infants, or made into ski fashions, throw rugs, car seats, and paint rollers. What makes these shearlings quite special, aside from their comfort, is the fact that they can be washed repeatedly. And they are flameproof.

The same tanning process can also be used to make washable leather for use in gloves and workshoes. This particular process was developed by the Eastern Marketing and Nutrition Research Division in Philadelphia, Pa. This, and the four other laboratories throughout the country conducting utilization research, are in the Department's Agricultural Research Service.

A number of foods were on display.

A milk-orange drink called MOD was unusual and refreshing. It has all the calcium of milk plus the vitamin C of orange juice, as well as other vitamins and minerals. The Eastern laboratory developed this product, in cooperation with

he Dairy Development, Inc. Dairy processors and those in the orange juice industry are reported to be interested in its ommercial development.

Cookies containing high-protein cotonseed flour were available. I am told hat when cottonseed flour replaces 20 ercent of the wheat flour in cookies, the rotein content is more than doubled. he flour is bland and light-colored and an also be used in fortified breads, bisuit mixes, spaghetti, macaroni, and ther foods usually low in protein. The narket for vegetable proteins, which can e produced much more efficiently than neat protein, is likely to increase manyold in the United States within the next ew years. Vegetable proteins are also eeded to increase the amount of proein available in developing countries.

A company in Texas will soon build a lant to process cottonseed into flour. he Southern Marketing and Nutrition esearch Division, New Orleans, La., deeloped the special process for producing he cottonseed flour.

Also available at the "Salute to Agriulture"—and very appetizing—was a ow-fat cheese that has a high protein ontent, and a spread made of cream nd whey. Both are developments of the astern laboratory.

EUDA cheese is the first cheese made rom skim milk that has texture, body, nd flavor suitable for table use. It looks nd tastes like very mild Cheddar, but as much less butterfat—only 5- to 7ercent compared to 31 percent for Chedar. It can be made in 2½ hours and eeds only 1 to 3 months ripening. Comercial Cheddar requires 6½ hours to ake and usually 6 to 12 months to ripen.

The cream and whey spread—one part ream and six parts sweet cheese whey—s a substitute for cream cheese or butter. It has fewer calories and is easy to se. In addition, it provides a means for ecycling whey, an industrial pollutant hat is a byproduct of cheesemaking. Most of the 22 billion pounds of whey roduced each year is discarded as waste nto nearby streams.

Dried fruits that have the flavor and olor of fresh fruits, and orange juice ablets containing about 97-percent atural citrus solids, completed the list f foods available for looking and tasting.

The so-called osmovac fruits includd raspberries, apples, and peaches. They re suitable for snacks, or they can e reconstituted for use in baked goods r salads. Most of the water is drawn ut of the fruits when they are covered ith sugar or sirup through the process f osmosis. They are then dried completely in a vaccum. The osmovac fruits ere developed at the Western Marketg and Nutrition Research Division, Alany, Calif.

The orange juice tablets are produced om juice that has been dried into a owder. The powder, which was develoed by the Southern laboratory in coeration with the Florida Citrus Comission, is being produced commercially increasing amounts in a wide variety f foods. It was used by astronauts on the ght of Apollo 14.

These few examples of the Department Agriculture's utilization research and development illustrate the vitality and effectiveness of the overall program. I commend all those involved in this significant work.

We should all join in an amen to the words of Daniel Webster in his "Remarks on Agriculture":

When tillage begins, other arts follow. The farmers, therefore are the founders of human civilization.

SYNAGOGUE COUNCIL SUPPORTS SELECTIVE CONSCIENTIOUS OBJECTION

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mrs. ABZUG. Mr. Speaker, a very significant policy statement supporting selective conscientious objection to service in a war has been issued by the Synagogue Council of America. It approves extending the concept of conscientious objection to cover those individuals who object to a particular war and would grant them exemption on genuine grounds of conscience.

The Synagogue Council is the central coordinating agency of religious Jewry in the United States and represents the Rabbinical Assembly, Rabbinical Council of America, Central Conference of American Rabbis, United Synagogue of America, Union of Orthodox Jewish Congregations of America, and Union of American Hebrew Congregations.

The position taken by the Synagogue Council alines this important body with the National Council of Churches and the National Conference of Catholic Bishops, which had previously adopted similar positions.

Thus, we have the major spokesmen for American religious organizations agreeing to the concept that an individual's conscience may compel him to object to participation in a specific war. This is an issue of great concern to the many Americans who find the war in Indochina morally repugnant. At this point, I am inserting in the RECORD the statement issued by the Synagogue Council announcing its position:

NATIONAL JEWISH RELIGIOUS BODIES SUPPORT SELECTIVE CONSCIENTIOUS OBJECTION

NEW YORK, N.Y.—The central coordinating agency of religious Jewry in the United States has adopted a major policy statement backing selective conscientious objection, it was announced by Rabbi Solomon J. Sharfman, President of the Synagogue Council of America.

The Council is the coordinating body for the national rabbinic and synagogue organizations of Conservative, Orthodox and Reform Judaism.

The policy statement, adopted after two years of study and debate, calls on Congress to extend the concept of conscientious objection to individuals who object not to all wars but to a particular war only.

The statement was approved by the rabbinical organizations of Conservative, Orthodox and Reform Judaism, and by the lay synagogue organization of Reform Judaism. The Conservative and Orthodox synagogal bodies abstained from the action.

Rabbi Sharfman noted that a recent decision of the Supreme Court has thrown the issue of conscientious objection once again to the legislative branch of government. "The action of the Synagogue Council of America is therefore particularly timely. It will enable the Council to join with the National Council of Churches and the National Conference of Catholic Bishops, who previously adopted similar positions, together to urge new legislation that will provide for selective conscientious objection."

The Council's statement notes that "it is one of the glories of American democracy" that those who object to all wars are permitted to fulfill their obligations in ways that do not conflict with their consciences. The statement declares that the Synagogue Council of America, "obedient to the moral teachings of the Jewish faith," supports an extension of the concept of conscientious objection to permit those who object to a particular conflict on genuine grounds of conscience to be exempt from participating in it.

"While there is no absolute right for any man to be exempt from the demands of the law, the gravity of the moral issues in war are such that it behooves a government as committed to the dignity of the individual as that of the United States to pioneer in this area of respect for the conscience of man."

The statement opens with an affirmation of Judaism's traditional respect for law "Cognizant of the potential for chaos and violence in the absence of governmental authority . . . Jewish tradition from ancient times called on its adherents to give thanks to God the Creator for the institution of government and for the rule of law that is thereby made possible.

"Consequently, Judaism cannot give blanket approval of those dissenters who feel it necessary to violate laws which do not meet with their approval." The statement observes that no system of law is possible where each man is obliged to obey only those laws which correspond to his views.

"At the same time, Judaism considers each individual personally responsible before God for his actions. No man who violates the eternal will of the Creator can escape responsibility by pleading that he acted as an agent of another, whether that other be an individual or the state. It is therefore possible, under unusual circumstances, for an individual to find himself compelled by conscience to reject the demands of a human law which, to the individual in question, appears to conflict with the demand made on him by a higher law."

The Council's statement notes that the present law makes provision for this conflict of conscience by exempting conscientious objectors from military service. It asks that the law be altered to grant those who object to a particular conflict on genuine grounds of conscience a similar privilege.

"The Synagogue Council of America is fully aware that such an expansion of the concept of conscientious objection would probably be unprecedented in the annals of human government. It is also aware that objections to the justice of a particular war require the making of specific factual judgments such as, for instance, the identity of the aggressor and the means employed by one or another of the parties, which, because they are judgments of empirical fact, cannot be made on grounds to the moral teachings of the Jewish faith, supports such an extension of the concept of conscientious objection."

Voting in support of the policy statement were the Central Conference of American Rabbis (Reform), Rabbinical Assembly (Conservative), Rabbinical Council of America (Orthodox) and Union of American Hebrew Congregations (Reform). The Union of Orthodox Jewish Congregations of America and the United Synagogue of America abstained.

PRESIDENT HIGHLY SUCCESSFUL AS STATESMAN

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. SPENCE. Mr. Speaker, I call the attention of my colleagues to a column in the Baltimore Sun by Russell Kirk which hails President Nixon's success as a statesman and characterizes his policies in international affairs as practical and realistic.

The full text of the column follows:

PRESIDENT HIGHLY SUCCESSFUL AS 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 Indochina. Senator Edmund S. Muskie and other Democratic aspirants to the presidential nomination declare themselves vastly disappointed in Mr. Nixon's announcement that another 100,000 military personnel will be withdrawn from that theater of operations by the end of this year. That's right—disappointed. What did they expect—the Earthly Paradise tomorrow?

Since Mr. Nixon took office, American ground forces in Indochina have been reduced to little more than half of what they were at the height of our involvement. Is that failure? It appears wholly possible that some time next year our forces may be altogether withdrawn, except for such an establishment as we have maintained in Korea since the Truman administration.

This disengagement has been achieved without sacrificing the territory of America's Asian allies to the Communists. South Vietnam has fairer prospects of withstanding communism than it has enjoyed since the end of the second World War. Mr. Nixon's authorizing of the expeditions into Cambodia and Laos—as courageous as they were unpopular in many quarters—has both hit the Communist forces hard and has made possible the swift and steady reduction of American troop-strength in Indochina. European statesmen, at least, know that this, so far, has been a great success for Mr. Nixon.

In the Levant, Mr. Nixon has done much to prevent a fresh—and catastrophic—clash between Israel and the Arab states. Some element of impracticality has entered into his course there, on occasion: for instance, his proposal that joint Russian-American forces might patrol those frontiers, a strange conjunction which could result (were it possible) only in increasing Russian influence in those lands. Yet in general, Mr. Nixon and his people have maneuvered skillfully to keep the peace in the Middle East, showing some political audacity and imagination.

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.

Mr. Nixon told this commentator in 1968 that this is the American century. Yet he does not expect to overawe the world by American might, nor to buy it by "foreign aid."

Shrewder in much than Roosevelt, Truman, Eisenhower, Kennedy and Johnson, he will undertake no ground adventures in foreign affairs; he knows that international politics, like domestic polictics, is the art of the possible. If America indeed becomes the redeeming power of the Twentieth Century, it will be through example, not through erratic and enthusiastic intervention everywhere.

When I write "Mr. Nixon," of course I mean also the advisers and consultants he has chosen. Although not possessed of any strong imaginative powers himself. President Nixon likes new ideas and desires to attract men of unusual talents. In Dr. Henry Kissinger, he has found an imaginative master of diplomacy.

Democratic leaders accuse Dr. Kissinger of being the real secretary of state. What a dreadful charge! It is quite true, happily.

Just now the urbane and humorous Mr. Kissinger is the target of a concerted assault by gentlemen of the left. Why have they come to detest him so? Because he is succeeding.

RABBI OSCAR L. BOOKSPAN GIVES HOUSE INVOCATION TUESDAY, MAY 11, 1971

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, I want you to know that I speak for all of West Roxbury when say what a signal honor was bestowed upon the citizens of that distinguished community when the House last week invited one of its most prominent religious leaders, Rabbi Oscar L. Bookspan, Temple Hillel B'nai Torah, to give the invocation on Tuesday, May 11. I assure you, Mr. Speaker, that the importance of the occasion was not lost upon us, as we are all aware of the limited opportunities available for guest chaplains in the course of the legislative year.

It is also equally obvious that the opportunity was not lost on Rabbi Bookspan, as he delivered a most inspiring and uplifting opening prayer. Nor was the occasion lost on the Members of this body either, as what could have more meaning than to be reminded of the solemnity of one's duties by a religious leader of one's constituency who puts into words the concerns and hopes of the people back home.

In view of the simple eloquence of the rabbi's prayer, I include at this time in the RECORD his prayer for his country and his Government:

PRAYER BY RABBI OSCAR L. BOOKSPAN

Blessed art Thou, O Lord, who has imparted of Thy wisdom to mortals that they administer the welfare of our country. In these difficult and soul-stirring times, we invoke Thy guidance and inspiration upon those charged with the overwhelming responsibility of directing the affairs of this Nation.

To keep America as the land of freedom and equal opportunity for all its citizens, bent upon righteousness, and provide justice with mercy for all its inhabitants, our dedicated Members of Congress need vouchsafe unto them wisdom equal to their task, courage equal to their resolve and mastery equal to the enormity of the problems. Crown their efforts with success, O God, that all our people be blessed with peace, both within and without our borders—that peace which enables every man to sit under his vine with none to make him afraid. Amen.

VEYSEY INTRODUCES MILITARY SURVIVOR BENEFITS PLAN

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. VEYSEY. Mr. Speaker, today I am introducing a bill to end a serious inequality in the benefits available to our servicemen. This measure would enable the career military man to provide for his surviving loved ones in the event of his death. It would do this by establishing a new survivors annuity program under which the military retiree would assure his surviving dependents of up to 55 percent of his retired pay.

The Nation is well aware of the courage and devotion shown our country by its military personnel. Their sacrifices are great and the debt we owe them is large. The country is probably not aware, however, of the sacrifices of the military wife in enabling our servicemen to defend the Nation.

Long separations and months of loneliness and frequent changes in duty stations and the necessary family uprooting that often follows, are among the many problems with which the career service man's wife must cope. Added to this is the fear in the mind of military wives that their husbands may not return at all. After standing alongside their husbands throughout their military careers these brave women are not presently assured of a single cent of the retired pay of their husbands.

It comes as a surprise to most people to realize that if a military retiree should die the day after he completes a career of service to his country his widow and family would not be entitled to any of the pension he earned.

In such a situation, the only benefit that the military retiree's widow would have, assuming that the death was not service connected, that the widow was not eligible for social security, and that her husband was among the 85 percent of Armed Forces personnel who do not participate in the retired serviceman protection plan—RSFTT—are those paid by the Veterans' Administration.

ualify for the Veterans' Administration rogram the widow must meet a "needs est" and, if eligible, she then would re-eive only a meager pension varying from 17 to $74 per month. This pension is not special provision for career service-nen's dependents but is available to de-endents of any veteran whether he erved 3 months or 30 years.

Although employer contributions to asic survivor protection is usually a tandard feature in employee fringe ben-fits, our military has been the excep-ion. In 1953, Congress established the etired serviceman's family protection lan—RSFPP to provide for retired mil-tary families. But unlike the survivor's nnuity program available to Federal ivil service employees, the Federal Gov-rnment does not contribute to the SFPP. The servicemen have had to pay etween 2.5 and 5 times as much as Fed-ral civil service employees pay for quivalent survivor benefits.

As a result of this cost, only 15 percent f the eligible officers and 10 percent of he eligible enlisted men have chosen to articipate in the program. It has there-ore failed to provide the protection that s needed.

Mr. Speaker, at a time when we are onsciously trying to make the military more attractive career for volunteers, think we should end this serious weak-ess in the benefits available to career ervicemen. I hope my colleagues will oin with me in support of equitable reatment for the widows and families of our retired military.

BRADEMAS ANNOUNCES CHILD DEVELOPMENT HEARINGS START DURING "WEEK OF THE YOUNG CHILD"

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. BRADEMAS. Mr. Speaker, yesterday marked the beginning of the "National Week of the Young Child" and I think it quite fitting that this week we begin hearings on the comprehensive child development bill, H.R. 6748 and related measures aimed at making educational, nutritional, and health services available to all preschool children in America.

A bipartisan coalition of over 100 Members of the House of Representatives are now cosponsors of this legislation which is clearly the most significant proposal on child care ever introduced in Congress.

President Nixon has often spoken of the great importance of the first 5 years of life to the development of children, but his administration has not yet made a commitment to effective child day care and preschool programs.

I hope that the strong bipartisan support of the legislation in Congress will be matched by the support of the Nixon administration as well.

The House Select Education Subcommittee last year conducted 18 days of hearings on similar legislation. The key features of the child development bill are:

First. Participation by parents and children is voluntary.

Second. Priority will be given to economically disadvantaged children.

Third. Programs will be open to children from families of all income groups. Fees will be charged on a sliding scale basis for children where family income is above a certain level, with no charge for other children.

Fourth. Emphasis will be given to parent participation in planning and conduct of this program.

Fifth. An Office of Child Development would be established in the Department of Health, Education, and Welfare to coordinate all federally supported child development programs.

Six. Funds are authorized for construction of day care facilities.

Seven. Training is provided for child development personnel.

Eight. Child development programs would include education, nutrition, physical and mental health services, and family consultation.

Secretary Elliot Richardson of the Department of Health, Education, and Welfare is scheduled to testify on the proposal, Friday, May 21, at 10:30 a.m., in room 2175 of the Rayburn House Office Building.

Among the witnesses who appeared today at 9 a.m., in room 2261 of the Rayburn House Office Building were U.S. Representative SHIRLEY CHISHOLM, and BELLA ABZUG of New York; Dr. William C. Geer, executive secretary, and Frederick J. Weintraub, assistant executive secretary, Council for Exceptional Children.

VETERANS' REACTION TO PROTESTERS' DEMONSTRATIONS IN WASHINGTON

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. HUNT. Mr. Speaker, I wish to insert the following Chicago Tribune editorial in the RECORD because I believe it should have the widest readership possible when there is so much debate in our Nation about the Vietnam war. The major point made is that the reaction of veterans to what they are called upon to do in Indochina is a far cry from the protesters' demonstrations in Washington.

The editorial follows:

LETTERS FROM VIET NAM

Amidst all the angry marches, sit-ins, guerrilla theater and other antiwar demonstrations that clutter the Washington scene this spring, one seldom hears the voices of another America—the young veterans who know what the war in Viet Nam is all about.

As the American Legion Magazine discovered, their words can be found among the hundreds, perhaps thousands, of home town newspaper letters inserted in the Congressional Record during 1968, 1969 and 1970. Some are voices from the dead, like that of a nameless 21-year-old lieutenant from Knoxville, Tenn., who wrote his parents on the eve of his last ambush patrol:

"I don't want anyone to think I would be silly enough to die for nothing. All a man can do is take one step at a time. If he never takes the first step he'll never get there. To preserve freedom it takes a group effort. As long as there are enough people who care enough about freedom to have the courage to take the first step to fight for freedom, freedom will never be lost. I have the consolation of knowing that I did what I thought was right and I did it all the way. If only one person benefits from my action I will have been a success."

These are not the sentiments of the Viet Nam Veterans Against the War, which claims a membership of 1,000 of the 2 million Viet Nam veterans. During the Washington demonstrations, their leader, John Kerry, told a national TV audience: "To attempt to justify the loss of one American life in Viet Nam, Cambodia or Laos by linking such loss to the preservation of freedom is to us the height of criminal hypocrisy."

Those servicemen who wrote letters home after President Nixon's decision to attack the North Vietnamese sanctuaries in Cambodia in April-May, 1970, were almost unanimous in his support. One, Sgt. Herbert Sharp, of Ohio, called it "the best thing that could have happened. I was so happy that I cried. Ninety-nine per cent of the Americans over here feel the same way."

Warned in Washington by a liberal Illinois congressman that violence and disruption after a peaceful antiwar demonstration would be "counterproductive," a Chicago Catholic priest yelled: "They're still trashing Viet Nam, so what's so bad about us trashing Washington? We're going to trash it."

Trashing, to use the black militant ghetto slang, was not in the mind of Army Pvt. Reed Dent, of Hinesville, Ga., when he wrote his parents in December, 1969: "These people over here need all the help we can give them. If only the people of the U.S. could see the way they live and what they eat. . . . When our mess hall gets left-over chow they take it to the school for children that don't have mothers or fathers. The children want us to bring them back to camp and let them stay with us. I'm thinking of staying over here till I get out of the Army. I want to help."

Not that war is a trip to Disneyland. Writing a letter of protest of the protesters to his home town newspaper, Army Pfc. James L. Simpson, of Monsey, N.Y., said, "I'm not having a groovy time. This is a stinking, rotten war, and I hate it. I'd like to be home, but I'm glad I'm here to help these people who respect us more than people at home who talk about a war they know nothing about. . . . These people are sick of war, too, but they are willing to go on fighting until they are free of the Viet Cong."

Time and again the letters pick up the same bitter refrain—the lament of the combat soldier who believes that the antiwar rioters and dissenters at home merely prolong the agony of war by giving aid and comfort to the Viet Cong and the Communist North Vietnamese. In his own letter of protest to the Louisiana State University student newspaper, published May 15, 1970, David Simmons saw it this way:

"Right now Americans are being killed by other Americans. I don't mean just the few who are killed in 'dissent turning to violence.' I mean the hundreds and thousands . . . being killed here because the Communists have had their confidence bolstered by the protesters and the violence and slanted news media in the United States."

It is apparent from the long file of veterans' letters in the Congressional Record that the war is seen in a focus vastly different from the view projected by the antiwar demonstrators in Washington.

AD HOC HEARINGS OF VIETNAM VETERANS AGAINST THE WAR

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, May 17, 1971

Mr. McGOVERN. Mr. President, among all of the testimony in favor of an end to the war in Vietnam, I am sure that many Americans will agree that the most eloquent came from the Vietnam veterans who were in Washington from April 19 to April 23.

Because much of their story had not been made available to the Senate and to the American people, I organized ad hoc hearings for them on April 23 and invited all Members of the Senate, whatever their views on the war, to participate. Those of us who were able to attend those hearings learned about specific events that we had not known earlier and saw, at first hand, the effect of the war on young Americans who participate in it. Their language may have been rough, but their message was clear.

To those who will read the record of that hearing, I draw your attention to these points:

The testimony of one man who has admitted that he participated or witnessed what we can all recognize as war crimes or atrocities;

The fact that a veteran who supports the administration was heard at greater length than any of the other witnesses and that men, who had come to Washington because of their passionate disagreement with his point of view, heard him out;

The testimony of a medic, showing how brutalized we have become in our evaluation of human life because of the Vietnam war;

The testimony of a veteran who conducted a careful survey of men returning from Vietnam which demonstrates that the Vietnam Veterans Against the War probably represent the majority view of those who have served in combat. The testimony of this man and others also shows clearly the great inadequacy of the veterans benefits we are providing to those who return from war, burdened with guilt and denied the homecoming of heroes;

The testimony of one man who was in combat in Laos in early 1969, a time when, because such a penetration of that country was a blatant violation of international law, our Government lied to the American people and covered up this penetration into Laos;

The eloquent statement by Senator MONDALE who told the veterans:

> You are our best hope that we won't relive this tragedy again.

The words of one man:

> I am here not for either Communism or Americanism, but for peace.

And the words of another who characterized the war as:

> The incompetent telling the unwilling to do the unnecessary for the ungrateful.

The testimony by one veteran who is intimately familiar with U–2 photography including the use of infrared devices which indicated that the Defense Department must have known that the POW camp it raided in North Vietnam was completely deserted and that the raid must thus have been:

> Carried out solely for propaganda purposes against the American public.

Finally, the statement filed after the close of the hearings by a veteran who had witnessed the taking of hostages by our Vietnamese ally and the killing of as many as five of those hostages for each mortar round which fell into his camp. This horrifying practice is exactly what the Nazi forces did in occupied territory in Europe during World War II. Yet now such people are our allies.

I have asked the distinguished Senator from Mississippi (Mr. STENNIS), who serves as chairman of the Armed Services Committee, to hold formal hearings on the charges of such actions and the many others brought out in the "winter soldier" investigation, and I sincerely hope he will schedule such hearings at an early date.

The purpose of such hearings would not be to find a scapegoat for our involvement in Indochina, but to show the kind of practices that have come so much to characterize the conduct of our Armed Forces because of the futile nature of the conflict there.

These tragedies, these atrocities, these injustices have become so commonplace that we have become immune to them. We have tried to administer an anesthetic to our consciences. Yet these men who came to Washington will not allow us to lull ourselves into the sense of well-being that the supposed winding down of the war is intended to bring. Despite what the administration tells us, it is not enough simply to lower the casualty rate among American forces in Vietnam. So long as the United States continues to kill civilians on the presumption that all "gooks" are guilty, so long as we aid a corrupt and dictatorial government to mete out such terror, we can never believe that we have ended the war or even just our involvement in it.

What these veterans have taught us is that if we do not completely disengage from Indochina, we will not win the war or even "win the peace" which the administration says is its goal, but we may well lose our soul.

Mr. President, I ask unanimous consent that the complete record of the ad hoc hearings, conducted on April 23, be inserted in the Extensions of Remarks.

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

HEARING FOR VIETNAM VETERANS AGAINST THE WAR

The hearing in the above-matter met at 2:00 o'clock p.m. April 23, 1971 in Room G–103, New Senate Office Building, Washington, D.C., Senator George McGovern, presiding.

PROCEEDINGS

Senator McGOVERN. Would the hearing room please be in order?

The purpose of these ad hoc hearings this afternoon is to provide an opportunity for some of the veterans of Vietnam War, who have been in the city this past week, to be heard by various members of the Senate.

Congressman Charles Vanik of Ohio is here from the House of Representatives as the sponsor of the discharge petition in t House to bring out the Vietnam Disengag ment Act, so that it can be acted upon the floor of the House of Representative There will be other members of the Hou and Senate joining us as the hearing pr gresses.

Some members of the Vietnam Veterai Against the War have been heard by vario committees of the Congress, but many them have not had that opportunity. I fe this would be a useful way to spend an ho and a half this afternoon, listening to so of these men who have looked at the fa of war firsthand, who have decided th this country must pursue a different cour if we expect to recover our sense of decen and the posture in the world that I thin we all covet for our country.

So we have invited any veteran partic pating in the activities this week, who wish to be heard this afternoon, to come here an offer his testimony.

Let me just add that I think that thes men who have been in the Capital all th week have reflected great glory and courag on themselves and on the country.

(Prolonged applause.)

Senator McGOVERN. I think what the have manifested here is the very highes form of patriotism, which is the willingnes to place love of one's country above any per sonal inconvenience, and to manifest what ever courage is necessary to stand by th best ideals of this nation, and to call ou country to a higher standard. That is, as understand it, is the commitment thes young men bring to this effort this week And it is on that basis that Congressma Vanik and I, and others, are proud to be her to listen to what they have to say.

Our first witness is from the State of Flor ida, a veteran by the name of Scott Camil He was involved in the so-called "winte soldier" investigation and hearings tha many of you may have read about som weeks ago. I am proud to call him as ou first witness today.

I am going to ask the veterans if the will go to the rostrum over here, where the can be better seen and heard while givin their testimony.

Mr. Camil is here.

We are ready to hear you, sir.

Sergeant CAMIL. My name is Scott Camil

As a Sergeant in the United States Marin Corps I served four years in the Marin Corps.

I have two Purple Hearts, the Vietnames Cross of Gallantry with Silver Star, Comba Action Ribbon, Presidential Unit Citatio and the Good Conduct Medal.

I am going to discuss the testimony tha I gave as a winter soldier, also how a perso is able to do the things I did. My testimon is things that I either did or participated in or I witnessed.

On Operation Stone in 1966 we were on search and destroy operation, and two men two Vietnamese, after they were sought an killed by the Marines on the operation, ha their heads cut off, and we put them o top of stakes and stuck them in the middl of the field. We were called up over the radi later on by the Colonel, and he said the Vic President was in the area, and we had to ge rid of the heads.

On another occasion we had a new Lieu tenant, and he did not particularly care fo what was going on over there. My radio op erator went out and shot a Vietnamese, cu off his head, cut off his sex organs, put then in his mouth, and put it in a sand bag an brought it back to the Lieutenant. And th Lieutenant got sick, and we all made fu of him. This was to change him around. An it did change him around.

We tortured our prisoners. There was on place, at a place called The Island, wher there were two Vietcong staked out on th ground. One was cut open while he was alive his insides were pulled out, and the othe

one was told that if he did not tell us what we wanted to know the same thing would happen to him.

Then he spoke, and none of us knew what he was saying, because we did not speak Vietnamese. Then he was shot.

We call in—I was a forward observer. One of my jobs was to call in artillery. We would go out, and if we had nothing to do—we would have artillery FOs from other batteries, also—we would sit on a hill and pull in artillery on friendly villages, for a contest. The person who used the least amount of corrections to hit a certain part of the village and destroy it would win, and when we went to the rear the person who lost would have to buy the other person beer. There were civilians; these were friendly villages, that was just done as a game.

When we were sweeping through on search and destroy missions, many times we were given orders that we were in too much of a rush, "Do not take prisoners."

There is something called a Through-Way Pass, and these are dropped from helicopters, and one side is written in Vietnamese, and the other side it is in English. Basically, it says, if you turn yourself in with this pass you will be treated kindly. This is a Through-Way Pass. It says: "Safe conduct pass, to be honored by all Vietnamese government agencies and Allied Forces." When they would come out with these passes we would shoot them.

We were told at briefings, "Why should we let them shoot at us? When we would corner them they would shoot at us, and why should we give them these passes, after they had been killing our men."

Raping of women was a very common thing. When women were searched—since there were no women Marines with us they were searched by the men. They would be stripped naked, and kind of a game was made out of it. Like, men would put their fingers up their vaginas, supposedly searching for articles. And they would say, "I think maybe my penis is a little longer, and I will try with that and see if there is anything there."

The general attitude was, we are over here helping these people. "The least they could do was lay a little leg on us."

People would say, "Let's go out and get (?)," and they would go out and rape them, then shoot them.

We had what we called the free fire zones. This meant to us, one, we could call in artillery rounds on anything out there. It also meant anything live was to be killed. We killed women, children, men, animals, and the animals were killed so they could be used for food, the bodies were dumped in the water so the water couldn't be used. Crops were burned so they couldn't be used for food. Houses were burned so they wouldn't have any shelter from the elements.

We were told, "You can't have your guerrilla warfare without the support of the people. The people in the area are not supporting us." So we killed them. Most of the time, I would say at least 70 percent of the people that my unit killed were women and children, and were unarmed.

The important thing when I was over there, for our unit, was body count. Before we would go on an operation they would say, "You have to have ten of their guys for every one of our men that died." That was made by killing women and children. One time 19 of us went out, we got into a mine field, only two of us got out of it. The next day in the Stars and Stripes, they said we had 43 killed. We never saw any enemy at all, it was a mine field.

A lot of people in the field did not have boots, their boots would have been torn off. When you came back into Danang the Vietnamese were selling us back boots, helmets, brand new gear that we needed, that we didn't have, that the Vietnamese were selling to our own soldiers.

I volunteered to go to Vietnam. I stayed 20 months. I went over because I thought I was fighting for democracy, freedom of the South Vietnamese people, and that they wanted us over there to help them.

We would go through a village, if one man stepped on a mine or a boobytrap we would say "We don't know what it was that did it, so we will get everybody, burn down the village and kill everybody." This was to set an example for the other villages; when we went through then they could tell us where the mines were and we wouldn't lose men.

Sometimes we would go through a village, they would tell us where the mines were, we would dig up the mines, no one hurt, we would live; then the VC would come in and kill everybody for helping us.

The South Vietnamese, whom we are supposed to be helping, it is like a candle being burned at both ends; they don't have a chance. Why, they are being completely wiped out. When I killed women and children I did not consider them women and children—they were just "gooks." They weren't like—it was like a big hunting trip, the more people you kill the more medals you get, and that makes everybody real happy.

So I killed women and children. And we were told that women have children that grow up to be communists, and if we killed them they don't have any more children, if we killed the children we could wipe out the communists, and our children wouldn't have to fight their children. I never distinguished between women or children or men; they were all just "gooks." When I shot them I did not feel like I was shooting a person, it was just like a big hunting trip.

People would cut off ears, like putting notches in your rifle, bring back the ears to prove you had killed so many men. Oftentimes we made deals, and people in the rear would say, "Okay, I will give you two beers for every ear you bring in."

When we would go on an operation the company that had the most kills would get a free beer party from the battalion, the platoon that had the most kills had a free beer party from the company, the squad that had the most kills would not have to stand guard when they got back in. This made the whole thing so that the more important things was to get kills.

When I came back from Vietnam I was still for the war, I thought it was a good thing. I could not see any difference between me shooting women and children, because I thought it was in the best interest of my nation, and dropping a bomb on Hiroshima or Nagasaki. I believed it was for the best interest of the nation. That is why I did it.

Does anybody have any question?

Senator McGovern. Sergeant, the kind of incidents that you described here, where entire villages were wiped out, what is the difference between the situation you are describing in those cases, and what took place at Mylai?

Sergeant Camil. Basically the villages we wiped out, there would be only about between 20 and 50 people there, usually. Mylai had more people. We never lined people up in ditches, we just shot them.

I don't know what Calley did. I don't know why he did it. I can not condone killing, I can not say I shouldn't be blamed for what I did. But I do understand how a person can do something like that and think he is doing the right thing.

Senator McGovern. We have been told all along that this is a war to win the hearts and minds of people, that is, that we are there for a purpose, in trying to win over the rank and file of the Vietnamese people, supposedly to support the government in Saigon. To what extent did it bother American Forces who were engaged in the kind of activities you described here, when comparing that with our goal of trying to win the confidence of the civilians of South Vietnam?

What is the impact on a village or an area, after an American Army has gone through and burned it down and destroyed the people? What impact does that have on this whole business of "winning hearts and minds"?

Sergeant Camil. When I was over there, this "winning hearts and minds," I didn't know too much about that. I thought I was over there to kill the communists.

I do know that when we came through villages people would get on their hands and knees and bow and say, "No, Joe, No, Joe," because they knew what we were going to do.

I was just under the impression that "gooks" are "gooks," and I did not even see any difference between the Vietnamese people, the VC, or even the ARVNs. I hated the ARVNs just as much. (Laughter from the audience.)

Senator McGovern. What is your assessment of the ARVN force?

Sergeant Camil. If you are in a battle and you are winning they are really good. If you are in a battle and you are not winning you cannot find any of them. (Laughter and applause from the audience.)

Senator McGovern. Thank you very much. (Prolonged applause.)

Mr. Vanik. I would like to say this, that my generation had another kind of war, it was cruel and inhumane and destructive. But I do not believe World War II in any of its parts or places or in any locations provoked a violence such as you have described today.

Thank you.

Senator McGovern. Thank you, Sergeant, for your testimony. (Applause.)

Senator McGovern. Our next witness is a soldier from New York, Mr. Vinny Giardina.

While he is testifying I am going to ask Congressman Vanik to preside so I can answer the roll call bell that just rang. I will be right back. If the Congressman would take over, we will be glad to hear you, sir.

Mr. Giardina. My name is Vinny Giardina.

Mr. Vanik. Would you state your name, your service number and the last duty station that you had, and the period of your service?

Mr. Giardina. My name is Giardina. Service number [XXXX]. I was in the 108 Artillery, H–26 Company, in the Dong Hoa, 8 miles from the DMZ.

While I was in Vietnam the American people were under the impression that we did not bomb North Vietnam or Laos. Every paper in this country that I read said that we would not go in. The first day I got there I sat on the roof of a hootch in Vietnam and saw eight 52's bomb North Vietnam and Laos. I was laughed at by others who were there for being led to believe that we did not go into North Vietnam. Every day we fired across the DMZ. There was firing from the other side, we crossed the DMZ into North Vietnam whenever we felt like it.

The American—should I say, the United States Military—led us all to believe that these people were "gooks," less than human, and that they had very little value as people. I was led to believe, from South Vietnamese people, that "gooks" meant "foreign." And we were the foreigners there.

The South Vietnamese people don't want us there. They really don't care who—who rules their country. All they have now is a dictatorship.

And I guess that is about all I have to add. (Applause.)

Mr. Vanik. Thank you very much.

Congressman Talcott of California is here and has a witness whom he would like to introduce.

Mr. Talcott, Congressman Bert Talcott of the State of California. (Applause.)

Mr. Talcott. Thank you very much, Mr. Chairman.

Ladies and gentleman, I am here to simply introduce Lt. Melville L. Stephens, one of your group. He lives in Hanford, California.

I think it is essential that everyone have a right to be heard. I do not approve or disapprove of what he is going to say. I do not know exactly what he is going to say, therefore I really disclaim it. But I think it is important that everybody have an opportunity to be heard. So I join with what is going on here.

He lives in Hanford, California, in my district, he is 26 years of age. He graduated from the University of Southern California as a major in economics. He has been admitted to Cornell Law School for this fall.

He was a lieutenant in the United States Navy from 1967 to 1970, assistant navigator on the U.S.S. Providence, commander of River Assault Division 132, and engaged as a river civilian warfare instructor at Mare Island in California.

He has the Silver Star medal, three bronze star medals with valor device, Navy commendation medal with a valor device, the Purple Heart, Vietnamese Cross of Gallantry with the Palm.

I served in World War II, Mr. Chairman. I was a prisoner of war for 14 months. So I care a little about what is going on and what our country stands for.

I think this young man has the right to be heard. I think none here has more time in Vietnam, none here has spent more time with the Vietnamese people, and none here is more highly decorated. So it is with great pleasure that I introduce Lt. Melville Stephens from Hanford, California. (Applause)

Lieutenant STEPHENS. Thank you very much, sir. Thank you, Mr. Talcott, for the introduction.

What I am about to say is probably not going to be very popular in this room. As many of you know, I have been on the Mall the entire week. I have listened, I have watched, I was there principally to learn. I had only relatively recently returned from Vietnam, about a year ago, and I really have not had a chance to learn the mood of the American people.

I spent nearly three years in Vietnam, in one capacity or another. I think that I can speak with reality and a sense of the people themselves of Vietnam. I think I was very fortunate to work both with American units and with Vietnamese units, and with Vietnamese people, some of whom I got to know very closely and whom I considered very dear.

As I say, my convictions are very strong. They are based on three years experience and what I consider a need to speak on this occasion.

All wars are terrible. War is hell, that has been said a thousand times. The Vietnam War is no different, no better, or no worse, than any war. And there is certainly a need for an end to it as soon as possible.

There are arguments which call for unconditional and immediate withdrawal. In a State Department meeting, Mr. John Kerry mentioned that General Shoup had said that it could be done in 10 days. I would hate to question a Marine Corps General—but that is just not so. The physical logistic problem could take no less than six months, I imagine. The political and economic problems are almost insoluble.

I think the arguments for an unconditional withdrawal are based on two precepts: The first is all these arguments about the atrocities. And the fact is, war, any war, is the most terrible personal experience a person can go through. I speak from a great deal of experience in combat. I am proud to have been there with other Americans, and I am proud to have been there with Vietnamese counterparts.

I think that a lot of the questions we ask are the questions which should have been asked ten years ago. I think they are valid questions. I think their answers are unquestionable. But I really think that those questions are no longer relevant. We have seen there a great deal of troops and a great deal of support, for over six years. There is a tremendous amount of the Vietnamese people whose commitment to the Government of Vietnam is based on our commitment to that government, and the fact that they chose that side is because we were committed to it. And we have a commitment to those people also. (Calls of "We didn't choose it.")

Lieutenant STEPHENS. Many of the criticisms expressed so eloquently by Mr. John Kerry and all of you here are very valid. Speaking from experience, there is a great deal of corruption in the South Vietnamese Government. There is a crying need for reform.

The dope traffic in Vietnam has been brought up, and certainly is one of the things which we assembled here, the Congress, the President, and the American people, must put every conceivable pressure on the South Vietnamese Government to end, to end that traffic. Where the heroin coming into Vietnam comes from is not known. There has been a lot of talk about people in the Saigon Government who are involved. I think there is no question that it is to the advantage of the enemy to break the morale of the American troops with this type of technique. I do not speak with facts on this. But I do feel a conviction.

I criticize the way the war has been fought in the past, particularly our initial involvement. Certainly no one here, no one in the Congress, Mr. Nixon in the White House, the American people, would have what has happened in the six years preceding if they had a choice today.

I think, however, there has been significant changes. I think a reasonable estimate of the Vietnamese population is 16 million. My personal sense is that eight to nine million of these people are committed or semi-committed to the Government of Vietnam, five to six million more remain as neutral as is possible in a war, perhaps two million are committed by family ties or political association with the Communist. So of the thirteen or fifteen million who are either committed to the government or neutral, I think a conservative estimate would be that fifty percent of these people chose not to commit themselves to the Communists because I was there, because these veterans who are here were there, and because the American people were supporting the government in Vietnam. (Call of "Oh, ———." Applause.)

Lieutenant STEPHENS. As I say, I think I speak from a great deal of experience, and I am certainly not without portfolio, like you are not without portfolio. But I have a sense of—(Call of "You weren't a grunt either.")

Lieutenant STEPHENS. I have a sense of the Vietnamese people. That is why I am here.

Senator MCGOVERN. Lt., I wonder, with all due respect, if you could confine your remarks to your own personal experiences. (Applause.)

Lieutenant STEPHENS. I would be happy to. (Call of "He didn't have any. He was on a big ship in the sea.")

(Call of "Shut up.")

(Calls of "Was he in a village?")

Lieutenant STEPHENS. About eight months of my three and a half years in Vietnam were on a ship. I spent the rest of my time in-country in Vietnam.

I think there has been a tendency in the past for people to make heroes of the North Vietnam Government, of the Viet Cong, of the people that I consider the enemy.

I will speak of my direct involvement, here, and what I can recall very vividly.

In the spring of 1969, in a village out of Can Tho, in South Vietnam, when I was riding along I came across a school bus. A terrorist had thrown a grenade in this school bus that was filled with children. Two of the children were killed, three of them were wounded so seriously that I have no question but that they probably died later, and several certainly were wounded to the extent that they were maimed for life.

I would like to read a couple paragraphs from an article, into the record, sir, and introduce the two articles, for complete coverage. They are very short.

The first comes from an article by a Mr. Stuart Harris, in Time Magazine, which was published April 5, 1968:

"On a lovely sunny afternoon in the green valley of Nam Hoa, about ten miles southwest of Hue, I was with Warrant Officer Ostara, an Australian adviser with the South Viet Nam army, standing on the sloping sides of a recently dug hole. In the bottom were rush mats over sheets of plastics. Ostara drew back and I saw two bodies, dead Vietnamese, with their arms tied behind their backs just above the elbows. They had been shot through the back of the head, the bullet coming out through the mouth. The faces would have been difficult to recognize, but the day before 27 women from the village walked out three miles carrying mattocks to dig for their missing husbands and sons, having heard about this patch of disturbed earth near the roadside. Ostara told me that the enemy had come through on their way to Hue. They had taken 27 men. Some were leaders and some were younger, strong enough to be porters or even ancillary soldiers.

"Men were simply condemned by drumhead courts and executed as enemies of the people."

* * * * *

"There were about 40,000 Roman Catholic Vietnamese in Hue. What happened to them? About three-quarters of the Roman Catholics in Hue live in Phu Cam, on the southern outskirts of the city. They resisted strongly when the enemy came in, and some were executed. Four Viet Nam priests were taken away and three foreign priests were killed. Two French priests were actually given permission by the Viet Cong to return to Phu Cam and help the sisters—then they were shot on the way back. Another French priest was executed, perhaps because he was chaplain to the Americans.

"Summing up all this evidence about the behavior of the Viet Cong and the North Vietnamese army in Hue, one thing is abundantly clear and ought to surprise no one. They put into practice, with their usual efficiency, the traditional Communist policy of punishing by execution selected leaders who support their enemies. At Hue, as elsewhere, they were unable on the whole to capture and execute the more important officials, because these men were careful to protect themselves in heavily fortified compounds, defended by soldiers and police. In Hue, as elsewhere, the more defenseless 'little people' were the victims—the village and hamlet chiefs, the teachers and the policemen.

"Already most of these positions have been filled again, and I find it impossible to write adequately about the courage of men who succeed the executed."

Senator MCGOVERN. Lt., I am afraid—

Lieutenant STEPHENS. From the Reader's Digest—(laughter).

Senator MCGOVERN. If we could please have order in the room.

We do have a time limitation. There are some ten additional men who have to be heard.

Lieutenant STEPHENS. I understand all other speakers are speaking from one particular point of view. I would like just five minutes to sum up, if I may.

Senator MCGOVERN. If you could put the articles in the record we would be glad to see

they are made a part of it but try to bring your remarks to a conclusion.

Lieutenant STEPHENS. I read this because it was much better written than I could have written.

Senator MCGOVERN. You aren't an experienced writer as he is.

Lieutenant STEPHENS. I was there. My experience is direct.

Senator MCGOVERN. May we have order in the room, so the Lieutenant can be heard?

[From Readers Digest, Nov. 1968]

THE BLOOD-RED HANDS OF HO CHI MINH

The village chief and his wife were distraught. One of their children, a seven-year-old boy, had been missing for four days. They were terrified, they explained to Marine Lt. Gen. Lewis W. Walt, because they believed he had been captured by the Vietcong.

Suddenly, the boy came out of the jungle and ran across the rice paddies toward the village. He was crying. His mother ran to him and swept him up in her arms. Both of his hands had been cut off, and there was a sign around his neck, a message to his father: if he or any one else in the village dared go to the polls during the upcoming elections, something worse would happen to the rest of his children.

The V.C. delivered a similar warning to the residents of a hamlet not far from Danang. All were herded before the home of their chief. While they and the chief's pregnant wife and four children were forced to look on, the chief's tongue was cut out. Then his genital organs were sliced off and sewn inside his bloody mouth. As he died, the V.C. went to work on his wife, slashing open her womb. Then, the nine-year-old son: a bamboo lance was rammed through one ear and out the other. Two more of the chief's children were murdered the same way. The V.C. did not harm the five-year-old daughter—not physically: they simply left her crying, holding her dead mother's hand.

General Walt tells of his arrival at a district headquarters the day after it had been overrun by V.C. and North Vietnamese army troops. Those South Vietnamese soldiers not killed in the battle had been tied up and shot through their mouths or the backs of their heads. Then their wives and children, including a number of two- and three-year-olds, had been brought into the street, disrobed, tortured and finally executed: their throats were cut; they were shot, beheaded, disemboweled. The mutilated bodies were draped on fences and hung with signs telling the rest of the community that if they continued to support the Saigon government and allied forces, they could look forward to the same fate.

These atrocities are not isolated cases; they are typical. For this is the enemy's way of warfare, clearly expressed in his combat policy in Vietnam. While the naive and anti-American throughout the world, cued by communist propaganda, have trumpeted against American "immorality" in the Vietnam war—aerial bombing, the use of napalm, the inevitable (but relatively few) civilian casualties caused by American combat action—daily and nightly for years, the communists have systematically authored history's grisliest catalogue of barbarism. By the end of 1967, they had committed at least 100,000 acts of terror against the South Vietnamese people. The record is an endless litany of tortures, mutilations and murders that would have been instructive even to such as Adolf Hitler.

Perhaps because until recently the terrorism has been waged mainly in remote places, this aspect of the war has received scant attention from the press. Hence the enemy has largely succeeded in casting himself in the role of noble revolutionary. It is long past time for Americans, who are sick and tired of being vilified for trying to help South Vietnam stay free, to take a hard look at the nature of this enemy.

BLOOD-BATH DISCIPLINE

The terror had its real beginning when Red dictator Ho Chi Minh consolidated his power in the North. More than a year before his 1954 victory over the French, he launched a savage campaign against his own people. In virtually every North Vietnamese village, strong-arm squads assembled the populace to witness the "confessions" of landowners. As time went on, businessmen, intellectuals, school teachers, civic leaders—all who represented a potential source of future opposition—were also rounded up and forced to "confess" to "errors of thought." There followed public "trials," conviction and, in many cases, execution. People were shot, beheaded, beaten to death; some were tied up, thrown into open graves and covered with stones until they were crushed to death.

Ho has renewed his terror in North Vietnam periodically. Between 50,000 and 100,000 are believed to have died in these blood-baths—in a coldly calculated effort to discipline the party and the masses. To be sure, few who escape Ho's terror now seem likely to tempt his wrath. During the 1950s, however, he had to quell some sizeable uprisings in North Vietnam—most notably one that occurred in early November 1956, in Nghe An province, which included Ho's birthplace village of Nam Dan. So heavily had he taxed the region that the inhabitants finally banded together and refused to meet his price. Ho sent troops to collect, and then sent in an army division, shooting. About 6000 unarmed villagers were killed. The survivors scattered, some escaping to the South. The slaughter went largely unnoticed by a world then preoccupied with the Soviet Union's rape of Hungary.

With North Vietnam tightly in hand, the central committee of the North Vietnamese communist party met in Hanoi on March 13, 1959, and decided it was time to move against South Vietnam. Soon, large numbers of Ho's guerrillas were infiltrating to join cadres that had remained there after the French defeat in 1954. Their mission: to eliminate South Vietnam's leadership, including elected officials, "natural" leaders, anyone and everyone to whom people might turn for advice. Also to be liquidated were any South Vietnamese who had relatives in their country's armed forces, civil services or police; any who failed to pay communist taxes promptly; any with five or more years of education.

A captured V. C. guerrilla explained how his eight-man team moved against a particular target village: "The first time we entered the village, we arrested and executed on the spot four men who had been pointed out to us by the party's district headquarters as our most dangerous opponents. One, who had fought in the war against the French, was now a known supporter of the South Vietnamese government. Another had been seen fraternizing with government troops. These two were shot. The others, the village's principal landowners, were beheaded."

General Walt tells of the "revolutionary purity" of Vietcong who came home to two other villages. In one case, a 15-year-old girl who had given Walt's Marines information on V.C. activities was taken into the jungle and tortured for hours, then beheaded. As a warning to other villagers, her head was placed on a pole in front of her home. Her murderers were her brother and two of his V.C. comrades. In the other case, when a V.C. learned that his wife and two young children had cooperated with Marines who had befriended them, he himself cut out their tongues.

Genocide. In such fashion did the storm of terror break over South Vietnam. In 1960, some 1500 South Vietnamese civilians were killed and 700 abducted. By early 1965, the communists' Radio Hanoi and Radio Liberation were able to boast that the V.C. had destroyed 7559 South Vietnamese hamlets. By the end of last year, 15,138 South Vietnamese civilians had been killed, 45,929 kidnaped. Few of the kidnaped are ever seen again.

Ho's assault on South Vietnam's leadership class has, in fact, been a form of genocide—and all too efficient. Thus, if South Vietnam survives in freedom, it will take the country a generation to fully replace this vital element of its society. But the grand design of terror involves other objectives, too. It hopes to force the attacked government into excessively repressive anti-terrorist actions, which tend to earn the government the contempt and hatred of the people. It also seeks valuable propaganda in the form of well-publicized counter-atrocities certain to occur at the individual level—for South Vietnamese soldiers whose families have suffered at communists' hands are not likely to deal gently with captured V.C. and North Vietnamese troops.

Dr. A. W. Wylie, an Australian physician serving in a Mekong Delta hospital, points out that a hamlet or village need not cooperate with the Saigon government or allied forces to mark itself for butchery; it need only be neutral, a political condition not acceptable to the communists. After a place has been worked over, its people of responsibility are always identifiable by the particularly hideous nature of their wounds. He cites some cases he has seen:

When the V.C. finished with one pregnant woman, both of her legs were dangling by ribbons of flesh and had to be amputated. Her husband, a hamlet chief, had just been strangled before her eyes, and she also had seen her three-year-old child machine-gunned to death. Four hours after her legs were amputated, she aborted the child she was carrying. But perhaps the worst thing that happened to her that day was that she survived.

A village policeman was held in place while a V.C. gunman shot off his nose and fired bullets through his cheekbones so close to his eyes that they were reduced to bloody shreds. He later died from uncontrollable hemorrhages.

A 20-year-old schoolteacher had knelt in a corner trying to protect herself with her arms while a V.C. flailed at her with a machete. She had been unsuccessful; the back of her head was cut so deeply that the brain was exposed. She died from brain damage and loss of blood.

Flamethrowers at Work. Last December 5, communists perpetrated what must rank among history's most monstrous blasphemies at Dak Son, a central highlands village of some 2000. Montagnards—a tribe of gentle but fiercely independent mountain people. They had moved away from their old village in V.C.-controlled territory, ignored several V.C. orders to return and refused to furnish male recruits to the V.C.

Two V.C. battalions struck in the earliest hours, when the village was asleep. Quickly killing the sentries, the communists swarmed among the rows of tidy, thatch-roofed homes, putting the torch to them. The first knowledge that many of the villagers had of the attack was when V.C. troops turned flamethrowers on them in their beds. Some families awoke in time to escape into nearby jungle. Some men stood and fought, giving their wives and children time to crawl into trenches dug beneath their homes as protection against mortar and rifle fire. But when every building was ablaze, the communists took their flamethrowers to the mouth of each trench and poured in a long, searing hell of fire—and, for good measure, tossed grenades into many. Methodical and thorough, they stayed at it until daybreak, then left in the direction of the Cambodian border.

This article accurately depicts the true nature of the enemy in South Vietnam. I saw the little boy with his hands cut off. I have seen heads impaled on stakes, and disemboweled bodies.

I learned early in my two years of duty in South Vietnam, fighting and working alongside the South Vietnamese forces, that the communist terrorism described in this article is no mere accident of war but a program of systematic butchery. This deliberate and brutal assault against the grassroots citizenry is one reason why we who have responded to South Vietnam's call for assistance believe devoutly that our efforts to save this nation are worthwhile, necessary and important.—Lt. Gen. Lewis W. Walt, U.S. Marine Corps (Commander, I Corps Area, South Vietnam, 1966–1967.)

Morning revealed a scene of unbelievable horror. The village now was only a smoldering, corpse-littered patch on the lush green countryside. The bodies of 252 people, mostly mothers and children, lay blistered, charred, burned to the bone. Survivors, many of them horribly burned, wandered aimlessly about or stayed close to the incinerated bodies of loved ones, crying. Some 500 were missing; scores were later found in the jungle, dead of burns and other wounds; many have not been found.

The massacre at Dak Son was a warning to other Montagnard settlements to cooperate. But many of the tribesmen now fight with the allies.

If the communists' "persuasion" techniques spawn deep and enduring hatred, Ho could not care less; the first necessity is the utter subjugation of the people. Ho was disturbed by the rapid expansion of South Vietnam's educational system: between 1954 and 1959, the number of schools had tripled and the number of students had quadrupled. An educated populace, especially one educated to democratic ideals, does not fit into the communist scheme. Hence, the country's school system was one of Ho's first targets. So efficiently did he move against it that the World Confederation of Organizations of the Teaching Profession soon sent a commission, chaired by India's Shri S. Natarajan, to investigate.

Typical of the commission's findings is what happened in the jungle province of An Xuyen. During the 1954–55 academic year, 3096 children attended 32 schools in the province; by the end of the 1960–61 school year, 27,953 were attending 189 schools. Then the communists moved in. Parents were advised not to send their children to school. Teachers were warned to stop providing civic education, and to stop teaching children to honor their country, flag and president. Teachers who failed to comply were shot or beheaded or had their throats cut, and the reasons for the executions were pinned or nailed to their bodies.

The Natarajan commission reported how the V.C. stopped one school bus and told the children not to attend school anymore. When the children continued for another week, the communists stopped the bus again, selected a six-year-old passenger and cut off her fingers. The other children were told, "This is what will happen to you if you continue to go to that school." The school closed.

In one year, in An Xuyen province alone, Ho's agents closed 150 schools, killed or kidnaped more than five dozen teachers, and cut school enrollment by nearly 20,000. By the end of the 1961–62 school year, 636 South Vietnamese schools were closed, and enrollment had decreased by nearly 80,000.

But, in the face of this attack, South Vietnam's education system has staged a strong comeback. Schools destroyed by the communists have been rebuilt, destroyed, and rebuilt again. Many teachers have given up their own homes and move each night into a different student's home so the communists can't find them, or commute from nearby cities, where they leave their families.

Against such determination, the size of Ho's failure can be measured: in 1954, there were approximately 400,000 pupils in school in North and South Vietnam together; today South Vietnam alone has some two million in school. About 35,000—four times as many as in 1962—now attend five South Vietnamese universities, while 42,000 more attend night college.

A South Vietnamese government official explains: "A war shatters many traditional values. But the idea of education has an absolute hold on our people's imagination."

BAR OF JUSTICE

The pitch of communist terrorism keeps rising. After the Tet carnage at Hue early this year, 19 mass graves yielded more than 1000 bodies, mostly civilians—old men and women, young girls, schoolboys, priests, nuns, doctors (including three Germans who had been medical-school faculty members at Hue University). About half had been buried alive, and many were found bound together with barbed wire, with dirt or cloth stuffed into their mouths and throats, and their eyes wide open. The communists came to Hue with a long list of names for liquidation—people who worked for the South Vietnamese or for the U.S. government, or who had relatives who did. But as their military situation grew increasingly desperate, they began grabbing people at random, out of their homes and off the streets, condemned them at drumhead courts as "reactionaries" or for "opposing the revolution" and killed them.

"The Tet offensive represented a drastic change in tactics," says General Walt. "This is a war to take over the South Vietnamese people. Ho launched the Tet offensive because he knew he was losing the people. But his troops didn't know it; they were told that they didn't need any withdrawal plans because the people would rise and fight with them to drive out the Americans. What happened was just the opposite. Many fought against them like tigers." Some of the Tet offensive's explosion of atrocities probably can be attributed to sheer vengeful frustration on the part of Ho's terror squads—which Ho may well have foreseen, and counted on.

The full record of communist barbarism in Vietnam would fill volumes. If South Vietnam falls to the communists, millions more are certain to die, large numbers of them at the hands of Ho's imaginative torturers. That is a primary reason why, at election times, more than 80 percent of eligible South Vietnamese defy every communist threat and go to the polls, and why, after mortar attacks, voting lines always form anew. It is why the South Vietnamese pray that their allies will stick the fight through with them. It is why the vast majority of American troops in Vietnam are convinced that the war is worth fighting. It is why those who prance about—even in our own country—waving Vietcong flags and decrying our "unjust" and "immoral" war should be paid the contempt they deserve.

Finally, it is why the communists should be driven once and for all from South Vietnam—and why, if possible, the monsters who presently rule North Vietnam should be brought before the bar of justice.

RESUMPTION OF HEARING

Lieutenant STEPHENS. Yes, sir, I will make it as brief as I can. I do appreciate the opportunity to be heard.

The North Vietnamese Government has publicly boasted, publicly, open to the record, anybody can find it, that they executed three thousand people in Hue in 25 days.

Make no mistake—(Laughter) they are not friends of the people of South Vietnam. (Calls of "Are we?")

Lieutenant STEPHENS. I am saying, I have many South Vietnamese friends, very close people, with whom I have dealt very closely in the past.

(Calls of "Why don't you go back?")

(Calls of "Let him talk.")

Lieutenant STEPHENS. These are not Generals, Admirals, officials, they are people I dealt with in the Navy—sailors, young officers, farmers with whom I dealt when I worked in the Delta, and in whom I sense a real commitment, on my part and on their part. I have a very personal sense of commitment to them, because I fear for their security and safety. I think it is a very real fear, and that the facts portray that these people are in real danger if abandoned and left to the mercy of the Communists.

(Calls of "Or the American Army.")

Lieutenant STEPHENS. I share with everyone in this room their passion for peace—make no mistake—peace and an end to killing; but not just for Americans. If we have peace—and we will—it must be a peace which guarantees that the South Vietnamese people will stop fighting, as well as the Americans, that the loss of life will end for both sides.

I have a very brief resolution, which is one paragraph, which I will read:

"RESOLUTION

"As a veteran of the conflict in Vietnam with special concern for and interest in the American soldier and the people of the country of South Vietnam, I urge the Congress, the President, and the American people and the world to take immediate and extraordinary action to achieve the following goals:

"1. Peace in Southeast Asia . . . we need a peace which will guarantee an end to the fighting, not just for Americans, but for the Vietnamese people as well. We need a peace that will last, and which therefore must be properly supervised, not by Americans, but by an international peace keeping force which will also be able to administer an extensive program of refugee rehabilitation and rebuilding of the country. We need a peace now, which will guarantee and end to war not just for a few years, not just for a full generation of peace, but an end to war for as long as we, our children, and their children can remember the tragedy of this one.

"2. A program of immediate and universal land reform and rent reduction throughout Indo-China.

"3. An end to the exploitation and destruction of American soldiers by the hard drug merchant of Vietnam, and

"4. A program of G.I. bill benefits which will raise the Vietnam veteran from his second rate position to full and equal membership in the fraternity of all American veterans."

(Applause.)

Lieutenant STEPHENS. Make no mistake that I doubt the sincerity for the motivation of these fellow Vietnam veterans here today. I have been with you all week. I feel your conviction, and your motivations. You are certainly committed to what you believe in. I respect you for that. And I appreciate your listening to me, because I am committed to my beliefs. (Applause.)

Your goals are an end to the war in Vietnam (Calls of "Now.")

("Have you voted?")

Lieutenant STEPHENS. I have never voted. I have been in Vietnam since I was old enough to vote, and I have never had a chance to participate.

We are getting out of Vietnam. Casualties on all sides have been dramatically reduced. (Calls of "Except for the civilians.")

Lieutenant STEPHENS. Casualties of all kinds have been reduced.

Senator MCGOVERN. Lieutenant, we have been glad to hear you. We were glad to hear your statement. But there are ten more to be heard.

Lieutenant STEPHENS. I have two more paragraphs. (Boo's from the audience.)

Lieutenant STEPHENS. Thank you very much for listening to me. (Applause.)

Senator MCGOVERN. Lieutenant, if you will submit the rest of your material it will be made a part of the record.

Lieutenant STEPHENS. Thank you very much.

(The material referred to is as follows:)

"Make no mistake that I doubt the sincerity or the motivation of these fellow Vietnam veterans here today. I am only disappointed that they question the sincerity of the President. Their goals are in reality identical—to end the American involvement in Southeast Asia. We *are* getting out of Vietnam. Casualties on all sides have been dramatically reduced. American casualties to a level that is less than 20 percent of the level years ago."

Some of us tend to over simplify the problems of peace. It is really the most complicated issue. Both sides must cooperate. I believe that the issues of ending the war are not those of a Nation saving face, but of our responsibilities of individuals and as a country to our commitment to the people of South Vietnam. Not the high ranking officials, not the generals, but the average citizens who are friends of so many of us.

Never have Americans as individuals or as a nation shirked this sense of responsibility.

Senator MCGOVERN. And I want to say, while many of us here disagree with the Lieutenant's analysis of the war, I think he has a right to be heard, and to get a respectful hearing for the things he has said.

The next witness is Mr. Basil Paquet. I would like to call him at this time.

Mr. Paquet is from Connecticut.

Mr. PAQUET. My name is Basil T. Paquet. My number is [redacted]. I was a Spec 4, Medic Detachment, 24th Evac Hospital.

I will try to make my statement as brief as possible.

I would like to speak directly to the violations of the Geneva Convention I saw personally while working at the 24th Evac Hospital.

I think the cases I cite will not be as strong as some of the testimony of the men who worked in the field. However, I think it is important to keep in mind that the type of things I list happened in a rear area, in supposedly one of the most civilized situations you will find in war, in other words, in a medical facility. When these violations occur in this type of facility you can well imagine what the rest of these men say occurs in the field is true.

The first violation I would like to talk about is that of the Military Intelligence. I will cite a specific instance which occurred about a month after Tet, if I recall correctly, which I hope I do. I would like to say, this type of incident occurred throughout my stay in Vietnam in 1967 and 1968.

A wounded Viet Cong prisoner was brought in with massive chest wounds and massive hemorrhages. We started to give him blood. He was accompanied by Military Intelligence. We started to give him blood, pump it in. He was probably within 5 to 10 minutes of dying.

They were still questioning him. It was apparent they had been questioning him for some time. And he hadn't given any information. They continued throughout their questioning to withhold medical care unless he gave—unless he divulged information.

The man was streaming blood all over the place, he was barely conscious. They continued to press on him, press on him, that he would receive no medical care unless he divulged information.

As I say, this happened again and again.

The next incident I would like to relate happened during the Tet offensive of 1968. As many of the brothers here know, there were massive casualties on both sides, early in the morning, just after the offensive started—during the night, let me mention, no casualties could be brought in, because of the heavy fighting. So early in the morning there was a massive influx of casualties.

When it soon became apparent there were so many casualties there would be great difficulty in treating all of them, immediately it was set up whereby Vietnamese were sent this way (gesturing), and the Americans sent this way. We treated the Americans with the best medical care we could. We moved the Vietnamese down to first one quonset hut, filled that up, sometimes three to five to a bed, bleeding bodies on bleeding bodies. Then, when we filled this quonset hut, we grudgingly opened up another, filled that up, piled in bleeding body on bleeding body.

Those more seriously wounded civilians were not treated before the last GI with any minor wound or even a corn was treated. It wasn't until later in the week that they were finally able to move some of those people, who even then had not been treated.

Most of the treating was done by Spec 4's and 5's including most debridement, so forth, doctors, who volunteered to stay after zero hour in the operating room, many of those—I don't condemn all medical personnel—went down there and tried to treat these wounded people.

I would like to draw one brief analogy. I would like you to imagine this sort of situation occurring during a war like World War II. You can imagine massive casualties in London, wounded civilians and military personnel brought into any American medical facility. I would like to imagine the separation of the British people, allies, from American allies, and left waiting from a quonset hut for a week before they were treated.

I would like to cite a specific incident of an order given to me. And I think many of us here will recognize our own guilt and sense of complicity with these crimes. A small child has her arm shot off, and received frag wounds about the leg and vagina. She was perhaps a little over a year old. I treated her. Her arm was completely cut off, as far as here (indicating). We controlled the bleeding. I had her on the bed.

Just after this, massive casualties started coming in. Finally all the bed space was taken.

The child was still upon a bed. I was ordered by an Army nurse, take the child off the bed and put her on the floor and put a GI on the bed. The GI had superficial wounds.

I refused to do it, and was threatened with action unless I placed the GI on the bed. The explanation was, no GI is going to lay on the floor as long as there is a bed. I said, "There is a bed, and it is being occupied." But obviously that wasn't much of an argument.

This could be excused as a policy, as actions which arise during emergency situations. But I would like to say that the treatment of the Vietnamese civilians that I saw during the whole year I was there—eleven months I was there—led to this type of treatment when you reach the crisis stage. The everyday leads to those specific instances. It is an atrocity-producing situation. That has been said many times already.

I would like to say, all the actions I just cited could be said to be occurring on an officer level. When you get this situation where you see your officers in a position—and again, let me say, these are medical personnel, supposedly the very best the Army has to offer as far as education and sensitivity—when you get this sort of treatment, this attitude towards the people, and you get to the specific enlisted man, he follows up on this.

Let me cite one last instance. I came in, again shortly after Tet, saw one of the medical personnel who worked with me, someone I did not think was a bad guy, used to drink beer with him, he was in one corner of the room, what we call the "expected corner." I am not sure if many people know what we mean by "expected corner." Those neurosurgical casualties who are not expected to make it, in other words, their brain is gone, but their body still functions, they flail around and kick, but you know they are gone, they are placed in the corner and we wait for them to die—a rathy ugly time.

One of the Vietnamese was placed in the "expected corner." When I came in there was this medic making spitballs, dropping them down the fellow's trach tube. The man was having some delay in dying, not because of the brain, because of the general activity of the body which keeps on going after the brain is gone—your lungs keep going, and your heart keeps going. And when these spitballs went down, and the body went into huge paroxisms, blood, froth, spume, would be thrown up across that beautiful shaped quonset hut in a nice big tall arc, across the top.

It seemed to me one of the ugliest things I ever saw. I went down and threatened him with action. He laughed at me—and I must say, I know why he did; because nothing would have been done if I had reported it.

That is not to say I shoudn't have. I am ashamed of the fact I never did. But I think you can see why; our attitude was, if we ever reported some of these incidents, nothing would ever be done.

But all of us are guilty because we did not press it to the farthest point we could. And we are here today to try to press it to the farthest point we can.

Thank you very much. (Prolonged applause).

Senator MCGOVERN. Thank you very much, Mr. Paquet, for your testimony.

Our next witness is Mr. Joe Nielsen, of New York.

Is Mr. Nielsen here?

Mr. NIELSEN. My name is Joe Nielsen, [redacted]

In college I was a fraternity president, and captain of the football team of William and Mary College. I was going to become an IBM salesman. I was a ROTC lieutenant.

I volunteered for Nam because I believed in it. I went overseas and I came home with a wound and a couple of medals, and a condition in which a year and a half later I hold a job as a shower attendant, see a psychiatrist three times a week.

I am like a lot of GI's who came back—I just cannot cope with what we saw there.

The Vets on the whole are a very conservative group—up until Vietnam. As you all know, the Veterans of Foreign Wars, the American Legion, they have all been a very conservative group. What we see right here is the amazing thing. We are having Vets who have gone through it come back and say "No."

Most of the Vets, the people fighting the wars, are not college graduates, they are the sons of the silent majority. And the Veterans of Foreign Wars and the American Legion are saying the people here are not representative of the Vietnam Veterans. And the people here obviously feel very strongly. And the old veterans are quoting figures.

I took a survey in San Francisco of Veterans who have just come back. I would like to read a few things, because this is the main thing they are holding against this type of action that we have taken—that they are not representative, we are a small group. I will only read a few—it is a statistically valid survey, taken by myself. I will read a few of the answers, a few of the questions. I won't go through it all.

Much of it is not—as I said, the GI's are—they are not all as liberal or as—they don't feel as strongly as we do, a lot of them.

"How would you say your year in Vietnam has affected you as a person?"

Seventy percent said both good and bad

effects. However, the comments which we got, such as "It taught me to kill and I enjoyed it. Especially those dinks," show that a lot of them felt pretty bad about the effects it had on them.

"What are your feelings toward those males your own age who have not served in the Armed Forces and will not serve in the future?"

Only—this is surprising—only 11 percent said they felt very resentful. In other words, as one GI said, "More power to anyone who honestly gets out of it." (Applause)

The Navy captain was saying he felt a lot of the Vietnamese people felt strongly about the war, eight million approximately.

According to the Vietnam veterans whom I talked to—"the South Vietnamese people seem to be more interested in one of the following."

Winning the war, 5 percent;

Providing food, money and shelter, and staying alive, 83 percent.

The people want to be left alone. It is not their war. (Applause)

One GI summed it up, and said "The men can't fight and the women can't"—do their thing.

Their flag tells the story. "What ain't red is yellow."

The terms "dinks," "gooks" and "slopes" were constantly used in describing the Vietnamese.

"Should the ARVN be doing a greater percentage of the ground fighting?"

89 perent said yes.

"Will the ARVN be able to take over all ground fighting at the end of December?" one year from the time the survey was taken.

Nixon wants all ground fighting out by this summer. 59 percent said they would not be able to take over the ground fighting in December, Nixon wants them to do it this summer.

Comments were: "They're more concerned with avoiding the enemy than with destroying him," and "The ARVNS obviously are cowards."

"Do you approve or disapprove of the Moratorium Peace Protest of October 15th and November 15th, 1970 and of other peace demonstrations?"

These are the fellows who were there—

Senator McGOVERN: Lt. Nielsen, could you tell us how this survey was taken? I am curious to know about how many people you surveyed, the format.

Mr. NIELSEN. The format was—I tried to go through the Army. They would not allow it, of course, since—This is the first survey of its type, and the Army obviously doesn't want these types of figures to come out. I went to them, they would not allow me to use the Oakland Base where they were outprocessing the pepole. And I couldn't use the buses where the planes came in and the GI's were picked up by buses. So, after a big hassle, I had to wait for them at the San Francisco Airport, at which I spent three weeks or a month individually talking to GI's. No officers nor anyone over an E–5 was questioned. It was completely voluntary.

The survey was checked by a statistical engineering company, Mason and Company, in San Francisco.

Mr. VANIK. What was the total number of people to whom you talked?

Mr. NIELSEN. I questioned 280, and eliminated some because of various reasons and came up with 244.

It says: Give your name, age. My name is Joe Nielsen, 27, lieutenant; dates in Nam, September '67 to September '68—no, '68 to '69. And my home town is Bayside, New York.

On the peace thing, 50 percent approved of the peace demonstrations. Now, this is really going to blow some people's minds, especially the older people, who categorize, like Agnew does, the Vietnam Veterans. He would rather have one platoon of fellows fighting from Vietnam—I don't know—then hundred thousand of the long-haired demonstrators.

What he doesn't know, it is not that simple. Many of the people over there, the only difference between the Vietnam Veterans and the people in Washington is that they are in the Army and have short hair. (Applause)

"Did you see any racial discrimination in Vietnam among the troops?" 52 percent said yes.

"While in Vietnam did you smoke marijuana?" It was not as high as one might think: 48 percent said no, they didn't. (Laughter)

One guy said "My job was to stay high 14 hours a day."

Another said "It seems a farce to throw draftees in jail for smoking grass, with all the other things happening in Nam."

Here is one that will get to a lot of guys!

According to what you have actually seen and participated in, the alleged massacre of Vietnamese civilians by American infantry at My Lai was:

One isolated incident that occurred, 26 percent; one of a few incidents that occurred, 23 percent; one of many incidents that occurred, 15 percent. In other words, we said, "Don't tell us war stories or rumors. Tell us what you have seen or participated in."

Another 15 percent surprised me, since I was not involved in anything like that, it surprised me. But some of the comments I would like to read, then I will go:

"I would and could kill women and children, but if I hadn't, I wouldn't be here."

"I learned to kill and enjoy it. Especially those people."

Killing Vietnamese people is "like killing animals after awhile."

"After you are there for awhile, you hate them all."

"I have no pity on any Vietnamese. They all get what they deserve."

"They are just gooks."

Fourteen and a half percent thought the men who were involved in the alleged My Lai Incident should be given a court-martial.

The rest think they should be set free, various other things.

I would like to give you a quote from a GI when I asked if he had anything to say. He said he would like to characterize the war as: "The incompent telling the unwilling to do the unnecessary for the ungrateful." (Prolonged applause)

SURVEY CONDUCTED BY JOSEPH NEILSON OF AMERICAN VETERANS

I. INTRODUCTION

Author of the survey

Mr. Joseph Neilson is a graduate of William and Mary College in Williamsburg, Virginia, where he obtained an ROTC commission upon graduation in June, 1967. While in college, Mr. Neilson was President of his fraternity, Sigma Nu, and an All Southern Conference Football choice. He entered the army as an Artillery Lieutenant on 26 September, 1967 at Fort Sill, Oklahoma. Mr. Neilson volunteered for Vietnam duty because of his agreement with the United States war policy and arrived in Vietnam in September, 1968. After a year in Vietnam, he returned to the United States with a wound, a Bronze Star, and a total disillusionment with America's role in the war. Mr. Neilson believes that the GI's true opinions of the war are not being told to the public but that manufactured opinions are being used by politicians such as Vice-President Agnew and President Nixon as a major reason to continue the war. Mr. Neilson decided that a survey of Vietnam Veterans would best destroy these myths.

The survey

The survey was checked for statistical validity in San Francisco by James Klein, a marketing engineer, then working for Mason and Company. The reason why a survey of GIs has not been taken in the past is that the army has not allowed it. Mr. Neilson first attempted to take the survey at the Oakland Army Outprocessing Center. The army would not allow this nor would they consent to Mr. Neilson riding with the GIs from the plane arriving from Vietnam to the Oakland Outprocessing Center. Finally, Mr. Neilson had to settle for interviewing GIs at a rate of one or two at a time at the San Francisco commercial airport as the GIs waited for flights home. Two hundred and forty-four (244) GIs were then interviewed over a course of three weeks.

The people in the United States have heard the views of just about everyone on the subject of Vietnam. Books, articles, newspapers, interviews, speeches, editorials, and surveys have made it the most publicized war in history. Yet, we have not heard the opinions of those whom the war effort affects the most, the young men. No, not the young men as defined by the news media, but the other silent young who actually fight the war.

And, why haven't we heard from these men before—in a large poll or survey? Very simply because the U.S. Army, in their perverted view of the Bill of Rights, are fearful that a group of American GIs freely expressing their constitutionally insured right of free speech will somehow break down the delicate fabric of public confidence and optimism concerning the Vietnam war. I believe their rationalized thinking is best expressed by a Colonel at the Oakland Army base who served one year in Vietnam safe in the confines of a division base camp. "Remember that the kids are young, somewhat immature, and their view of the war is limited to their narrow experiences." I suppose he would like us to blindly believe the official army view that we never suffer defeats, the enemy's casualties are always 5 to 10 times ours, less than 1% of the GIs smoke pot, and victory is right around the corner if only we use more force and be patient.

After receiving absolutely no cooperation from the Army, I interviewed 244 enlisted Vietnam Veterans, under the rank of Staff Sergeant E–6, as they awaited transportation home from the San Francisco airport. The reason why no officers of enlisted men above the rank of E–5 were interviewed was because I wanted to have a true picture of "our boys."

As to be expected, those interviewed were young, mostly in the 20–22 age group. A very large majority never voted to elect the officials who sent them to Vietnam. They were the sons of the silent majority of the sons of the underprivileged. Less than 10% were college graduates but more than 10% were high school dropouts. In writing comments to questions asked, many GIs had trouble spelling relatively simple words. Usually each sentence had 3 or 4 grammatical errors. Sometimes a group of words made no sense. The Spanish speaking GI had the most difficulty; a few asked to have the questions read aloud because they could not understand the English.

It seems that in Vietnam "You won't find college graduates in Infantry foxholes," said one college graduate with the water-logged 9th Division. "At least 80% of those fellows I graduated with never served in the Armed Forces. And those that did, like me, were held in base camp jobs typing and doing paper work." It would be very interesting to find out what the education level is of the young men who died in Vietnam (89% of those killed in Vietnam were under 26 years of age) and what their fathers' incomes are. The figures are "unavailable" according to the army. I believe they would show quite con-

clusively who is fighting our democratic Vietnam war.

I. THE SURVEY QUESTION AND A DISCUSSION OF EACH

The GIs were given a question and usually 3 or 4 answers to choose from. If they disliked all the given answers, they were allowed to skip the question or write their own comment. GIs who answered the questions were also encouraged to write comments.

Q. Now that you are back in the United States what will you do? (If ETS is within a few months, please answer as if you're out of the army).

(A) Return to old job (16%).
(B) Apply for a new job (12%).
(C) Return to school (59%).
(D) Other, please state (13%).

A disappointing 59% said they intended to return to school, and many indicated it would be a trade school or night school. How many of these men will actually follow through is open to question, but the government could mount a more effective campaign to push these veterans back into the classroom for the education they sorely need in today's world.

Q. How would you say your year in Vietnam has affected you as a person?

(A) Had a good effect on me (19%).
(B) Had both good and bad effects on me (70%).
(C) Had a bad effect on me (6%).
(D) Other, please state (5%).

Briefly explain answer.

Some comments ("more confident—more mature—learned to accept responsibility") emphasized the good, but other comments, such as "It taught me to kill and I enjoyed it. Especially those dinks" written by a door gunner with the 1st Cav., and a Spec. 4 with the 168th Engineers wrote, "I have seen how rotten America really is," which showed the scars of war.

Q. Would you like your brother (assume you have one) to go through a Vietnam tour?

(A) Yes, definitely (5%)
(B) Yes, with reservations (15%)
(C) No, I would not (75%)
(D) Other, please state (5%)

A full 75% would not like their brothers to go through a Vietnam tour and 15% said yes with reservations. The reservation was usually that the brother would not be in the infantry. Only 5% said yes definitely. A "grunt" with the 101st Airborne best expressed the overwhelming general statement of sentiment, "I went through it, but I pray to God my brother never goes." It seems that although most believe Vietnam produced a few positive results, the year spent learning was hell and too large a price to pay. A Spec 4 who worked with the 18th Recon in the Americal Division wrote, "It wrecked one year of my life," and another Spec 4 with the 1st Cav. wrote, "I'd never go through it again."

Q. What are your feelings toward those males your own age who have not served in the Armed Forces and will not serve in the future?

(A) Very resentful, everyone who is normally fit should serve. (11%)
(B) Resentful, but only to those who lied or cheated to beat the draft. (36%)
(C) I did the correct thing and don't care what others did. (11%)
(D) All those who escaped the draft are lucky, and I do not resent them. (39%)
(E) Other, please state (3%)

One might expect the GIs who served in the Armed Forces 2 or 3 years, with one year in Vietnam, to be resentful of those who do not serve. But, only 11% felt very resentful toward all who did not serve. A Spec. 4 with the 9th Infantry Division summed up the feeling, "More power to anyone who honestly gets out of it." Combining (B) and (D) we get 75% of the GIs stating that they don't feel resentful to those who don't serve as long as they didn't lie or cheat to get out of the service.

Q. The South Vietnamese people seem to be most interested in which of the following:

(A) Winning the war (5%)
(B) Following Village laws and customs (5%)
(C) Supporting the Saigon Government (5%)
(D) Providing food, money, and shelter for themselves and family (54%)
(E) Fighting the Viet Cong and the North Vietnamese (5%)
(F) Staying alive (29%)
(G) Other, please state (1%)

The GIs believe that the Vietnamese attitude toward the war borders on "total indifference," and the men seem quite resentful. "The people want to be left alone" . . .Spec 4, 101st Airborne. "They worry about nothing but themselves, ". . . Spec. 4 with the 1st Cav . . . The men were even more resentful toward the Vietnamese attitude toward the GI's money. Time and time again the men commented that the Vietnamese were interested in "taking your money" . . . Spec. 4 John M. Bayette; "Soaking GIs for as much as possible" . . . Spec. 5 1st Avn. Bde.; "Making money from GIs and living off the war" . . . Spec. 4 1st Engineer Bde., 1st Division; "Making money off the GIs" . . . Pfc 9th Infantry.

Combining (A), (C), and (E) we get only 11% who feel the Vietnamese are motivated in the war while 83% from (D) and (F) believe that the Vietnamese are most interested in "staying alive" and in "food, money, and shelter." The GI is resentful that he risks his life while those whose freedom he fights for seem to be primarily motivated in taking his money. One GI summed up the resentment: "The men can't fight and the women can't ———. Their flag tells the story: what ain't red is yellow." The term "dinks," "gooks," and "slopes" were constantly used in describing the Vietnamese.

Q. What was the attitude of the South Vietnamese people with which you were in contact toward winning the war?

(A) Very determined to win the war (10%)
(B) Moderately determined to win the war (24%)
(C) Not concerned with the war (45%)
(D) Not determined to win (8%)
(E) Other, please state (8%)

Again the comments were overwhelmingly resentful toward the Vietnamese war effort. A Spec. 5 with the 1st Infantry Division wrote, "They don't care whose side they're on as long as it's the winning side." A Spec. 5 Crew Chief stated, "They want to win but want someone else to win it." And, another GI wrote, "The only time they are concerned is when they are directly involved either physically or financially." A Spec. 4 with the 1st Infantry Division wrote, "The Vietnamese people don't care about anything except a peaceful life." And, again, as in the previous question, the GIs made comments concerning the Vietnamese thirst for the GI dollar. A Spec. 5 with USARV HQ said, "They only want to make a buck and keep themselves alive."

Q. How is the American Pacification program (winning the hearts and minds of the Vietnamese people) working?

(A) Working very well (17%)
(B) Working moderately well (46%)
(C) Working poorly (20%)
(D) Not working at all (7%)
(E) Other, please state (10%)

Many GIs seem to feel progress is being made but a Spec. 4 with the 9th Inf. Div. said, "It's slow since the population is hard to control and moves a lot." A Spec. 5 with the MACV said, "It's more like buying their hearts and minds." Most veterans readily admit that most pacified areas will fall back to enemy control once the Americans leave completely.

Q. Should the ARVN be doing a greater percentage of the ground fighting?

(A) Should be doing a much larger percentage of the ground fighting (71%)
(B) Should be doing a slightly larger percentage of the ground fighting (18%)
(C) Should be doing about the same amount of ground fighting (6%)
(D) Should be doing less ground fighting (2%)
(E) Other, please state (3%)

The GIs obviously believe the ARVN should be doing more fighting. A Spec. 4 with the 4th Infantry said, "They should be doing all the fighting. It's their country, isn't it?"

Q. Will the ARVN be able to take over all the ground fighting at the end of December 1971 (one year from now)?

(A) Yes, definitely (8%)
(B) Yes, but with occasional ground (infantry) help. (23%)
(C) No, but should be able to soon after December, 1971 (21%)
(D) No, definitely not (33%)
(E) Other, please state (10%)

With the administration setting a deadline of this summer as the time the ARVN won't be able to do it. 59% state "No" definitely (C and D), and 23% state "Yes" (B) but with occasional American ground Infantry help. Only 8% say definitely "Yes." The GIs' scorn for the ARVN is quite open. "They're more concerned with avoiding the enemy than destroying him," a Pfc with the 9th Inf. wrote. A Spec. 4 with the 4th Infantry said, "The ARVNs are obviously cowards." Most GIs did feel that the ARVNs were getting better, however.

Q. Do you approve or disapprove of the way in which President Nixon is handling the war?

(A) Definitely approve (24%)
(B) Moderately approve (26%)
(C) Moderately disapprove (17%)
(D) Definitely disapprove (13%)
(E) Undecided (10%)

Briefly explain answer.

The men generally approve of Nixon's handling of the war so far. "His policy is the only way out" and "He's making the best of a bad situation" were two pro-Nixon quotes. The men who disagree with Nioxn's policies usually want a faster rate of withdrawal.

Q. Concerning the troop pullout rate, should President Nixon . . .

(A) Pull all troops out immediately (16%)
(B) Pull troops out faster (27%)
(C) Pull troops out at the same rate (33%)
(D) Pull troops out slower (12%)
(E) Other, please state (12%)

Some men seem to feel that Nixon should pull the troops out faster (43% from A and B) while others (12% from D) are for a slower withdrawal. The men who choose (D) usually a have such comments as "Bomb Hanoi" and "Stop treating them with kid gloves." A very interesting aspect is that many GIs simply do not believe that Nixon is pulling out as many troops as he says he is. "He puts back as many as he pulls out" and "There is a plane of replacements for every one that leaves" are typical comments.

Q. Which of the following closest fits your description of how the Vietnamization of the war is progressing?

(A) Very successful (10%)
(B) Moderately successful (55%)
(C) At a standstill (18%)
(D) Not successful (14%)
(E) Other, please state (3%)

Again the GIs show optimism about moderate progress, but, as in the pacification program, show a pessimism about what will happen when the Americans leave. "There is progress, but it's slow and I'm not optimistic about what will happen when we'll pull out," wrote a Pfc.

Q. Do you approve or disapprove of the Moratorium Peace Protest of October 15th

and November 15th, 1970 and of other peace demonstrations?

(A) Definitely approve (27%)
(B) Moderately approve (22%)
(C) Do not approve (35%)
(D) Do not approve and protesters should be jailed (8%)
(E) Other, please state (8%)

In a surprising move, 49% (A and B) approved of the peace demonstrations while 43% (C and D) disapproved. A Spec. 5 radio operator wrote, "I was in Nam but my wife was marching in San Francisco. We'll make the next one together." Another Spec. 4 said, "It's the greatest thing to happen in years." However, the other side of the coin was commented on by a Sgt. E-5 with the 1st Cav., "Protesters and protests hurt morale and give VC/NVA a psychological advantage." It seems strange that those men fighting the war would approve of a peace demonstration but not as strange as it seems when you remember that 80% of the grunts are from draftees who were forced to fight or go to jail. Those in Vietnam do not want to be there but have little choice.

Vice President Agnew in his glorification of the Vietnam GI as opposed to the "Peacenik Protester" seems to think that they are made of different material. Not only is this not true but it seems that the only difference between some GIs in Nam and demonstrators is that one has avoided the army.

Q. How would you rate your officers concerning their overall job efficiency?

	Percent
Lieutenants and captains:	
(A) Excellent	17
(B) Good	36
(C) Fair	22
(D) Poor	19
(E) Other, please state	6
Majors, colonels and generals:	
(A) Excellent	12
(B) Good	32
(C) Fair	30
(D) Poor	20
(E) Other, please state	6

One Spec. 4 wrote, "The higher they go, the stupider they seem to get."

What is your estimate of the M-16 rifle for use in Vietnam?

(A) Excellent (60%)
(B) Good (28%)
(C) Fair (2%)
(D) Poor (1%)
(E) Other, please state (9%)

The GIs were almost unanimous in their agreement that the M-16 is an "excellent" or "good" weapon. All comments were favorable. A Spec. 4 with the 4th Inf. commented, No one walks away from it," and a poetic grunt wrote, "Keep it clean, it's a bad machine."

Are the body counts of Viet Cong and NVA reported from your unit correct?

(A) Very accurate (23%)
(B) Moderately accurate (21%)
(C) Not accurate at all (24%)
(D) Misrepresented (10%)
(E) Other, please state (22%)

It seems that many GIs feel that the body counts, which the army uses as success indicators are inaccurate and inflated.

Did you see any racial discrimination in Vietnam?

(A) Yes, definitely (26%)
(B) Yes, but only once or twice (26%)
(C) No racial discrimination seen (46%)
(D) Other, please state

If A or B chosen, briefly explain.

The army still has problems in the area of racial problems. 52% (A and B) said they did see racial discrimination. A Spec. 5 with the 101st Airborne Div. wrote, "Only a few lifers from the south still believe white is better than black" and a Pfc. with the 4th Division said, "It's part of our social system." The Blacks interviewed were split 50-50 as to if there were any incidences of racial discrimination. Robert Tallery, a Black Marine, said, "The U.S. Gov't should handle its own problems before trying to solve the problems of other countries."

A surprising backlash occurred with some whites stating that the blacks were discriminating against the whites. A Spec. 4 with the 4th Inf. commented, "The black man shows considerable prejudice toward the whites."

How would you rate the morale of the United States troops?

(A) Excellent (16%)
(B) Good (40%)
(C) Fair (24%)
(D) Poor (17%)
(E) other, please state (3%)

Apparently morale is not as good as the Government says nor as bad as some make it out to be. A Spec. 4 with the 1st Log. Command, said, "The reason morale is good at all is because we know we go home at the end of one year. We count each day."

What happened to your body weight in Vietnam?

(A) No change (30%)
(B) Gained weight (18%)
(C) Lost 1 to 15 pounds (33%)
(D) Lost 16 to 30 pounds (14%)
(E) Lost 31 pounds or more (5%)

With the climate and the food most, especially those in combat units, tend to lose weight.

While in Vietnam, did you smoke marijuana (pot)?

(A) No (48%)
(B) Yes, 1 to 5 times (18%)
(C) Yes, 6 to 20 times (9%)
(D) Yes, 21 times or more (22%)
(E) Comments, please state (3%)

With the pressure of a war half-way around the world resting on their shoulders, the availability of pot in Vietnam and a permissive social attitude in the United States, 49% of those interviewed smoked pot while in Vietnam. Yet, a survey in the U.S. of young people the same age and backgrounds taken for a one year period would surely show the same or higher results. A Spec. 4 wrote, "See a good buddy die or listen to him scream and they ask you why you smoke pot." "If it wasn't for grass, I probably would have gone insane," said another. A Spec. 4 with the 9th Inf. said, "My job was to stay high 24 hours a day." "It seems a farce to throw draftees in jail for smoking grass with all the other things happening in Vietnam," said another Spec. 4.

One must remember, however, that 48% reported that they had not smoked.

According to what you have actually seen and participated in, the alleged massacre of Vietnamese civilians by American Infantry at My Lai was:

(A) one isolated incident that occurred (26%)
(B) One of a few similar incidents that occurred (23%)
(C) One of many similar incidents that occurred (12%)
(D) Other, briefly explain (39%)
Briefly explain answer.

The question was phrased in an attempt to eliminate rumors and hearsay. The 39% (D) had no personal knowledge of the incident, did not reply, *or had specific comments.* A shocking 12% stated that it was one of a few similar incidents and at least 3% of the comments in (D) could be fitted into the (C) category. This would total 15% for (C). 23% believed it was one of a few similar incidents. Some quotes were as shocking as the Life magazine photos. "I would and did kill women and kids, but if I hadn't, I wouldn't be here." A Spec. 4 said with an intense smile, "I learned to kill and enjoy it. Especially those people." It became obvious that the more combat experience a man had the more easily he acknowledged that such incidents are possible "especially because of our low regard for the Vietnamese which makes killing them like killing animals," said one "grunt." A Pfc. with the 1st Cav. commented, "After you are there for a while, you hate them all." Another soldier wrote, "I have no pity on any Vietnamese. They all get what they deserve. This dehumanization seems to be a primary reason why a My Lai could occur. "They're just gooks," a Spec. 4 put in.

Should the men involved in the alleged My Lai massacre be

(A) Given a court martial (14½%)
(B) Given a reprimand (14½%)
(C) Set free (49%)
(D) Other, please state (22%)

Of the 14½% who stated that the men should be given a court martial, many qualified that by saying "only the officers should be court martialed. The others were just following orders." It seems the vast majority of GIs feel that the men involved in the massacre should be set free or given a reprimand but not court martialed. As a trooper wrote, "Condemn war, not those forced to fight it."

Did the United States make a mistake when it became involved in the Vietnam War?

(A) Made a serious mistake (38%)
(B) Made a slight mistake (9%)
(C) Made no mistake but fought the war incorrectly (40%)
(D) Made no mistake (10%)
(E) other, please state
Briefly explain answer.

Many GIs believe that Vietnam was fought incorrectly and that "they had to play politics and as a result a lot of good men are dead." Many men answering with (C) or (D) believe that if we were going to fight the war we should "Bomb hell out of North Vietnam and declare war." Those answering with (A) and (B) made such comments as "Killing and death are always serious mistakes;" "It wasn't any of our business;" and "No 3rd power has the right to interfere in a civil conflict."

When I asked one grunt if he had anything else to say about the war, he volunteered a beautiful description of the war: "This war can be summed up as the incompetent telling the unwilling to do the unnecessary for the ungrateful."

Senator McGovern. Lt. Nielson, I wonder if we could ask just one question of you before you leave.

I have been very much concerned, and I know other members of the Congress have been, about the treatment and consideration given to Veterans coming back from this war. I wonder if you would just very briefly address yourself to the kind of reception the veterans are getting, specifically with reference to employment, education, and health care, these three problems.

Mr. Nielsen. Well, specifically what I can say is that the thing that concerns me is my condition. I went to an Army doctor twice. The first two times I was there I was involved in arguments with the doctor. He wasn't—he is an old man, served with Patton (laughter). All the doctors in the Veterans Hospital, they are very old, and they cannot make it on the outside. Some are good, I suppose, but I just didn't happen to run into any.

I still have a crotch condition, the fungus stuff, you know, from Vietnam. I just could not take it any more, so I had to go to the outside, where I have to pay.

I am getting $25.00 a month, but that doesn't help me very much.

Senator McGovern. What about the job situation?

Mr. Nielsen. That doesn't concern me. My shower attendant's job suffices me. I don't want another job right now.

Senator McGovern. How about the educational benefits? Not just yourself.

Mr. Nielsen. I suppose they are there, but I guess they are $175 a month fulltime, Senator.

Senator McGOVERN. And you have to pay the tuition, books, everything else?

Mr. NIELSEN. Pay the tuition, and you have to live off that. And it is impossible to do. Many veterans want—since the veterans are an undereducated group, many veterans want to go back to school. However, with the type of money, unless they live at home with mom and dad—after going to Vietnam—they wouldn't be able to do it.

I think that in the case of the education they should be allowed a little more money, not a lot more.

I think the veterans job-wise—I received letters, but I never looked into it.

The big thing, I would say, is that as far as the medical facilities in the Veterans Hospital—I was in a Veterans Hospital, I was operated on, I had both eyes covered. I was left alone. I came out of it alone, the anesthesia. They left a tube in my arm in which water was still going in. It was a mistake, supposed to have been taken out. So all during the night while I was alone, and there were sides on my bed, because I couldn't see, bandages on my eyes, I had to get out of bed, keeping this tube in, I thought it was supposed to be in, get out of bed blind, search for the urine pitcher, urinate, get back in the bed.

At the end of the night I flipped out; I couldn't see, I didn't know what was happened, I flipped out.

That is the type of treatment I found.

I found the doctors—the doctors—they just are more interested in your political views on what is happening in Vietnam.

Mr. VANIK. Notwithstanding your personal preferences, your employability has certainly changed between the time you went in and the time you came out.

Mr. NIELSEN. I am a different person. I started in one way, I am a different person now.

Mr. VANIK. You are a different person.

Thank you.

Senator McGOVERN. Congressman Vanik referred to one of the differences between this war and World War II. I think another very distinct difference is that we came back from World War II, those of us who were involved, feeling we were heroes and that we would be well received by the country, and in general we were. And the benefits were somewhat generous.

I take it from your testimony and other things that I have read that not only does the veteran coming back from this war lack the sense of satisfaction of a grateful country, but also the benefits are pretty stingy. Is that a fair picture?

Mr. NIELSEN. The benefits are stingy. But I think I could take the benefits if I was involved in World War II as opposed to the Vietnam War, which I now believe is immoral, and I am guilty by what I did over there, some of the events I was involved in.

If it happened again—There is no way I could go over there. (Prolonged applause).

Senator McGOVERN. Thank you very much, Lt. Nielson.

Our next witness is Dale Granata, a Navy veteran.

We will be happy to hear from you.

Mr. GRANATA. Thank you. I will be as brief as I can. My name is Dale Granata, Quartermaster 3rd class, U.S. Naval Reserve, XXXX XXXX

I spent eight months, about, I spent one year in (?) which is what you call a Vietnam cruise. I spent 8 months, about, off Vietnam.

This is a letter that I have sent to both my Senators, Senator Javits and Senator Buckley, and Congressman Otis Pike, informing them of what I feel are crimes my crew and I were involved in against humanity.

"I have reason to believe that I and the crew of the *Richard Anderson* are guilty of great crimes against humanity.

In early April 1966 off the coast of South Vietnam near Hue the Anderson moved to within four thousand nautical yards of a fishing village, sometime in the early morning. As the fishermen left the village in their boats for their daily harvest of the sea the Anderson opened up on the village. We were told that the village was a Viet Cong village and that it must be destroyed. These were our orders. The Anderson fired so many 4-gun salvos that many of the pipes and tissues came apart beneath them."

It was an old ship, built in 1945.

"Spotter planes reported people in the open fleeing, running across fields, so the Anderson switched from high explosive projectiles to the frag projectiles, variable-time fragmentary shells which are extremely effective for killing people. They fragment and chop people up. After we had chopped up people, we "walked our guns" up zero meters, repeat, repeat fire for effect, up 5 meters repeat, repeat fire for effect.

"It seems to me incongruous VC would be fleeing across fields. At one time were firing across people. Then we had to lower our guns to zero elevation, cock them up this way."

But the whole thing, the reason I wrote this, is because of the Calley trial. All of a sudden it came to me that what I felt all along was a justifiable act was no more justifiable, because Lt. Calley—this is not in the letter, I am going to be extemporaneous now—but Lt. Calley is guilty because he could see who he killed, but I am not guilty because I couldn't see them. There seems to be some sort of a half-pregnant rule there.

I will go on with my letter.

"About six hours and 278 rounds later the village was completely destroyed. When I say 'completely' I mean completely. We put about 30 VT frag and 30 Willy Peters"—a white phosphorous, an incendiary shell, does a very good job on anything that is not blown up—"and everything else was high explosive.

"I believe the village had no warning that they were coming."

I put in parenthesis "How could they? The VC would leave."

"There were secondary explosions (evidence of stored ammo)."

A secondary explosion means there must be ammo.

"And I guess these explosions justified the massacre of the people of that village and the destroying of that village itself. And I repeat again, I was told that everybody in there was a VC. When will this all stop?

"Sincerely yours, Dale Granata."

I have so far received this response from Senator James L. Buckley:

"DEAR MR. GRANATA: Your letter arrived and I am making appropriate inquiries in your behalf. As soon as I have appropriate information you will hear from me further with a more detailed response.

"Assuring you of my continued interest in this matter, I am sincerely yours, James L. Buckley." (Laughter)

I sincerely hope that James L. Buckley and Senator Javits and Congressmen Otis Pike look into this matter. And if they find that the Navy—the reason I am so familiar with this is that I was Quartermaster during most of the incident, and a Quartermaster in the Navy keeps the log. You have to write down in the log how many shells you fire, you have to take note of that. That is the reason I am so familiar with it.

I sincerely hope my senators and Congressman Pike, if they can substantiate what I have written to them, bring this before the public as one more example of the way we conduct the war in Vietnam.

Thank you.

(Call of "Right on." Prolonged applause.)

Senator McGOVERN. I wish we had more time to question each one of these witnesses. But we do have a number of other witnesses waiting to be heard. We will have to move on.

The next witness is Mr. Everett Carson, a platoon commander with the 9th Marine Regiment.

Mr. Carson.

Mr. CARSON. There probably are others here who participated in Operation Dewey Canyon 1.

We gave a statement yesterday morning to Congressman McCloskey regarding our activities in Laos. That was on the record. I would like to put some of that on the record.

I served with the Golf Company, 6th Battalion, 9th Marines, in October 1968 to the 22nd of February 1969.

We went out on about the 22nd of February, 1969 on an operation called Dawson River, which was later changed to Operation Dewey Canyon 1. My particular platoon entered Laos, not in hot pursuit, on I believe the 24th or 25th of February 1969.

Before my platoon from Golf Company had entered, Hotel Company 29 had gone down, and on the evening, I believe, of the 24th of February had sprung a reinforced platoon-sized ambush on Route 922, which is about 1500 or 2000 meters inside the Laotian border. Following Hotel had come Echo Company of the 29th, and they had likewise been running ambushes, been running patrols down along Route 922.

Fox Company was a little bit closer to the border and going in a parallel direction with Hotel and Echo, about 1000 meters to their east, closer to the Vietnam-Lao border, but still inside Laos.

And Golf Company, which had been split because of enemy attack on the LZ after the first squad of my platoon had been lifted into Laos, was split and did not get back together until later in the operation.

But I think—well, when I got back—I had enlisted in the Marines, and my feelings on the war were pretty touch and go. When I got back, knowing I had been in Laos, and began reading the paper accounts of Dewey Canyon, and everything was taking place in Quang Tri Province, South Vietnam, I began to wonder.

And at Colby College in Maine on May 5 last year Senator Margaret Chase Smith and I had an exchange. As you probably know, she is the ranking Republican on the Senate Armed Services Committee. We had an exchange, and she didn't know American forces had entered Laos in February 1969.

Thus, I simply would like to bring these facts to the attention of people.

There is one Medal of Honor citation to Corporal Daniel Morgan from Hotel Company, which reads "Quang Tri Province, South Vietnam." In fact, he was killed down along 922, inside Laos.

Extensive operations for programs 14 days took place by the 2nd Battalion, 9th Marines, also the 1st Battalion, with whom I had no personal contact, but I have heard people from it talk about being inside Laos further to the south.

Senator McGOVERN. Were you aware at the time that Congress had specifically prohibited the use of American ground forces in Laos?

Mr. CARSON. No, sir, I was not.

Senator McGOVERN. Do you recall any discussion of that kind? Were you told to keep this operation quiet?

Mr. CARSON. We were told not to talk with newsmen about the fact we had entered Laos.

Senator McGOVERN. You were actually in there in a ground combat role as early as February 1969?

Mr. CARSON. Yes, sir, we were.

Senator McGOVERN. How many troops do you think were involved in that operation?

Mr. CARSON. As far as—we were way under strength by this point, in Dewey Canyon, because we had been engaging in substantial enemy forces. But with the exception of a very small portion of Golf Company we were in—excuse me—a very small portion of the 2nd Battalion, 9th Marines, they were all in

there, which would have been about six hundred or seven hundred men, probably. I believe the entire 1st Battalion, 9th Marines, was in Laos; perhaps 1200 or 1600 men.

I would like to reiterate that this was not a hot pursuit mission. In fact it was held to what we would call a cool LZ, inside Laos.

Senator McGOVERN. Was it a rescue operation of very short duration, to take the pressure off forces? What do you think was the nature of it?

Mr. CARSON. The nature of it was to run interdiction missions and ambush missions along Route 922, which was one of the major supply routes into the Ashau Valley.

Mr. VANIK. How far inside Laos?

Mr. CARSON. We were between 1000 meters and 6000 or 8000 meters, I would say.

I believe Hotel Company set up night defensive perimeters on the other side of Route 922 as far inside as 4000 to 6000 meters.

It is not terribly far. But the fact remains, Route 922 was inside Laos, and we all knew it.

Senator McGOVERN. But you became aware after you came back to the United States that that operation was in violation of the action of the Congress in preventing American ground forces from going into Laos?

Mr. CARSON. I did later on become aware of that fact, yes, sir. I brought it to Senator Smith's attention in Maine. I don't know whether or not she followed up on it. But I mentioned it again when we met with Senator Smith two days ago.

Senator McGOVERN. Do you have anything else to add Mr. Carson?

Senator Mondale of Minnesota.

Senator MONDALE. Hello, how are you? (Applause.)

Senator MONDALE. I understand the one thing you don't need is one more speech. I had the best one to be given today, but instead of giving it I will leave it for the record, and thank you very much for coming.

I will give you a one sentence speech:

Let's get out of Vietnam. (Prolonged applause.)

"STATEMENT BY SENATOR WALTER MONDALE

"I can't add much to the eloquent and moving testimony of John Kerry yesterday at the Foreign Relations Committee.

"He said it all.

"This war is an incredible tragedy—for America and for Indochina.

"We've got to end it. We've got to bring our men home.

"Some—like Senator McGovern—saw the folly and outrage of the war long before it was understood by the country.

We're permanently indebted to their courage and wisdom.

"Others—and that certainly includes myself—stood by either in illusion or silent doubt.

"We were never more wrong.

"But I think this country is coming to its senses—and you've helped us.

"Your conduct this week—your dedication and restraint in the face of an unfeeling Administration—has reminded us all that decency and idealism and compassion can survive even the horrors of this war.

"You're living testimony to that.

"For all its disgrace and torment, this war has also given us *you*—a generation of young Americans who really care.

"And *you* are our best hope that we won't relive this tragedy again.

"John Kerry said yesterday that your commanders—the men who made this war in the Johnson Administration and the Nixon Administration—had either run out or ignored you.

"I want you to know that there are a lot of us here in the Senate who are not going to run out.

"We're going to ask the questions John Kerry posed yesterday:

" 'How do you ask a man to be the last to die in Vietnam? How do you ask a man to be the last to die for a mistake?'

"I ask this Administration: *How will they answer John Kerry and the millions he represents?*

"We're going to work until this war is done.

"We're going to do our best to help you get the jobs and education and health care you deserve until that's done.

"And when we've repaid your sacrifice, we're going to join you in trying to put this country truly together—so that our children will be free of the agonies you have known."

Senator McGOVERN. Thank you very much, Senator Mondale. You are even better when you are brief. (Laughter.)

Senator MONDALE. I learned that by watching you, George.

Senator McGOVERN. Our next witness is Mr. Forrest Lindley, Jr.

Is he here?

Mr. LINDLEY. Yes, sir.

Senator McGOVERN. Thank you very much, Mr. Carson, for your testimony.

Mr. LINDLEY. I, too, have had a similar experience.

My name is Forrest Berry Lindley, Jr. I reside in Colorado Springs, Colorado; Serial Number [redacted]. I am a captain in the United States Army.

My experience has been somewhat quite similar to Lt. Talcott's. I joined the Army immediately after high school, 10 days before I was supposed to go to college. I volunteered for OCS. After OCS I volunteered for Airborne School, Special Warfare School, French Language School.

When I arrived in Vietnam I volunteered for the Vietnamese Airborne Advisory Team. I served with the Vietnamese Airborne for a year. I then extended voluntarily 6 months, and served with the 6th Special Forces Group in Vietnam.

I had a fire base, fire base Annie.

During the seige of Bu Krang in November 1969, which I was forced to abandon.

The reason I went to Vietnam and the reason I volunteered all the way was because I truly wanted to help the Vietnamese for something they believed in and I believed in.

After a year there I spoke Vietnamese, and I lived with them. Most of the time I was the only American with them. We would sit around at night out in the field, we would talk about ourselves, in Vietnamese, our families, our homes, our aspirations.

I agree wholeheartedly with Lt. Stephens when he says most of these people do not support the Communists. They do not want to be Communists. What they want is peace, to be left alone, to end the war.

They don't support the North Vietnamese—the Saigon Government regime, either, because that forces them into war. They just want to end the war.

My experience is with them not wanting to fight, in many cases, to lose their lives, for something they did not believe in.

One time, the North Vietnamese mortar crew opened up on another village. You could see the mortar crew, and the flashes of the mortars. My troops refused to open fire on them because they were not shooting at them and they did not want to be shot at again by them, and die.

My experiences in war, personal experiences, of the atrocities, I cannot condone what the Communists have done, I cannot condone what we have done. But it hasn't been Communism or Americanism that has caused these atrocities. It has been war.

I am here not for either Communism or Americanism, but for peace. (Applause.)

These things have come to me hard. I have read all the statistics and seen all the rationalizations and justification. I am here because of what I feel from my own experiences.

Christmas morning in 1968 we received a call that there were some wounded Vietnamese children. We went out there, and there were three children who had had their arms torn off by an M–79 grenade, a rifle grenade. This was our grenade. It was fired and did not explode. They picked it up, they were playing with it, and it blew up. This is not an intentional atrocity, but three children were maimed and one killed because of this.

I was contained in a province one night. We were rocketed by a 122 rocket. It hit a village next to us. We went over there to see what could be done for the village. It appeared for awhile no one had been hurt. I was very thankful.

Then I heard someone say "Choi, man arc," which means "God, a child." There in the ruins of what was once a hut was a body completely burned except for where his hide was still burning—what must have been a child about three years old.

I have gone into fire fights, done battle in combat, seen the man next to me, who wasn't an American, just a Vietnamese, his head ripped open.

I have seen the face of a MDA soldier who had had his chest blown apart in war, when I put him aboard a Med Evac helicopter and took him to safety where he knew he would be out of war.

I have talked to Communist prisoners who don't know what the word means, "Communism," but do know what the American presence has done to their country. That is why they are fighting, because we are there destroying their country.

And all I ask is not for more war, which Vietnam-Saigon will bring, but an opportunity for peace to come to Vietnam, which is what the majority of the Vietnamese people truly want.

Thank you.

(Prolonged applause.)

Senator McGOVERN. Thank you, Captain Lindley.

I don't think any questions are necessary.

Mr. LINDLEY. Thank you, sir.

Senator McGOVERN. We would like now to hear from Mr. Samuel Miller of Massachusetts.

Is Mr. Miller here?

Mr. MILLER. My name is Sam Miller; Ex-Sergeant of the Air force, AFSN [redacted]

After I got out of Schilling Air Force Base for technical school I went to Vietnam. I was there seventeen months, working on reconnaissance aircraft. I got orders for the Philippine Islands. I was there only approximately a week, assigned to the 8th PCS. This was done so that the United States could have bombers working in Vietnam, but in theory not due to the fact that they weren't assigned, they were on TDY and were not fully counted.

I volunteered for Vietnam PCS, and spent a year there. Through my dealings, or through my Air Force career, I would like to make a couple comments on some of the things that occurred.

I have seen Vietnamese citizens working as slowly as possible, to absolutely nil, all day, building scaffolds, erecting buildings, what have you. And at the end of the week, or by the end of the day, depending on when an American would inspect their work, find it was in point of fact wrong, and had to be done over.

I remember one day it took one Vietnamese five hours to cut a cylindrical hole through a piece of plywood, approximately 3 feet in diameter. Realizing the absurdity of this, assuming I was there helping these people, made me angry to the point I wanted to go over there and hit the guy and make him work. But I believe now that these people

deliberately mess up projects in Vietnam so as to slow the American effectiveness there.

I would like to make a point concerning the black market. There were many times at Phan Rang in which we could not get high-drag bombtails for 750 bombs when there was absolutely no beer on base, no soda on base, or something totally lacking. Yet, I would go to Hongkong or Phan Rang and find high-drag bombtails in citizens' yards, with flowers growing out of them. Many times they had pulled the ring off the bombtail so it would blossom out and make a better looking object.

You could find any type of beer or cigarette, not just in cartons but complete cases. You could find anything you desired for any purpose, which means all these things went to the person with the highest money. The black market there is unbelievable.

One point I would like to make a comment on is a raid which took place a very short time ago. Three or four weeks prior to the actual raid the United States may have been in point of fact conscientiously trying to relieve American POWs, but I truly believe that at the time the action took place there was no shadow of a doubt that nobody was home.

I have seen photographs taken from U2's at a height of 52,000 feet. You wouldn't believe the results. They will take a whole section of photographs of one particular area, overlay the photographs, make one print, and, I have seen this print blown up three times. And in this particular case in the photographs, in the first blown-up picture you could see the television aerials, air conditioners, chimneys on roofs. You could see every street, plants in the yard, and so forth, in detail.

With this type of photograph taken obviously at a lesser height you have even more detail. People are trained to look at this type of photograph and decipher them—photo interpreters.

There is no mystery here. These people look at the photographs in a logical manner and can tell approximately how many people would have been in that camp. They could have told that they were eating well or not, by the garbage piled up. They estimate there were 80 people there, about, and if the garbage is building up very slowly they are not eating well. If you can determine paths, trackways, vehicle tracks, are starting to overgrow, it is obvious they are not being used. They can even tell if the people are having problems with their bowel movements by how well the latrines are filling up. This is a fact.

There is also infrared attached to aircraft, and with this infrared highly sophisticated electronic gear, within 24-to-48 hours you can see where a fire used to be and how many people were sitting around that fire, and you can tell very closely how many vehicles went down the road. Within five days it will tell the flow, whether it was heavy or not, not specifically, I don't think; but definitely within a 24-hour period or 48 hour-period, you have great clarity.

So I am saying, with our reconnaissance aircraft the United States knew exactly the status on that POW Camp. And if you say possibly the aircraft did fly over a week ago, two weeks ago, and they had analyzed these photographs and decided we were going to go, the aircraft were also equipped with a cassette mechanism, and there is a cartridge that holds 500 feet of film, or you can put in 250 feet of film, and 250 feet of positive, and take off, fly over a designated area, take the pictures, come back; by the time the aircraft is flying over our position the pictures are already developed and shot out of the bottom of the aircraft and parachuted to the ground.

So I am saying, within the last hour or two hours they would have known absolutely the status of that present POW Camp. I believe, consequently, it was carried out solely for propaganda purposes against the American public.

(Applause.)

In a way, everything you say is opinion, because it is seen through your eyes, and it is your assessment. So if I say President Kennedy or President Nixon were too thin, or I say Laird and Nixon are overweight, or they are ugly, that is an opinion.

But I am saying Laird and Nixon are liars.

(Calls of "Right on.")

(Prolonged applause.)

I am making this statement from my Air Force career, through my experience working on reconnaissance aircraft, also while stationed at Phan Rang I was with the 8th PBS.

During 1968 either my squadron or the squads around my area were bombing in Laos and in Cambodia. I know this for a fact. We were told not to write home about it, our parents shouldn't know.

In 1967 and 1968 there was a place in Thailand where we supposedly had no bombers, in Thailand, yet the 8th PBS had a place called NKP, in Thailand, where these aircraft were landing to refuel, if necessary, for them to return to Phan Rang. We were told this was a secret turnaround base. I would like to know how in hell a B57 could land and take off, and nobody notice it.

Again, somebody is giving a snow-job to the American public—nobody else.

After I got out of the Air Force and went up to Saranac Lake I wanted to go to school, since I had not been to school; I couldn't afford it. In point of fact, that is one of the reasons I joined the Air Force.

I went to a bank, the Bank of Lake Placid—this is not name-dropping, just fact. I went in and asked for a man, for a loan, and he denied it. I asked him for $100 to pay for tuition. That guy had the nerve to tell me I am too poor. I don't need nobody to tell me I am too poor. If I had the money I wouldn't have asked him for the money.

(Applause.)

He went further, to make an analysis that, they don't know how I was even making it at the time. I have a wife and two children, and again—I don't need nobody to tell me that I had a rough time financing my own life, ever since I joined the Air Force. I don't need nobody to tell me this.

The last point I would like to make, concerning job location, is that last summer I tried to get a job with the Conservation Department of New York State. I was told I had to be a signed-up registered Republican. This pissed me off instantly. I have nothing against the Republican Party, per se, but I am saying, I had never voted before in my life, and I really didn't give a damn.

I was told to see one person in Franklin County. I went to see him, he said I had to see a person in Essex County, he said to go see the guy in Franklin County.

They kept switching me back and forth. Finally, I was not hired—"because I had been bad-mouthing about the war," I think was one of the reasons, for the last year and a half. But also, I wasn't a registered Republican.

Yet these people have the audacity to tell me I have to go somewhere else and fight for somebody else's freedom. ———!

(Prolonged applause.)

Senator McGOVERN. Thank you.

Our next witness is Mr. Lamenzo.

Is he here?

Lieutenant Lamenzo?

Lieutenant LAMENZO. My name is David A. Lamenzo, from New Britain, Connecticut; 30 years old, went in the Army in 1966, believing the war was good.

I was about to be drafted, I enlisted for OCS, completed OCS, commissioned Second Lieutenant in the United States Army Reserve in March 1967. I attended Combat Airborne School, and also Ranger School, assigned to the 101st Airborne Division, and went with that Division to Vietnam in December, 1967.

Senator McGOVERN. Before you proceed, Lieutenant, I wanted to present Senator Phil Hart of Michigan.

(Applause.)

I might add, Senator Hart has a Purple Heart on his button there, in case you want to know. He has bled for his country, too.

Lieutenant LAMENZO. This afternoon many people brought up the fact of morale in regard to the peace movement in the United States. Myself, as a company commander, and platoon leader of the 101st Airborne, many times the soldiers and myself got involved in many deep and involved discussions about this. I can assure you, in the experience I had, effectively as a platoon leader, I never heard a soldier say "When I get home I am going to go after the hippy peaceniks." Most of them sympathize and feel united with them.

Some of the veterans groups, and certain politicians especially, say "Oh, the GIs, they hate the peaceniks."

The first thing that happened when I got home, people asked me how about the hippies that burn the Flag and protest the war. I say "Right on."

(Applause.)

With regard to another subject of the war—death—many Americans have died. I have put 37 young Americans in rubber bags and sent them on the way home—a very bad thing to do, for the family to receive the body home again.

But the family is entitled to the truth as to why Spec 4 Jones was killed and how he was killed.

I know of a case, I can't mention the name of the individual involved, but it occurred August 6, 1968, when an artillery officer gave the enemy coordinate as his location, and his location as the enemy coordinate. They laid a marker on it—there was nothing wrong with his mathematics, they laid it right in the middle of the company, it killed this Spec 4 and injured six other men.

I was Ex O at the time. The body came to our base camp, I instructed our company clerk and the battalion adjutant, they will have to put down "Killed in non-hostile action." It was agreed that was the best way to do it. I assumed the Commander of the Division and the Department of the Army, and all in between there, would tell the truth to the family, that "A man made a mistake, that is why your boy is coming home in a box."

Lo and behold, about a week afterwards we got the casualty field report back—I don't remember the title of the report—saying that it was not sent out, it was changed, it was forged—it was forged over my signature—that the man was killed by small arms fire by a group of Vietnamese in an area just north of Hue, in sight of our base camp.

I was sort of upset. I felt, well, the boy has gone home. We will let it go.

I didn't look into it anymore. Later on, I would say in May, we got a letter from this boy's brother-in-law saying that—apparently he was allowed to view the remains when the casket was opened up. And in his letter he said he was in combat in Korea, saw people wounded, what their wounds were. He said, "The wound my brother-in-law had was not due to small arms fire. It looked more like shrapnel to me. Could you maybe look into it and see if there is a possible error?"

And he said, "Please let me know as soon as possible."

He had a suspicion something was wrong. Maybe, they got two letters in a row, written from the Army.

I got a letter, and the Battalion Commander, Lieutenant Commander, Ex O, were all upset. You know, now somebody puts the heat on they get upset.

I said, "I will try to look into it and find answers."

I did. I saw the reports myself—I was not able to make a copy; a call came from the company headquarters—that the Company Commander and six others were wounded, the Commander seriously, one American killed, due to a short artillery round. That is in black and white in the official records, when I checked it in May, 1968. By now it may have been changed, I don't know.

I know the man who typed it in there. If anyone wants to go further we will get him down here, too.

I checked out the battalion records.

Of course, when there is a short line of artillery, maybe they were firing a number of rounds into a certain grid square, and some round goes short, long, right off anything, they blame anything they can find, to blame the short round on, assuming it is a short round, blame it on faulty ammunition.

In this case, here our great military-industrial complex came through right on the money. Those rounds lit right in the impact area. So that excuse is ruled out.

So it certainly—I was debating, I was really on the fence, to spill the beans to this man's family, or let it slide. At that time I judged—and I think now I judged in error—rather than cause the family more hardship and more grief—assuming what my family would do if I came home that way, I said "No," I will let it slide.

I never answered the brother-in-law's letter. I told the Lieutenant Commander and the Adjutant I wasn't going to answer it because of these reasons. They were really relieved that I wasn't going to press this. They had no intention of it.

I now think it should have been brought out. I do refrain from mentioning the man's name, until I have further decided as to whether the family should be notified further.

I think maybe some of you older people here should put yourselves in their position—your son has been dead almost three years now. Would you want to know more about it or not? This is the big question I have right now.

In regard to the casualties, terrorism by the Vietnamese, or North Vietnamese and Vietcong, especially around Hue:

I drove through the City of Hue in a convoy, the whole 2nd Brigade of one of the first Airborne Divisions, the day before Tet started. You could go through that city at the time, and we were not harassed at all. But it was full of the North Vietnamese. The Vietcong already held the city, but they let us through, for some reason.

About 4 o'clock the next morning Tet started, and during this time 3000 people were murdered—there is no question about it, murdered—by other people, and these people were civilians, mostly, and all citizens of Hue, or close, nearby.

Along about June, 1968, we had a man who came to us, an Ex-VC, Lee Vin Twa—his name translated to "Elephant Ears"—he has very big ears. We were talking one day—and this was before they found the bodies, although there were a lot of people murdered we never found any—he said they were killed, he knew where they were buried. We said, "Who did it? North Vietnamese, or VC?"

He said, "They did it themselves."

I am not condoning what they did, it was murder. But I bring out the point, many of the people in Hue—and this is a point our Government never told—rose up against these people, the Government Agents, the people who had this land, the people with the businesses; the people in the City of Hue rose up and killed additional people,—(applause)—and put them out in the grave.

(Calls of "It might happen here," "Right on, Lamenzo.")

Lieutenant LAMENZO. All right. Hold it!

Now, it was pointed out by a speaker before me that these evil, evil, evil people, North Vietnamese, Communists, came in there and shot these people while they did no wrong thing, while we come one more step to immorality.

We are told the reason we should be in this war is because we are holding back communism.

The Vietcong, I look at them the same as I look at the Minutemen back in 1776 in this country.

(Applause.)

So one thing leads to another.

The only excuse for an incident like Mylai and many others that you can hear from many people who were involved, many veterans, say it did not occur, or say it was an isolated incident, the Vietnamese, they say, did away with 3000 men, so we are not that bad.

You can't justify one murder or group of murders by another. There is no way you can do it.

(Calls of "Right on.")

I think—maybe one of the Senators or Congressmen can correct me on this, but I believe the official figure is that there have been 25,000 people killed by terrorist agents of the Vietcong or North Vietnamese Army, to date.

Is that correct? I believe, reading that figure some place.

Senator MCGOVERN. What was the figure you cited?

Lieutenant LAMENZ. 25,000.

Senator MCGOVERN. Killed by Vietcong. That is the estimate I have seen, and perhaps as many as 300,000 killed by American action.

Lieutenant LAMENZO. That is correct. Maybe over one million wounded.

So we are going to justify this war, our Government is going to justify war: While they kill 3000, we will kill 300,000, and that is close enough.

I was an Officer, and still am, in the Army Reserve. I would say the Veterans who are here, if something happened that this country was under a threat, it is probable we would go into the woods and become guerrillas to protect what this country stands for, what it was founded for. You won't find the American Legion going out in the woods, it would be too hard.

(Applause.)

That is all I have to say right now.

Are there any questions?

Senator MCGOVERN. Thank you very much, Lieutenant, it was an excellent statement.

(Applause.)

Senator MCGOVERN. We are going to have to bring these hearings to a close this afternoon. There are still several men who have asked to be heard, and there may be others we don't know about who would like to submit statements for the record. So I am going to ask that the hearing record be kept open for a reasonable period of time, and if the men, either here in this room or others who are in this group, would like to submit additional statements, we will be more than happy to see that they are made a part of the hearing record of this afternoon.

I do want to thank the witnesses who have testified, for bringing the awfulness of this war home to us, I think in a way that cannot be done by anyone other than the persons who have participated in it, as these men have.

I am very hopeful that out of this testimony we will, as Senator Mondale indicated a while ago, come to a new resolve that will bring about an end to the war now, and that we will do better in assisting these Veterans in making the transition back to civilian life from the terrible experience out of which they have come, and that we will do what we can as a country to reduce the suffering and the destruction that we have been responsible for in Southeast Asia.

I want to just conclude on this note, which is a statement that was made by Lieutenant John Kerry, in his testimony yesterday, when he expressed what I think is the hope of increasing numbers of people in this country, that "Vietnam should become the place where America finally turned, and where soldiers like us helped it in the turning."

I think that is what these men have done here today. And we are very grateful to each one of you.

(Applause.)

(Whereupon, at 3:35 p.m., the hearing was adjourned.)

STATEMENT OF JON BJORNSON, M.D., ASSISTANT PROFESSOR OF PSYCHIATRY, JEFFERSON MEDICAL COLLEGE—U.S. ARMY MAJOR, RA COMMISSION

In Army from June 28, 1958, discharged September 15, 1965. Army Serial Number XXXXXX. Tour of duty in Vietnam—May 6, 1964 through April 29, 1965.

My testimony covers three areas. The early policy of allowing the torture of prisoners, the use of MEDCAP not as a means of providing medical care but for political purposes only and the dangerous use of toxic gases.

1. In Camon in July 1964 a Lt. Col., MACV advisor, described in detail how ARVN tortured prisoners using electrical field generators. The Lt. Col. seemed proud of the torture of prisoners despite the fact that it violated International Rules of Warfare. This was 1964, reasonably early in the hostilities, which, in view of repeated descriptions of American torture of prisoners, indicates that torture of prisoners has been U.S. military policy in Vietnam over at least the past seven years.

2. MEDCAP teams go into villages and hamlets to provide medical care to "win the minds and hearts of the people." The medical care provided was grossly and totally inadequate. For instance a week's supply of antitubercular drugs might be provided when years of this type of treatment is necessary to adequately treat t.b. A single day's supply of antibiotics would be given for pneumonia, strep throats, etc. The use of inadequate medical care for political purposes remains outrageous and frightening.

3. On December 25, 1965 we loaded rocket pods of approximately 50 armed UHIB helicopters with a gas mixture of CS, CN and DM. In mixing this gas on a soccer field next to an ARVN and province hospital in the city of Tay Ninh, the rotor wash spread these gases all over the city of Tay Ninh. CS causes neurolysis if there is an exposed nerve—that is it destroys nervous tissue. DM is a severe nausuant which can cause death if someone with an abdominal wound is exposed. We have no business using these gases in the first place and definitely have no business saturating areas with it—these were areas of "suspected VC" inhabited by civilians.

My last point is that this war has put a whole generation into psychological chaos. This is especially true of draft eligible men. If he opposes the war, he has no realistic alternative. He can avoid going by becoming a CO. This usually requires legal help to fill out the form (cost ranging from $200 to $1000) and most of the jobs allowable pay less than $4000 per year. The draftee can lie to get a 1Y deferment usually psychiatrically, he can turn to drugs or he can go to a war he does not believe in. Lawyers can frequently help the wealthy find a route for deferment. This precludes the poor in most cases. An entire generation has become bitter and confused by this war and the draft.

STATEMENT BY KEN PROVAN, PFC, U.S. ARMY (RETIRED)

I am Ken Provan of Brattleboro, Vermont. I am 22, the Vermont coordinator of Vietnam Veterans Against the War, and a student at the University of Vermont. Like most of the other Veterans I was a short-haired conservative when I was drafted. I suppose our long hair is a form of rebellion against the

society that sent us to Vietnam to commit genocide. I could have gotten out of the draft, but I believed what I had been told by my government and felt that since I believed in the Vietnam war it was my duty to fight in it. I had orders to go to OCS but saw to it my orders were pulled, because of a bad shoulder, the same thing that could have gotten me out of the draft. I had not turned against Vietnam or the Army, but I wanted to go back to college. I would have had to stay in the Army another year to become an officer. In the first platoon I was in I could have made Spec 5 in demolition, in the second I could have been a buck sergeant, but in the third I stayed a PFC, because by that time I had developed a habit of saying what I felt. A sergeant, who was my squad leader, gave me a direct order to stop talking, because I had told him, "The Army is run like a dictatorship. It has to be, to be run anywhere near efficiently." (as an example)

I cannot say exactly when I turned against the war. It was a gradual process, because it was not easy to admit to myself that I no longer believed in "something" I was willing to go to Vietnam to fight for. Most of my thinking has been done since I returned, because there wasn't time for it in Vietnam, or maybe I was still too brain-washed to think rationally. In the seventeen months since my return, I have come to realize the extent of the moral and physical havoc we are committing in the name of freedom. I, therefore, feel obligated to join my brothers in the battle for peace, despite the political pressures and the ridicule of so-called patriots. I feel we are the true patriots, for instead of taking the easy way out, we are attempting to remove the blinders that have been put on the American public in order for the people to see the true picture instead of one hazed over and palmed off as patriotism.

We heard, in a previous testimony, that there are only two million VC in South Vietnam. If that is true, I would like to know why so many villages have been declared free fire zones. That a great many villages have been designated thus in the past, that the villages were destroyed and part of all the people in these villages were killed, can be verified by almost any GI who has been in the field.

I was in the combat engineers in Vietnam from September 1968 to November 1969. In the capacity of combat demolition I have worked with infantry, mechanized infantry, cavalry, tankers, and Vietnamese. We were not given demolition status for then we would collect the extra pay we were supposed to get every month for handling explosives. My first four months were spent with D Company, 26 Engineer Americal Division. During December of 1968, my platoon and about a platoon of infantry were attached to a company of cavalry to construct a one or two company-size landing zone, known as LZ Fiddler's Green. A company of ARVN's was camped in the ruins of the adobe buildings the French had built at the edge of the ville next to the LZ, which was to be turned over to them.

For the first four or five days we took sniper fire every day and mortar fire every night. Hearing a loudspeaker coming from the ville, another GI and I went to investigate and found the Vietnamese captain had assembled the villagers and was addressing them. We stood in the back next to one of the Vietnamese lieutenants who translated the speech for us. The captain told them he didn't like the incoming fire we were getting, and if it didn't stop he would shoot one villager for every sniper round and five for every mortar round. The executions started the next day. He took them outside his camp just outside our wire, usually singly, but sometimes in two's and three's. He often kept pouring lead into them after all movement had stopped.

One of the guys in the squad, who shared the captain's bloodthirsty convictions, had become good friends with him. He told me the captain had shot 58 people in about 11 days. After that, the executions stopped as far as I know although the incoming fire continued. He also told me that at one point the captain had lined up ten villagers, then walked up and down the line, paused, shot one, then paced again before shooting another in an effort to make them talk. One of his American advisors told me he had been offered promotion to major several times, but refused because he wanted to stay out in the field to kill.

He brought one woman inside our perimeter to question her after she had shouted at him. His lieutenant told me later she had said "— —." The captain emptied his pistol into her, then grabbed an M16 from one of the GI's standing around them, put it on automatic and sprayed the corpse again. To finish the job he took a .45 from a GI and pumped several more rounds into the body, then tried to hand the .45 to the GI who had become his friend and motioned him to shoot the body. He refused, obviously reluctant to participate before so many witnesses. All of this I was able to watch impassively, because the Army had taught me to kill, to be callous about "gooks," to believe any "gook" killed was an enemy; I still had faith in my government, so the captain was a soldier doing his job, so what if he was a little carried away. His mother and sisters had been raped and his family slaughtered before his eyes when he was twelve. I never thought about the slaughter that would result if everyone took his revenge in this manner. Since killing meant nothing to me, I do not remember if it was two days or two weeks later that I went with the Cav. on a search and destroy to a village designated as a free fire zone. When the village came into view it was peppered with tank and machine-gun fire. A patrol went in to check it out.

Like every rural village, every hooch had a living bunker next to it as a testimony to the discriminate firing that has become a part of their lives. There were weeping and panic-stricken women and children and seven old men in that ville. One of the old men, who was obviously sick and appeared to be near death, had been lying in a three-sided hooch. As we approached he struggled to a sitting position and started a plea, which was cut short as a burst from a machine gun caught him in the chest. The women and children were rounded up and sent back to the tanks in groups of about twenty. What happened to them, I don't know. We burned the village to the ground and slaughtered the chickens, pigs, and cows as we moved through it. Six of the old men were butchered that day, all of them over sixty, but reported as enemy casualties between twenty-five and forty-five. The seventh was an old man with crutches and one leg. He, too, would have been mowed down if I hadn't stepped between him and a GI who was going to shoot him at point-blank range.

What appalls me when I think about it, is that I didn't interfere because I was repulsed. My training had been thorough and I could have easily shot him myself without feeling guilty, it was just that I couldn't see any sense in killing an old man. Shortly after that I led a six man patrol, ostensibly to find a Christmas tree, because it was Christmas Eve, but actually I wanted to find and kill some VC.

In February of 1969, I was transferred, at my request, to the 5th Division, A Company, 7th Engineers near the DMZ. I went instead of another guy, because I wanted to be where the action was. The night before I arrived in my new company, a fragging attempt had been made on its first sergeant. One of the others transferred was the one who had made friends with the Vietnamese captain. He ended up being thrown into the Long Bihn Jail for threatening to frag the first sergeant who later replaced the original first sergeant.

From March until the end of my tour, I worked with most of the companies for demolition and minesweeping. This was all field time I volunteered for. I found the same attitude prevailing throughout the companies. Patrols going out on search and destroy missions would move out of sight of the rest of the company and sit for several hours before returning. Mad minutes and recon by fire were commonplace. One company claimed to have a ten thousand dollar reward on their captain's head, because they felt he was continually placing their lives in jeopardy. I met several GI's with "gook" ears shrivelled in salt water hanging around their necks.

In late August I was with a battalion of ARVN's that moved two villages from the northwest corner of Vietnam, near Vandegrift, to a resettlement area near Cam Lo. One was a Vietnamese Village that had terraced a steep hillside and turned it into a rice paddy. The other was a tribe of Bru Montagnards who hunted in the dense forests. The only time I saw them smile the whole week was when a GI went through the village wearing a Halloween mask. Both villages were loaded on trucks and the rest burned. The resettlement area was on a flat, sandy, barren area, away from the forests the Montagnards hunt in and definitely not rice paddy land. The ribs on the kids already in the area looked like washboards.

Nor is the term "gook" confined to the enemy. On the operation I just described, our APC bogged down in the mud so we left it under the guard of a squad of Vietnamese ARVN's and continued our minesweep. We returned to find it ransacked and a puppy I had picked up from one of the villages was gone. I knew they would eat it and having more feeling for the dog than our allies, I put my M16 on full automatic, took it off safety and stormed around the positions the ARVN's had taken up along the road. I don't know how far I would have gone if I'd found the culprits, but I wouldn't have just shaken my finger at them.

These are instances that stand out the most in my mind, and talking to other GI's I know they are far from being isolated occurrences. I have tried to find justification for being over there, but everything I can think of I know how to refute; from helping the Vietnamese to the "Domino Theory" and "Red Peril." I have lost faith in my government for allowing this genocide to continue. A majority is supposed to rule in a democracy. What has happened to our democracy when 73 percent of the American public want the U.S. out of Vietnam by the end of the year, but are overruled?

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 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?

ARMED FORCES DAY CELEBRATION IN GREATER NEW ORLEANS AREA DRAWS LARGEST CROWD IN HISTORY

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. HÉBERT. Mr. Speaker, the Greater New Orleans area was most fortunate to have at its Armed Forces Day celebration on May 13 the largest crowd in the history of this observance.

They heard the Honorable Rogert T. Kelley, Assistant Secretary of Defense for Manpower and Reserve Affairs, deliver the most in-depth discussion on relationships between military and civilian communities it has been my privilege to hear.

The day was a most significant one in that the record turnout of citizens from metropolitan New Orleans gave an eloquent expression of faith, confidence, and appreciation to the men who wear the uniform of their country.

People came from the parishes of Orleans, Jefferson, St. Bernard, and Plaquemines to pay tribute to the defenders of our Nation and the protectors of our national security.

Their presence was testimony of their rejection of the disgraceful demonstrations which took place here recently.

It was fitting, too, that Secretary Kelley was the speaker for the occasion. His background is one of associations with men and women in private industry, and in coming to the Pentagon, he merely crossed the street to continue those relationships with men and women in uniform rather than mufti.

His appreciation and understanding of the complexities involved in the military-civilian relationship made his remarks most interesting and authoritative.

I was so impressed with his speech I want to share it with you, and I insert it at this point in the RECORD:

REMARKS BY HON. ROGER T. KELLEY

I want to talk today about military people—in broader terms than they are often described, and hopefully in a way that will help you appreciate the full scope of their great contribution to our nation.

I shall not talk particularly about Vietnam—in part because the book is being closed on Vietnam. Today, only 10 per cent of our military forces are in that country. In another six months, about 7 per cent will be there. The President has pledged total withdrawal of American forces. Thus we are ending the war—so far as it is within our power to end it—and doing it in a way that will reduce the chances that another generation of young Americans will be fighting in some other Vietnam in the future.

In the Department of Defense, our attention is increasingly directed to the problems that lie ahead beyond Vietnam.

I shall not talk about the armed forces in terms of their primary function—the defense of our people and of their vital interests against outside force. This, of course, is why the nation maintains a military establishment.

And yet, to think of military people only as warriors—engaging in combat and maintaining readiness to defend our country and its interests—is to miss the full dimensions of those who wear the uniform. There is another side—an extra dimension—to our military forces. And this is the subject I want to emphasize today.

Many people think that any dollar spent by the Defense Department is a dollar diverted from the achievement of great social purposes sought by the nation. It is inaccurate to think of defense spending as serving an entirely different set of interests than non-defense spending. Many of the dollars spent by the Defense Department help in a very direct and immediate way to achieve such goals as improving housing, upgrading the environment, conserving natural resources, improving education and providing better health care. And many more dollars spent by the Defense Department meet such basic needs of our society as molding boys into men, upgrading opportunities for young so-called disadvantaged types who hadn't previously been given a chance, teaching blacks and whites how to live and work together and reducing crime and lawlessness.

It isn't possible to quantify how much the activities of the Department of Defense improve the quality of American life. I know only that our military men and women do more than any other organization of American people to secure our freedoms both by deterring aggressor nations and by strengthening the fabric of our domestic society.

This latter is no new development. The military forces from the beginning of our history participated in an important way in bringing social and economic progress to our country—improving transportation, conquering disease, building settlements, and in general establishing conditions conducive to the spread of civilization across the continent. The armed forces have continued down to our day to serve such purposes.

Much of this type of activity has been given the name of the Domestic Action Program of the Department of Defense. This program embraces the activities of the Department toward the solution of the serious domestic problems that afflict our society—often reaching out beyond its own personnel to help the civilian community. In order to assure that the elements of this program receive proper emphasis and coordination, Secretary Laird appointed a Domestic Action Council to plan and oversee its operation made up of several top officials of the Department and designated me as the Chairman of this Council.

Time does not permit me to discuss this aspect of the Defense Department's activity in any but the most cursory fashion. Let me mention two types of programs that deserve attention because of their scale and the number of military personnel involved in them. The first is the complex of programs to help disadvantaged young people. The second concerns the educational programs within the armed forces.

Last year at most of our military installations officially organized programs were carried on to open up broader opportunities for children and youth who have been slighted by society. In these programs more than 775,000 children and young people took part in educational, recreational, and cultural activities conducted by the military. These programs were funded by other public agencies or through private sources, but the key to their success was the opportunity to use the volunteer talents of military people who, in addition to their regular military duties, gave these young people what society had heretofore denied them.

For some of the beneficiaries of these programs, it meant spending a week or two at a summer camp established on a military base. It meant nourishing and balanced diets, sports and healthful exercise, fresh air, clean surroundings, opportunity to learn a thousand things that had never touched their lives before, and, above all, it meant consideration, attention, discipline, and love. For some it meant a job with a modest income and a chance to learn to do something with hands and minds that otherwise would have been idle.

As for educational activities—the budget submitted to Congress this year by President Nixon includes $1.2 billion of Defense spending for education.

In fact, this figure understates the scope and the magnitude of the educational activities in which the Department and its personnel are engaged.

The Defense Department has, of course, its own formal full-time academic institutions ranging from Kindergarten to graduate schools. The best known part of this educational system is the three military academies at West Point, Annapolis, and Colorado Springs. At the primary and secondary levels, the Department maintains its own schools for the dependents of service personnel, the greater part overseas.

In 25 foreign countries, 299 schools of this kind are maintained by the Defense Department. Their aggregate student body numbers 165,000 and almost 8,000 teachers and administrative personnel are employed to run them. This by itself equals in size the public elementary and secondary schools of such states as South Dakota, Rhode Island, and Montana, and it is only a part of the educational activities of the Defense Department.

About 15 per cent of those in the military forces are taking high school, college, or graduate courses. Most of them are part-time students, pursuing their studies in the spare time they have after putting in full—and often overfull—days on the military duties.

Last year almost 100,000 men and women in the Armed Forces completed their secondary education by studying while in service and were awarded their high school diplomas. This is more than double the number graduated last year from all the public high schools in Louisiana. 3,000 completed their higher education and received college degrees.

A variety of programs sponsored by the Department of Defense makes it possible for soldiers, sailors, airmen, and marines to be part-time students while they are in service. These programs give a wide range of educational opportunity to those who wish to take advantage of it. Every field of human knowledge is included. Every level of education is offered from literacy training to the most advanced fields of graduate study.

So far I have been talking almost exclusively about academic, as opposed to vocational, education. But, to appreciate the real scope of the educational activities carried on in the Defense Department, the vocational training that is given in the armed forces must be taken into account. All of this type of education has a military application, of course, but much of it involves the acquisition of skills that are useful in the civilian job market as well. More than a thousand occupational skills are taught in the military services. And many thousands of young people who entered service untrained for employment leave with the knowledge and skill required to make a constructive contribution to the economic life of the nation.

Finally, a brief word should be said about ROTC. On the campuses of 347 civilian colleges and universities, we have 502 senior ROTC units. From them have come more officers for the military services than from any other single source. There are great advantages to the nation in securing from civilian educational institutions a substantial part of the officer corps. We shall need ROTC in the future. I have been heartened by evidence of support for this program on the part of college and university administrators and the vast majority of students, although the disruptive minority that attacks ROTC manages to get more attention from the press.

In addition to the senior ROTC, there are junior ROTC units at approximately 875

high schools. These, too, benefit the nation and the participating students, and—as a recent survey of school administrators disclosed—they are enthusiastically endorsed by educators for their positive influence on the intellectual and moral climate of the schools in which they were located.

The American military man today—and the one we hope to see in uniform in the future—is bigger, stronger, better educated, smarter, and more devoted to the American dream than his counterpart of any previous generation. He recognizes the lesson of history that force must sometimes be met by force. When he must fight, he does so efficiently and courageously.

But the American military man, above all, is a man of conscience. He wants to help others.

In Vietnam, the American serviceman's concern for others has been manifested in a massive outpouring of his energies to help the people of that country overcome poverty, privation, and disease. A distingiushed Presbyterian clergyman, the Reverend Harry C. Wood, made these observations after a tour of Vietnam:

"I saw again the response of our young people to the crying needs of fellow human beings . . . there is a tremendous Peace Corps within the military establishment represented by thousands of young people deeply involved in a most significant effort to save lives, and to give hope and opportunity to thousands of eager but deprived people."

If we are to succeed in attracting enough of the right young people into the armed forces, we must show young Americans that in military service they can find a satisfying outlet for generosity and idealism and that they can make a significant contribution toward building a society of greater justice, equality, and brotherhood than any the world has ever known. And the record of the military forces of our country—past and present—suggests that nowhere in our American society would they have a greater opportunity to improve it than in the military.

When I speak of the military forces, I mean not only the active forces but the Guard and Reserve components as well. For, in the future, these components will have a heavier responsibility than in the past. With smaller active forces, the need for highly trained and skilled and ready reserves assumes utmost urgency. And we must recruit for the Guard and the Reserves the same kind of youth we seek for the active forces.

As we celebrate Armed Forces Day in New Orleans, it is particularly appropriate to pay tribute to the distinguished statesman from this city—Representative F. Edward Hébert. His wise counsel, his concern for national security, and particularly his unflagging interest in the welfare of our servicemen and women have helped immeasurably to improve military life and to give the nation the strength it needs to achieve peace.

Those in our country's armed forces today bear a responsibility of unprecedented gravity. They are meeting this responsibility with courage and unselfishness that have never been exceeded in our history. We, who enjoy freedom and security because of their sacrifices, can never adequately repay them for these precious benefits. But we can—and should—let them know that we are proud of them and grateful for all that they do.

H. RES. 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. JACOBS. Mr. Speaker, the following is the language of House Resolution 319, which I introduced on March 17, 1971. I was hoping it might catch the attention of the administration:

H. RES. 319

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on September 17, 1970, that the policy of her government is "In case the United States Government declares it will withdraw from South Vietnam all its troops and those of the other foreign countries in the United States camp, and the parties will engage at once in discussion on:

"The question of ensuring safety for the total withdrawal from South Vietnam of United States troops and those of the other foreign countries in the United States camp.

"The question of releasing captured military men."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from Vietnam within sixty days following the signing of the agreement: Provided, That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the National Liberation Front of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

REORGANIZING THE FEDERAL EXECUTIVE BRANCH

HON. ROBERT T. STAFFORD

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. STAFFORD. Mr. Speaker, I herald the President's bold moves to reorganize the Federal executive branch by combining similar or related programs into four major departments—Human Resources, Community Development, Natural Resources, and Economic Affairs.

Some complaints are being voiced that the size of these new departments would make them unwieldy and, therefore, inefficient. Although the present Department of Health, Education, and Welfare employing 106,000 employees is generally acknowledged as an albatross around the neck of any Secretary, the problems arise not from its size, but from its weak organization structure.

More than half the workers at HEW are involved with social security programs. The Secretary's problems in administering the remaining 50,000 employees result from his lack of statutory authority over the very programs within his Department. For instance, the Commissioner of Education has direct congressional authority to direct the Office of Education although the Office appears on the organization chart in HEW under the Secretary. Where the Secretary has responsibility, he lacks authority.

Reorganization will eliminate these problems by initiating sound management techniques. Present procedures must be examined with an eye to their cost effectiveness and restructured along the most practicable and efficient lines.

In increase in the size of any enterprise demands that organization and management systems be adapted to the magnitude and complexity of assigned tasks. If the activities of a large executive branch department are cohesively united and related to major Government goals, provided the Secretary possesses the necessary statutory authority to administer the Department, there are management techniques available which will assure efficient administration.

Many of the modern management techniques now utilized by the newest departments—HUD and Transportation—can be applied to the new departments rather than continuing the antiquated methods currently practiced.

Efficient management relates to orderly administration, and not to size.

NEW ENGLAND STATES NEED DICKEY—WATT DOES YOUR STATE NEED?

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. HATHAWAY. Mr. Speaker, the Consolidated Edison Co. of New York has heralded the coming of summer with the announcement that it will spend some $400,000 on a "Save a Watt" campaign aimed at reducing the use of electricity in New York City by 10 percent over the next several months. A group here in Washington called SHOCK—Students Hot on Conserving Kilowatts—organized at George Washington University, has filed with the D.C. Public Service Commission to require Potomac Edison Electric Power Co. to predict its power demands. In other sections of the country as well, there are rumblings of apprehension regarding the coming of summer electric-power demands and the ability of area power systems to meet them.

The apprehension is justified. According to reports filed with the Federal Power Commission by the Nation's power utilities, nearly every U.S. region faces potential problems this summer.

The FPC staff analysis of the reports indicates that overall, this summer's electric load supply situation should be improved over last year. That is not saying much, considering the problems experienced nationwide during the summer of 1970. Nor is there any guarantee. The staff report notes that there have been slight improvements in some areas and deterioration in others. Most pronounced problems are those resulting from delays in placing new generating facilities in service on schedule and continued growth of weather-sensitive loads such as air conditioners.

Current indications are that 62 out of 164 systems which report to the FPC will have reserves less than 15 percent. The FPC considers 20-percent reserve levels as necessary to compensate for forced outages, required maintenance, uncertainties in load forecasting, as well as other contingencies.

The breakdown by regions look like this:

Northeast—reserves are estimated at 18.3 percent of expected peak;

East Central—estimated reserves of 12.6 percent;

Southeast—reserves of 12.4 percent;

West Central—14 percent reserves;

South Central—15.1 reserves, with 10 out of 21 systems reporting reserves of less than 15 percent;

West—18.8 percent.

Permit me to note again that the FPC thinks a 20-percent reserve capacity is the minimum level of necessity.

In New England, Mr. Speaker, the power problem is unique. For although there may seem to be sufficient power for most Northeast areas, the fact that much of this power is transmitted to Boston, New York, and other population centers in New England and the upper reaches of the Middle Atlantic States means that as these larger urban areas go power-wise, so goes Maine—and New Hampshire, Vermont, Rhode Island, and much of Massachusetts and Connecticut. Too many operating air conditioners in Manhattan could mean no power at all for Houlton, Maine. A May 12 editorial in Maine's Biddeford-Saco Journal suggests the helplessness shared by many New Englanders in this respect:

THREAT OF POWER FAILURE REMAINS REAL

For many reasons the nation has not recovered from the sudden realization a few years back that power supplies are short of peak demand. This summer, if climatic conditions add up to high levels of discomfort, power brownouts and fuel shortages could once again erupt in American cities.

Some power companies have dropped campaigns to induce consumers to use more power-driven equipment. Officials of New York are working on a campaign to reduce power consumption this summer by 10 percent. Nor is a solution to the related power and fuel problems in sight.

Paradoxically, there is no shortage of the basic fuels used in power generation in the U.S. Known coal reserves will last 1,000 years at present rates of production. Natural gas wells could supply the nation's needs for nearly 14 years if no new wells were opened, with geologists estimating as much as 900 trillion cubic feet of gas still undiscovered.

Fuel oil shortages could be abated if refineries shifted some of their production from high grade products to residual fuel oils. If fuels are not in short supply, what is the problem?

Part of it is attributed to unanticipated growth in power requirements, and a resulting insufficiency in power generating capacity. Nuclear power plants have not come along nearly as fast as had been expected, and lately have encountered further problems involving the environment.

Many other factors have entered the power imbalance, including wildcat strikes, transportation problems, depressed natural gas prices, international problems affecting oil imports and anti-pollution restrictions requiring sulfur-free fuels.

There is a power shortage under peak conditions because all the components involved in power production are not fitting well together. Nuclear-powered generators are still looked upon as the ultimate answer—when they have overcome environmentalists' objections.

That day may be years away. In the meantime, unless some of the other imbalances are cleared from the power lines, threats of partial or complete power shutdowns in sections of the nation remain real.

We, nestled snugly up in the Northeast corner of the nation called Maine, smugly look down our collective nose at the metropolitan area and take a "it can't happen here" attitude. But the power companies supply their wares to Boston and New York City, as well as other communities, and there lurks the possibility of a general brownout. If everything works together and at the same time we could find ourselves smack dab in the middle.

Mr. Speaker, there is a way for us to keep New England and businesses out of the middle. We can complete planning and undertake construction of the proposed Dickey-Lincoln School hydroelectric power project in northern Maine, and in so doing, assure for New Englanders their own source of reserve and emergency power. The project's great potential is illustrated by the following outline:

Location and description: Dickey Dam will be located on the Upper Saint John River near the Town of Dickey, Aroostook County, Maine immediately above its confluence with the Allagash River. The Lincoln School Dam will be located on the Saint John River 11 miles downstream from Dickey.

Authorization: 1965 Flood Control Act.

Benefit to cost ratio: 1.9 to 1.

Estimated cost: $248,000,000.

Justification: The Dickey-Lincoln School Project is an integral part of the comprehensive development and conservation of the water and power resources of the Saint John River Basin. Electric power will constitute the major benefit from the project and the project is fully reimbursable including interest. On-site annual power generation of 1.2 billion kilowatt-hours will provide low cost power for the State of Maine and for New England. Additional power benefits will be realized at downstream Canadian power plants. Flood control storage provided will eliminate flood damage below the site. Recreation benefits will result from the reservoirs created behind the dams. The advent of low-cost power and flood protection would contribute significantly to the advancement and future development of the economic climate of the State of Maine and New England. The Dickey-Lincoln School Project is located in the part of Aroostook County which is classified as an Economic Development Area. Numerous employment opportunities would arise and associated wages related to project construction and future operation and maintenance would result in substantial relief to the economically depressed area.

Furthermore, the recent power shortage in New England and the increased cost of fossil fuels for power generation, coal, oil and nuclear, makes the Dickey-Lincoln School Project an even greater necessity now than when it was first authorized.

Breakdown of annual benefits

Power	$22,617,000
Flood control	43,000
Area redevelopment	570,000
Recreation	1,250,000
Total	24,480,000

Pollution aspects: None. Hydro-electric power is the only *non-polluting* source of electric energy in existence to date.

Consumer savings: Estimated 25% annually on electric bills.

Organizational support: National AFL–CIO; New England AFL–CIO Council; American Public Power Association; Northeast Public Power Association; National Rural Electric Cooperative Association.

Government endorsements: Corps of Engineers; Department of the Interior; Federal Power Commission; Department of Agriculture; Atomic Energy Commission; Department of Labor.

Editorial support: Crosby S. Noyes, Washington Evening Star; Joseph McCaffrey, WMAL Radio-TV; John Wicklein, the Washington Monthly; The Washington Post; The Boston Globe; the Boston Herald Traveler.

Bi-partisan support: President Nixon; Former President Johnson; Governor Kenneth M. Curtis (D. Me.); Former Governor John H. Reed (R. Me.); Both Maine Senators and Representatives.

Later this month, the House Appropriations Subcommittee on Public Works will begin consideration of public work funding for fiscal year 1972. I intend to ask the subcommittee to include in its approved package approximately $800,000 for continued preconstruction planning of the Dickey project, and to call upon all members to vote their approval when the issue comes to the House floor. New England can solve its power problems. Congressional foresight can supply the means.

NIXON, ROCKEFELLER CALL FOR "WORKFARE"

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. DU PONT. Mr. Speaker, I would like to insert in the RECORD an editorial from the St. Louis Globe Democrat endorsing the aims of the Nixon administration in its welfare reform program which emphasizes the urgent need to reduce the tremendous cost of welfare today by getting more and more able-bodied citizens on payroll rather than on relief.

The text of the editorial follows:

[From the St. Louis Globe Democrat, Apr. 20, 1971]

NIXON, ROCKEFELLER CALL FOR "WORKFARE"

The rising cost of welfare is so great that it actually threatens the economic life of such once prosperous states as New York.

Welfare reform is becoming one of the most important issues in the nation. That is why President Nixon and New York Governor Rockefeller both came out strongly Monday for welfare reforms that will require able-bodied recipients to work.

Mr. Nixon told Republican governors at Williamsburg, Va., that they should help him reform the present system under which a person "can be rewarded for doing nothing." He added that there is as much dignity in scrubbing floors or emptying bedpans as in any other work, including being President.

Governor Rockefeller, speaking at the annual luncheon of the Associated Press, said that the emergency in New York state is so serious that it can no longer be tolerated. He pointed out that since 1958 welfare expenses in New York have risen from $700 million annually to $4 billion a year. That is a rise of almost 600 per cent!

It is interesting to note that the liberal New York governor plans to follow essentially the same course that was taken not long ago by the more conservative California governor, Ronald Reagan.

Rockefeller says he plans to restore the "work ethic" in welfare. Every able-bodied welfare recipient will have three alternatives: a private job, job training or work provided by the state.

What we are seeing is a rising national sentiment in favor of scrapping the present dependency-inducing welfare system for one that would give recipients the incentive, or push if required, to work.

What is needed is a complete new system, free of all the built-in bureaucratic road blocks and red tape. The aim should be to get people off welfare and onto payroll. It also should be restructured so that it will, in the span of a few years, cost the nation much less, rather than much more.

THE TEHAN CASE

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. GROSS. Mr. Speaker, I am inserting in the RECORD at this point a petition which sets forth shocking allegations, and which ought to have long ago received the most serious attention of the House Judiciary Committee.

It was some 3 years ago that I first called to the attention of the House of Representatives the conduct of Federal Judge Robert E. Tehan. This petition has been before the House Judiciary Committee since early in April 1971. A prompt and thorough investigation of the charges herein made is most essential if the integrity of the Federal judicial system is to be given credibility.

The petition follows:

(In the Congress of the United States, House of Representatives, Before the Committee on the Judiciary, Filed April 5, 1971)

IN THE MATTER OF THE PETITION OF THE WOODMAR REALTY COMPANY, AN INDIANA CORPORATION, PETITIONER

Petition for investigation into and impeachment of Milwaukee Federal Judge Robert E. Tehan.

To the Honorable EMANUEL CELLER, Chairman, and members of the Committee on the Judiciary:

INTRODUCTION

(1) This application is necessitated by what Judge F. Ryan Duffy, former Chief Judge of the Court of Appeals for the Seventh Circuit described as "the worst situation in the country." (Transcript, April 24, 1958, Milwaukee, Wis.) Federal Court custody of Petitioner's assets, originally $2,400,000 in real estate and now $48,000 in cash, for more than thirty (30) years, constitutes an obvious deprivation of property by a Federal Court without due process of law in violation of Petitioners' constitutional rights. Five (5) United States District Court Judges have presided over a "Reorganization" of your petitioner in the Northern District of Indiana, Hammond Division, since January 13, 1941: (1) the late Thomas W. Slick, deceased, (January, 1941–October, 1943); (2) Luther M. Swygert, disqualified, (October 1943–September, 1956); (3) the late W. Lynn Parkinson, now deceased, promoted to the Court of Appeals and disappeared (June, 1957–September, 1957); (4) Robert A. Grant, refused to assume jurisdiction after acting for three months because of close personal friendship with a Trustee (September, 1957–December, 1957); and (5) District Judge Robert E. Tehan, Milwaukee, Wisconsin (December, 1957 to May 16, 1969). Violations of Criminal Laws adopted by Congress to preserve and protect not only the property rights of parties to judicial proceedings, but the integrity of the Federal District Court as an important public institution have gone unnoticed. False affidavits of "disinterestedness," forged claims, perjury, court sales of your petitioner's assets to court-appointed fiduciaries, and a $287,000 fee-fixing agreement in violation of the Borah Act, repeatedly called to the attention of District Judge Luther M. Swygert and the present District Judge Robert E. Tehan have been ignored. District Judge Luther M. Swygert, who presided for thirteen years without determining a single adversary claim, suffered two severe nervous breakdowns (June 5, 1951 and May 25, 1956) during hearings in the "Reorganization," both of which required admission to the psychiatric ward of the Wesley Memorial Hospital, Chicago, Illinois, treatment (including electric-shock treatments) by a psychiatrist, Dr. Chor, and prolonged absences from the bench.

(2) District Judge, Robert E. Tehan, failed and refused to decide the only claim (one of approximately 300 pending) tried in thirty years for five (5) years. This claim was tried before the late W. Lynn Parkinson in July of 1957. Judge Parkinson was elevated to the Court of Appeals before he could enter a decision. Material evidence of bribery in the Lake County, Indiana, Treasurer's Office (Woodmar's Exhibit 60) relating to the nature and amount of asserted lien claims was admitted in evidence. Judge Tehan, on January 29, 1958, entered an order, with the agreement of the parties in interest, that he would decide the issues on the record made before Judge Parkinson. In spite of an original action in mandamus, *Woodmar Realty Company, Petitioner* v. *Robert E. Tehan, Respondent*, Court of Appeals for the Seventh Circuit, Cause No. 13121, in which a rule to show cause was entered, he persistently refused to enter a decision for five (5) years. Such conduct, coupled with similar conduct on the part of Judge Tehan, halted the judicial machinery.

(3) The Woodmar Realty Company and approximately 262 citizen lien claimants were without an effective remedy in the United States Courts because of the matters related in this petition. The United States Court of Appeals rendered a decision in February of 1957, in an appeal taken by the Woodmar Realty Company, establishing Woodmar's right to be heard on the matter of lien claims asserted, and the custody and disposition of its assets. (241 F.2d 768). District Judge Tehan failed and refused to permit any hearings on the asserted lien claims to the end that either lien claimant or Woodmar would receive some benefit from the thirty year old case. He kept the matter of approval of 105 settlement agreements, entered into under authority and at the direction of Judge Parkinson under advisement for two years (until January of 1960). After a mandate action was filed in the Court of Appeals to compel him to act, he denied approval. His ruling was reversed by the Court of Appeals on November 23, 1960 (284 F.2d 815), but he persistently and without excuse failed and refused to permit a consummation of the settlements in compliance with the mandate of the Court of Appeals. District Judge Tehan heard argument on the only lien claim tried, supra, in May of 1958. He conducted his own examination on the settlements of lien claims in July of 1958. The parties did not object. He returned to Hammond and read an opinion denying approval of the settlements in February of 1960, and came back to Hammond for one day on April 26, 1960 to read orders suppressing discovery process. Nine mandate actions and seven appeals failed to bring relief in the District Court. He signed checks in 1968 and 1969, many of which were in payment of false and fraudulent claims.

(4) In addition to the deaths of many of the stockholders of the Woodmar Realty Company, pendente lite, over 100 bona fide citizen lien claimants died during the past thirty years awaiting relief from the Federal Court in connection with their claims. One hundred fifteen citizen lien claimants were deprived of the benefits of settlements entered into with the Woodmar Realty Company for years. Neither lien claimants nor the Woodmar Realty Company (the only parties in interest) were permitted to be heard in connection with disposition of the assets *despite repeated requests for hearings.*

(5) Continued custody of all of petitioner's assets for over thirty years with a persistent failure of two of the District Judges, Luther M. Swygert and Robert E. Tehan, to perform judicial duties have brought the administration of justice in the Northern District of Indiana into dispute. State authorities, in 1948, indicted four of the court-appointed fiduciaries in the "Reorganization" for crimes committed upon state courts. One of them, C. Ballard Harrison, was the Hammond Assistant U.S. District Attorney in Judge Swygert's Court. (He was convicted and served time in the state penitentiary.) Judge Swygert's associate in the prosecution of lien claims against the Woodmar Realty Company in the state court, Donald C. Gardner, acting by appointment as attorney for the Bondholders Committee, was indicted and compelled to resign from the Bar by the Supreme Court of Indiana. The Trustee's attorney, Carl A. Huebner, was found guilty on all 82 specifications of charges in disbarment prosecuted by the Disciplinary Commission of the Supreme Court of Indiana. One of the charges was predicated upon perjury committed in the Woodmar case before Judge Swygert on May 10, 1951. Nevertheless, and in spite of the fact that the Trustee's attorney, Carl A. Huebner, had forged claims on defaulted special improvement bonds against Woodmar's assets, Judge Swygert, in November of 1958, signed a written recommendation that Carl A. Huebner be readmitted to the Indiana Bar. The Indiana Board of Law Examiners, on September 23, 1959, following the hearing of evidence, rejected Judge Swygert's recommendation and specifically found that the applicant was engaged in the practice of law in wilful violation of the disbarment order of the Supreme Court of Indiana entered on April 29, 1954. No action has been taken by federal authorities to protect the integrity of the court against the criminal acts committed by fiduciaries in the United States District Court in the Reorganization proceedings.

(6) District Judge Luther M. Swygert, on September 21, 1956, after sitting in the case for thirteen years, disqualified himself stating in a written memorandum:

"Because I was counsel in some of the state foreclosure actions prior to my appointment as judge of this court, I have come to the conclusion that I cannot now, in good conscience, continue as judge in this proceedings." (Record in U.S.D.C. No. 3151).

Previously, and in March of 1956, he denied Woodmar's motion asking him to disqualify himself. The "voluntary" disqualification occurred only after a motion to dismiss the Woodmar Realty Company's appeal in the Court of Appeals had been denied and Judge Swygert had been served with a petition for a supersedeas filed in the Court of Appeals. Following his disqualification as acting Judge in the Woodmar Reorganization, he received assignments as Special Judge in Judge Tehan's Court in Milwaukee, Wisconsin. In one of the cases, previously handled by Judge Tehan, Paper Makers Importing Co., Inc., etc. v. City of Milwaukee, U.S.D.C. 56–C–52, Judge Swygert acted as trial judge in Milwaukee from April 14 through April 17, 1958. At the first conference in the Reorganization (held on April 24, 1958) following Judge Swygert's residence in Milwaukee, Judge Tehan, on his own motion, revived a distribution scheme that had been discarded by Judge Parkinson in June of 1957 and which had been privately discussed at conferences between Judge Swygert and Trustee's attorney Herschel B. Davis for two years between June of 1953 through August of 1955 (some of the conferences taking place at Judge Swygert's home in Dune Acres). This distri-

bution scheme was designed to avoid any adversary hearing and any disclosure on the court records as to the identity of the actual recipients of the proposed cash distribution. The money was to go to alleged special improvement bondholders and the balance to the U.S. Treasury under the Unclaimed Money Statute. Donald C. Gardner, Judge Swygert's former associate, and Richard F. Zilky, a former member of the Bondholders Committee, had brought up a large proportion of the defaulted improvement bonds, pendente lite, at a few cents on the dollar. (Judge Swygert's ruling of March 5, 1956, striking Woodmar's objections to the distribution scheme was reversed on appeal in February of 1957, after Judge Swygert's voluntary disqualification. 241 F.2d 768.)

(7) The Director of the Administrative office of the Federal Courts has been informed of the situation but is unable to render assistance because of jurisdictional limitations of his office.

A. THE PETITIONER, WOODMAR REALTY COMPANY, AND NEED FOR RELIEF AND ASSISTANCE

(8) Petitioner, The Woodmar Realty Company, was incorporated under the laws of the State of Indiana, on October 1, 1923. Its corporate stock, consisting of 2406 shares outstanding, is held and owned by forty-four (44) stockholders, most of whom are Indiana residents. Of the twenty-two original incorporators and stockholders, only four (4) are still alive: Richard H. Fedder (former Director and Secretary Treasurer), Hammond Indiana; Richard O. Winckler, California; Robert R. Gillis, St. Petersburg, Florida; and Edwin H. Friedrich, Hammond.

(9) Its President, Helen M. Woods, widow of the founder of the Company, Roscoe E. Woods, is 81 years of age. Helen M. Woods, the President of your petitioning company, has acted as such since shortly after May 29, 1951, when her husband, the former President, Roscoe E. Woods, died on the witness stand in the U.S. District Court in Hammond, while testifying in the proceedings hereinabove referred to. The forty-four stockholders are either original holders and owners, supra, or the widows, heirs and devisees, through death and devolution, of the original stockholders. Many of them are elderly people. For instance, Mrs. Grace Brown and Mrs. Frank Martinare the elderly widows of former Hammond mayors, who were also original incorporators.

(10) All of the assets of the Woodmar Realty Company have been in the custody of the U.S. District Court for the Northern District of Indiana, Hammond Division, since January 19, 1941. Since May 16, 1969, its assets have consisted of a bank deposit in a South Bend, Indiana bank of $48,000 (Federal Depository). Four Hundred Fifty-Eight Thousand Dollars ($458,000) were in a frozen noninterest bearing account, subject to withdrawal by a court-appointed trustee by check countersigned by Federal Judge, Robert E. Tehan of Milwaukee. In more than 30 years that the assets have been in the custody of the Federal Court, the stockholders have received no benefits from the assets or the proceedings. Likewise, no other parties in interest received any benefits from either the assets or the proceedings until after March 15, 1968. As will be specifically pointed out hereinafter, in spite of repeated requests for hearings in the U.S. District Court, seven appeals to the Court of Appeals for the Seventh Circuit, and nine original actions in mandamus brought against the District Judge, Robert E. Tehan of Milwaukee, no relief, judicial or otherwise, has been obtained. Unless outside aid and assistance is obtained, the parties beneficially interested in the assets wil be dead before the matters involved in the court proceedings are determined.

B. CIRCUMSTANCES UNDER WHICH THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF INDIANA ACQUIRED CUSTODY OF YOUR PETITIONER'S ASSETS IN JANUARY OF 1941

(11) On January 13th, 1941, your Petitioner was the owner in fee simple of a square mile of improved real estate in the City of Hammond, Lake County, Indiana. It was and is the finest and most valuable residential and business property in Hammond. The real estate had a book value of $2,341,970.00 on March 20th, 1941. The stockholders of the Woodmar Realty Company consented to reorganization under Chapter X of the Bankruptcy Act, (Chandler Act) because the company could not meet its debts as they matured due to the nationwide depression of the 1930's. Pursuant to a reorganization plan, the stockholders, in 1941, under the auspices of the United States District Court, compromised and paid $155,000.00 worth of delinquent real estate taxes at a figure of $12,500.00. This compromise was effected under a depression originated Indiana Tax Moratorium Law adopted for the exclusive benefit of the fee owners of real estate upon which taxes had become delinquent. In addition, again pursuant to an amended plan of reorganization, duly consented to and confirmed, the stockholders of the Woodmar Realty Company who also held 1st mortgage bonds agreed to accept a conveyance of real estate appraised at $37,225.00 in full release and satisfaction of outstanding unpaid 1st mortgage bonds with a face value of $292,-712.93. This settlement was approved and confirmed by an order entered on November 22nd, 1941, by the then Judge, the late Honorable Thomas W. Slick. In the 19½ years that have elapsed since Judge Slick approved the settlement and payment of the delinquent real estate taxes and 1st mortgage bonds, not a single creditor, lien claimant, or stockholder has received a dollar out of the assets.

(12) Jurisdiction of the United States District Court in Hammond was invoked through the filing of a creditor's petition under the Chandler Act. The creditor's petition was filed in the names of four holders of defaulted City of Hammond special improvements bonds: Delevan D. Bowser, Clarence Wefel, Orville Maxfield, and Augusta Neumann. The special improvement bondholders were not and are not creditors of the Woodmar Realty Company. The improvement bonds, issued under Indiana Statutes in the 1920's, were representative of lien rights in various sub-divided and blocks of the Woodmar Realty Company's real estate. Woodmar's asset consisted of 1540½ improved sub-divided lots in the Woodmar subdivision, several unsubdivided blocks and real estate in two adjacent subdivisions, Columbia Heights and Flossmoor.

C. SECRET INTEREST OF COURT-APPOINTED FIDUCIARIES IN DEFAULTED SPECIAL IMPROVEMENT BONDS

(13) Unknown to the officers, directors, and shareholders of the Woodmar Realty Company, a collection agency, Lake Assessment Bond Service, Inc., had collection contracts with three out of the four defaulted improvement bondholders who signed the creditor's petition. Charles L. Surprise, a lawyer, Carl A. Huebner, a lawyer, and Clifford Etling a public accountant, were the sole stockholders, directors and officers of Lake Assessment Bond Service. Inc. This corporation, by its Articles of Incorporation, was formed to engage in the practice of law, including conducting and managing litigation on defaulted improvement bonds. The attorney who filed the creditor's petition, Rae M. Royse, was secretly hired to do so by Lake Assessment Bond Service, Inc. Having instituted the proceedings, Charles L. Surprise and Carl A. Huebner, by the filing of false affidavits of "disinterestedness", procured appointments as Trustee and Trustee's attorney, respectively. (Violation of 78 U.S.C. 52.)

(14) Surprise and Carl A. Heubner, President and Vice-President of Lake Assessment Bond Service, Inc., respectively, set up a "Bondholders Committee" in the spring of 1941. Two contract clients of Lake Assessment, Bowser and Wefel, were appointed to the committee. C. Ballard Harrison, Assistant United States District Attorney in Hammond, Hammond attorneys Floyd R. Murray and Frederick Lisius, and an improvement bond speculator, Richard F. Zilky, completed the membership of the "Bondholders Committee." Donald C. Gardner, a Hammond attorney, and Rae M. Royse, both secretly employed by Lake Assessment, procured appointments as attorneys for the "Bondholders Committee."

(15) Donald C. Gardner, Luther M. Swygert, Rae M. Royse, C. Ballard Harrison, Frederick Lisius, and Floyd R. Murray were conducting statutory lien foreclosure actions on the defaulted improvement bonds in the state courts when the reorganization proceedings were commenced in the Federal Court. In cooperation with Trustee Charles L. Surprise and Trustee's attorney, Carl A. Huebner, they filed and caused to be filed verified proofs of claim against the Woodmar Realty Company on the defaulted City of Hammond improvement bonds which were the alleged basis of the lien foreclosure suits. Trustee Charles L. Surprise, Trustee's attorney Carl A. Huebner, and Clifford A. Etling, by virtue of collection contracts through Lake Assessment Bond Service, Inc., had a 30% interest in approximately $87,-000.00 in face value of the lien claims thus filed.

(16) During the first 2⅓ years that the reorganization proceedings were pending, (January, 1941–October, 1943) Hammond attorney Luther M. Swygert was acting as co-counsel with Donald C. Gardner in eleven statutory foreclosure suits against Woodmar Realty Company brought on defaulted improvement bonds. (Gardner had 16 additional foreclosure suits against Woodmar which he was conducting.) Luther M. Swygert withdrew his appearance as attorney for the "class plaintiffs" in October of 1943 when he was appointed Judge of the United States District Court for the Northern District of Indiana and assumed jurisdiction of the Woodmar Realty Company reorganization proceedings. Many of the improvement bondholders whom Luther M. Swygert and Donald C. Gardner had been representing in the eleven foreclosure suits had also filed verified proofs of claim against Woodmar in the reorganization proceedings.

(17) In the statutory foreclosure actions, the first bondholder who filed suit obtain exclusive control over the lien rights against all of the lots. If the lawyer for the "foreclosure plaintiff" made voluntary settlements with the landowner (as was often done) he was obliged to account for all holders of defaulted improvement bonds involved in the foreclosure, on a pro rata basis, for the sums collected. In addition, if real estate was bought in at foreclosure sale, the nominal bondholder purchaser, was obliged to hold the same in trust for all holders of defaulted bonds. Donald C. Gardner, Judge Swygert's associate, by his own admission, failed to make an accounting to bondholders for monies collected in the statutory foreclosure suits. When interrogated in the fall of 1947 as to the disposition of real estate acquired at foreclosure sales, he took the 5th Amendment not less than 18 times. Illustrative is the following testimony of Gardner:

"Q. I show you plaintiff's Exhibits 59–1

which is a quit claim deed from John A. W. Honsingford to Marion Ledgerwood, which is one of the number of deeds we have already identified and I wish you would please look at the signature and tell me whether or not as to that particular deed the signature of Hansingford is in your own handwriting?

"A. Again, I am going to have to stand on my constitutional rights and refuse to answer any questions which might tend to incriminate me.

"Q. I show you plaintiff's Exhibit 59–1 ask you, in connection with that deed, if the handwriting of Hansingford is or is not in your own handwriting?

"A. I refuse to answer the question on the same grounds.

"Q. That is, on the ground that it would tend to incriminate you?

"A. It might tend to incriminate me."

(Testimony of Donald C. Gardner, Sept 22, 1947).

D. FAILURE TO CONSUMMATE REORGANIZATION OF THE WOODMAR REALTY COMPANY

(18) By the terms of the amended plan of reorganization, consented to by a majority of the stockholders, Trustee Surprise was required to complete the reorganization, by the issuance of stock, within two years after November 22nd, 1941. The two years expired approximately one month after Luther M. Swygert was appointed to the Federal bench.

Following the appointment of Judge Swygert, no effort was made on the part of the Trustee, Trustee's attorney, Bondholders Committee or counsel for the Bondholders Committee to reorganize the company through the issuance of new stock.

(19) Instead of reorganization, Surprise and Carl A. Huebner, with the knowledge, cooperation, and consent of the Bondholders Committee and its counsel, Donald C. Gardner, procured the employment of S.C. Ennis & Company as sales agent for the Trustee. Between the time of the appointment of S. C. Ennis and Company as sales agent (in 1943) and December 31st, 1950, S. C. Ennis and Company sold all of the Woodmar Realty Company's real estate, receiving 15% of the gross sales prices as a commission. The officers and directors of the sales agent, S. C. Ennis & Company, formed a building corporation. Home Builders, Inc. S. C. Ennis & Company then sold approximately one-third of the residential building lots belonging to the Woodmar Realty Company to Home Builders, Inc. Home Builders, Inc. was required to pay only $25.00 per lot down and the balance when a house was constructed and sold under an F.H.A. Loan. The balance of the purchase price was ordinarily $175.00 per lot. In selling the completed home, Home Builders, Inc. included the lot in the sale price at a figure of from $1200.00 to $1500.00. S. C. Ennis & Company also collected a 15% commission from the Trustee Surprise on the sales to Home Builders, Inc. In addition, the officers and directors of S. C. Ennis & Company, by virtue of their ownership of Home Builders, Inc., made a substantial profit on the building program. This situation, necessarily, constituted a devastation of the assets of the estate. Further, Trustee Surprise, through S. C. Ennis & Company, sold parcels of real estate to Donald C. Gardner and his business associate John G. Phrommer as well as Richard F. Zilky, a court-appointed fiduciary. In at least five instances, S. C. Ennis & Company paid a 5% "kickback" of the commission received to Trustee Charles L. Surprise. The sales to Home Builders, Inc. and the Court-appointed fiduciaries were in violation of Federal Criminal Law reading in pertinent part as follows:

"Whoever, being a referee, receiver, custodian, trustee, marshal, or other officer of the Court, knowingly purchases, directly or indirectly, any property of the estate of which he is such officer in a bankruptcy proceeding;" etc. "shall be fined not more than $500.00 and shall forfeit his office, which shall become vacant." (18 U.S.C. Par. 154.)

(20) The secret interests of Trustee Charles L. Surprise and Trustee's attorney Carl A. Huebner, in special assessment bond claims (through Lake Assessment Bond Service, Inc.), the fact that they had prepared and filed false oaths of "disinterestedness" to secure their appointment as fiduciaries, the fraudulent sales program under which the sales agent S. C. Ennis & Company sold the Woodmar Realty Company's real estate to its own building corporation, Home Builders, Inc., the receipt of "kickback" by Trustee Surprise and S. C. Ennis & Company, the buying in of real estate in fictitious names and failing to account for monies collected, and the employment of Gardner, Harrison, and Royse by Lake Assessment Bond Service, Inc. were first learned by Woodmar's attorney during the trial of a taxpayer's case in the Porter Circuit Court at Valparaiso, Indiana, which commenced on September 8th, 1947. The Court-appointed fiduciaries, Charles L. Surprise, Carl A. Huebner, Donald C. Gardner, and C. Ballard Harrison, acting in conspiracy with certain city officials had procured 124 judgments totalling $958,000.00 through fraud practiced upon the Lake Superior Courts and the City of Hammond. The proceedings in the Porter Circuit Court were highly publicized in the newspapers. Extensive findings were entered by the Porter Circuit Court on September 7th, 1948, which findings were later affirmed on appeal, to the Indiana Appellate Court in the case *Gilkison, et al* v. *Darlington, et al.* (1952) 123 Ind. App. 28; 106 N.E. 2d 473; In a related case, growing out of the same conspiracy, in commenting on the conduct of Trustee's attorney Carl A. Huebner, Judge Emmert of the Indiana Supreme Court stated:

"The fraud charged in the indictment is so rarely attempted that there are few authorities on the subject matter. Such evil and depraved acts are seldom attempted by an attorney, a sworn officer of the court, whose first duty it is to be honest to the Court and assist it in doing right and justice * * *. The evils of such conduct by far transcend the defrauding of widows and orphans, for the very foundation for administering justice between litigants is the court's ability to ascertain the facts."

(21) Trustee Charles L. Surprise, Trustee's attorney, Carl A. Huebner, Judge Swygert's associate, Donald C. Gardner, (attorney for the Bondholder's Committee) and Assistant United States Attorney C. Ballard Harrison, were indicted by State authorities for frauds and perjuries arising out of their activities in the state courts in connection with defaulted improvement bond matters. Cognizant of these indictments, Federal Judge Luther M. Swygert called a meeting in the Woodmar case on December 8th, 1948, at which meeting he stated:

"But, anyway, as all of you are aware, the Trustee, the Trustee's counsel, one member of the Bondholders' Committee, and one counsel for the Bondholders' committee were involved in those proceedings, and as a result are under indictment in the Lake Criminal Court".

(Exhibit No. 78, PP. 23–24, inc.)

(22) At the December 8th, 1948, meeting, Judge Swygert was informed as to the secret interests of Surprise and Carl A. Huebner in improvement bond claims, the receipt of "kickbacks" by Surprise, and the fraudulent sales by the sales agent, S. C. Ennis & Company, to its private building corporation, Home Builders, Inc. With full knowledge of the facts, Judge Swygert entered an order continuing the management of the Woodmar Realty Company's affairs in the same fiduciaries.

(23) Subsequently, Carl A. Huebner, Donald C. Gardner, and C. Ballard Harrison, were convicted by state court juries, Carl A. Huebner was disbarred, Donald C. Gardner resigned from the Indiana Bar in lieu of disbarment. C. Ballard Harrison's conviction was affirmed on appeal. He was disbarred and served time in the State penitentiary.

E. UNSUCCESSFUL ATTEMPT OF SURPRISE, CARL A. HUEBNER, DONALD C. GARDNER, AND OTHERS TO APPROPRIATE THE ASSESTS IN 1951

(24) All of the Woodmar Realty Company's real estate having been sold by December of 1950, for a gross figure of $700,000.00 Trustee Surprise still had $491,988.56 on deposit in a frozen-non-interest bearing account in the Gary National Bank. Fee petitions aggregating $287,000.00, or 3/5th of the net cash assets, were filed by the fiduciaries, including Surprise, Carl A. Huebner, Carl A. Huebner's brother Arnold G. Huebner, Gardner, Royse, Harrison, Zilky and others. None of the court-appointed fiduciaries objected to each other's fee claims. In fact, the amounts were privately agreed upon in violation of a criminal statute reading in pertinent part as follows:

"e. *Fee Agreements and Nepotism in Appointments (The Borah Act)*

"Title 18 U.S.C., Chaps. 9, 93, §§ 155, 1910 § 155. Fee Agreements in Bankruptcy Proceedings. *Whoever, being a party in interest,* whether as a debtor, creditor, receiver, trustee or representative of any of them, *or attorney for any such party in interest,* in any receivership, bankruptcy or reorganization proceeding in any United States court or under its supervision, *enters into any agreement, express or implied,* with another such party in interest or attorney for another such party in interest, *for the purpose of fixing the fees or other compensation to be paid to any party in interest or to any attorney* for any party in interest for services rendered in connection therewith, from the assets of the estate; or

"Whoever, being a judge of a court of the United States knowingly approves the payment of any fee or compensation so fixed—

"Shall be fined not more than $5,000 or imprisoned not more than one year, or both."

(25) Donald C. Gardner, on May 25, 1951, admitted under oath that the court-appointed fiduciaries had entered into an agreement on the fee percentages to be allowed by Judge Swygert:

"Q. Now, Mr. Gardner, in the minute book I think Mr. Zilky has testified there are certain fee percentages appearing in your handwriting. I will ask you to turn to one of the back pages, and that would be the 13th page counting from the back of the book. I will ask you whether or not the figures shown there are in your handwriting.

"A. They are.

"Q. When were they written in there?

"A. From their location on the back of my handwritten minutes of May 27, 1949, I would judge that they were either my private conclusions that I was thinking about while the discussion was going on, or that I had made them shortly after the meeting, I don't know. They might have been made at a later date, or earlier date, but the fact they are on the back of this handwritten copy of the minutes of May 27, 1949, I think that may have been the time.

"Q. It is written here Carl suggested ten per cent for the trustee with clerk hire, and ten per cent for the trustee's attorney, and the foreclosing attorney and committee's attorney, ten per cent, and tax fees and miscellaneous, 3⅓ per cent.

Do you recall Carl's suggesting that amount—Carl Huebner, was it?

"A. I believe so.

"Q. Those were the percentages he suggested at the meeting?

"A. I think the suggestions were in writ-

ing as an addenda to a petition suggesting a method of allocation of funds, which necessarily took into consideration all expenses, including fees, and fees were set out, etc."

(Donald C. Gardner, Vol. XIV, May 25, 1951, p. 2910–2911)

None of the fiduciaries objected to each other's fee petitions and they joined in attempting to suppress Woodmar's objections to the same.

(26) Certain of the fiduciaries, including Judge Swygert's associate, Donald C. Gardner, had secretly purchased a great many defaulted City of Hammond Improvement Bonds, pendente lite, at a few cents on the dollar. Illustrative is a Gardner admission:

"Q. What numbered bonds did you buy from him?

"A. Roll 1441, Series 6, Bonds 5, 6, 7, 8, 9, and 10.

"Q. How much were the bonds?

"A. Face amount of bonds at the time of purchase—I am quite sure there has been no payment since—was $2,775, and there was $180 in coupons.

"Q. How much did you pay for them?

"A. I am not exactly sure about that purchase price; I think it was $333, something in that vicinity; I am sure it was 11 cents; whether it was 11 cents on bonds and coupons, or whether it was 11 cents on bonds, I don't know.

"Q. Your best guess is $333?

"A. Yes."

(Donald C. Gardner, Vol. XIV, May 25, 1951, p. 2949.)

To avoid any adversary hearings on the question of the validity and amount of lien claims (in compliance with Judge Slick's order entered on November 22, 1941), to avoid a disclosure of the identity of the true owners of the special improvement bonds purchased by fiduciaries and to conceal the illegal speculations, the fiduciaries proposed in March of 1951, what they designated as an "Alternative Plan of Distribution." Under this proposed plan, the rest and residue of the fund, amounting to $196,000 (after the payment of $287,000 in fees), was to be turned over to a specially selected Deputy County Treasurer, acting "ex-officio" for the City of Hammond, Vaughn Weiss, for the distribution among the defaulted improvement bondholders, including the fiduciaries who had bought up a large percentage of the defaulted improvement bonds. The Woodmar Realty Company filed objections to the fee petitions and the "Alternative Plan of Distribution" in an effort to prevent the complete devastation of the $491,988.56 in cash assets by the court-appointed fiduciaries. Extensive hearings were had upon the petitions and distribution plan, forced by Woodmar's objections, commencing on April 16, 1951. These proceedings were highly publicized in the local newspaper, the HAMMOND TIMES.

(27) Roscoe Woods, President of the Woodmar Realty Company, was called to the witness stand on May 29, 1951, during the hearings. He suffered a collapse while testifying and died before medical aid could be summoned. Thereupon, District Judge Luther M. Swygert continued the hearing until June 11, 1951. On June 5, 1951, during the above-mentioned recess, Woodmar's counsel employed a questioned document expert, George Faxon, to photograph the fee petitions from which pages, admitting the fee agreement, had been pulled, and certain of the special improvement bond claims (later developed to be forgeries) in the Clerk's Office. The Trustee's attorney, Carl A. Huebner, and the Trustee's brother-in-law, L. L. Bomberger, were in attendance in the Clerk's Office observing the examination and photographing process. The following day, June 6, 1951, Judge Swygert's secretary advised the attorneys that Judge Swygert had postponed the resumption of the hearing (scheduled for June 11, 1951) to get a "physical checkup". Actually, he had collapsed in the *late afternoon* of the previous day with a serious nervous breakdown. He was admitted to the psychiatric ward of the Wesley Memorial Hospital in Chicago under the care of a psychiatrist, Dr. Chor. He was unable to resume his judicial duties until the following January (1952).

(28) The newspaper publicity growing out of the hearings necessitated the denial of the fee petitions and the rejection of the "Alternative Plan of Distribution" (December 3, 1952). Judge Swygert granted Woodmar's petitions to remove Trustee Surprise, the Trustee's attorney, Arnold G. Huebner, and the Bondholder's Committee, and its attorneys. But Judge Swygert failed to find any facts pertaining to the violations of Criminal Laws or to take any steps to purge the proceedings of violent contempts. *Herschel B. Davis, also attorney for Trustee Charles L. Surprise, was kept in office.*

F. FURTHER EFFORTS TO APPROPRIATE THE CASH ASSETS FROM FEBRUARY 1953, THROUGH FEBRUARY OF 1957

(29) The temporary defeat of the collusive fee petitions and "Alternative Plan of Distribution" did not bring any relief to the stockholders of the Woodmar Realty Company or legitimate special improvement bondholder claimants. The "reorganization" was referred generally by Judge Swygert to Referee Henry Sackett on February 16, 1953. Instead of setting the lien claims down for hearing and determination in adversary proceedings in compliance with a then twelve-year old court order, the new Trustee, Walter A. McLean, and the old Trustee's attorney, Herschel B. Davis, undertook to revive the distribution scheme in a slightly different form, thereby circumventing the decision of December 3, 1952, sustaining Woodmar's objections to the "Alternative Plan of Distribution." After a series of secret conferences with Hammond Attorney Floyd R. Murray (member of the Bondholder's Committee from 1941–1952), it was determined to divide the cash assets (then reduced to $481,000) pursuant to an "auditing study" of special assessment records in the Hammond City Hall. Floyd R. Murray, who represented Judge Swygert's associate, Donald C. Gardner, in criminal proceedings against him in the state courts, furnished a "formula" to Davis and McLean which was to be the guide for proposed distribution pursuant to the "auditing study".

(30) The "auditing study" was presumably performed in the City Hall from June, 1953 through August, 1955. The special assessment records in the City Hall were of little or no value because of the fact that the special improvement bonds, alleged to be liens against the assets of the Woodmar Realty Company, had been in foreclosure in the state court for many years. The City Hall records did not and could not reflect collections made for the benefit of the defaulted improvement bondholders in the foreclosure proceedings by the foreclosing attorneys, including Judge Swygert, Gardner and Murray. As a matter of fact, as the Trustee, McLean, and the Trustee's attorney, Davis, were aware, many of the bonds involved in the "auditing study" had been cancelled by foreclosure decrees entered in the state courts years before. For example, the improvement bonds issued pursuant to Resolution 1296 had been cancelled by a Lake Superior Court decree prepared by Floyd R. Murray in 1940:

"It is further ordered, adjudged and decreed by the court that all persons owning or possessing any of the improvement bonds issued under such improvement resolution 1296 are hereby ordered and directed to deliver said bonds to the clerk of this court for cancellation within sixty days from the entry of this order, failing in which said bonds outstanding are hereby ordered, annulled, cancelled and set aside and held for naught and the owners or possessors of the same are hereby enjoined and restrained from asserting or claiming any rights thereon; except insofar as the owners' or possessors' rights are fixed in this decree."

(Woodmar's Exhibit No. 1)

(31) In addition to the fact that the "auditing study" ignored court settlements and foreclosure decrees, the City Hall records were not accurate because of a "common practice" of bribery involving the collection and distribution of special improvement bond funds. A series of letters written by Floyd R. Murray (author of the "formula") to Russel Julius, a bondholder client (Woodmar's Exhibit No. 60) admitted the existence of the "common practice":

"I dislike very much to become involved in deals of this kind but sometimes it is necessary for a lawyer to handle things of this nature in order to fully protect his client.

"The practice of kicking-back one-half of the delinquent interest when assessment bonds are paid, has been going on for some time. For awhile, all of the delinquent interest was kicked back. I have one client who made his own arrangements and he is kicking back one-half of the delinquent interest plus ten percent of all other money received.

"Practically every day it becomes necessary for me to get additional information from the treasurer's office, and if I ignore him in this matter, it will be very difficult for me to secure these favors in the future."

* * * * *

"Somebody here in Hammond has acquired some of the bonds outstanding in 1442. I do not know whether he has presented them for payment or not. The man with the 1445 bonds split the delinquent interest with the treasurer and also paid him ten percent on the principal.

"Although, from the practical interest of the client, it may be better to do these things but nevertheless, I detest them and will not recommend it to a client. However, I can see that this fund might be considerably diminished if something is not done. If you wish to have me do this, you may forward your 1442's and 1445's and I will take care of it.

"It will be necessary, however, for me to pay this man in cash at the time I receive your checks. The checks will be payable to you. If you so desire, I will deliver him the cash and you can reimburse me."

* * * * *

"Had a two hour session with the boys at the City hall yesterday afternoon. As I mentioned in my letter yesterday, some of this money has been paid out to other holders of bonds. The amount which we can get in 1442 and 1445 stands as follows:

	No. 1445	No. 1442	Total
Principal	$800	$1,370	$2,170
Coup. Int.	195	None	195
Del. Int.	240	500	740
Net total			3,105

"The expenses involved in getting the above money will be $350.00."

(32) During the two years while the "auditing study" was being performed, no hearings could be had before Referee Sackett on the question of the nature and amount of improvement bond lien claims against the assets. During this interim, and without the knowledge of the Woodmar Realty Company, the Trustee's attorney, Herschel B. Davis, was not only in constant contact with the former fiduciaries, but was conferring with Judge Swygert. (Although no issues were pending before Judge Swygert.) Some of the conferences took place at Judge Swygert's home. For instance, in a fee petition filed on September 7, 1955, the Trustee's attorney, Herschel B. Davis, sought payment of Woodmar's assets for items such as the following:

During the year 1953: July 2—Trip to Hammond to office of the U.S. District Court

Clerk, examination of files—reports, etc., conference with Judge Swygert in chambers—2½ hours.

* * * * *

During the year 1954: Feb. 1—Conference Mr. Sackett; conference McLean, telephone conference Hugh Carroll; rewrote portions of petition for disallowance of claims; telephone call to Judge Swygert; work on Woodmar claims—5 hours.

* * * * *

Apr. 24—Conference Mr. McLean; conference Mr. McCall; conference Sackett and Judge Swygert in Sackett's office in re: progress on accounting costs and charges; further conference McCall and McLean—½ day.

* * * * *

May 30—Conference Judge Swygert at his home in re: Woodmar and resume of progress made—2½ hours.

* * * * *

June 22—Trip to Hammond; conference Judge Swygert at 4:00 P.M. submitted orders for assumption of jurisdiction of causes; conference generally—2 hours.

* * * * *

Oct. 11—Conference Mr. McLean and Mrs. Estes in office; telephone call to Judge Swygert; trip to Hammond and conference Judge Swygert in chambers; work on matters in office with Mr. McLean and Mrs. Estes all afternoon; letter to Mr. McCall—1 day.

* * * * *

During the year 1955: July 23—Call to Judge Swygert's home at Chesterton; work on Woodmar; review of details—½ day.

* * * * *

July 27—Dictation of petition for disallowance of claims; dictation of form order; conference Mrs. Horlbeck; trip to Judge Swygert's home in re: progress report—½ day.

(Davis Fee Petition, Sept. 7, 1955.)

(33) On November 10, 1955, Judge Swygert resumed jurisdiction in the proceedings. The Trustee, McLean, and Trustee's Attorney Davis, filed motions to strike the Woodmar Realty Company's objections to the individual lien claims and the "proposed distribution" predicated upon the "auditing study." The attorneys for the fiduciary lien claimants, including Floyd R. Murray and Edmond J. Leeney, filed cooperative motions to strike Woodmar's objections to the "Trustee's Final Report, etc." On March 5, 1956, District Judge Swygert entered an order striking all of Woodmar's pleadings from the record on the ground that the Woodmar Realty Company "was not a party in interest."

(34) Ignoring a notice of appeal, Judge Swygert, after a seven week tour of Europe, and on May 14, 1956, proceeded to conduct a *final hearing* on the Trustee's distribution scheme (Murray formula). All efforts by Woodmar's counsel to interrogate the auditor in regard to the "auditing study" were suppressed. Final arguments were had on May 24, 1956. With nothing more than a signature on a form order required to accomplish the turning over of the $460,000 constituting Woodmar's assets to the fiduciary bondholders, Judge Swygert, on May 25, 1956, suffered a second nervous breakdown. He was re-admitted to the psychiatric ward of the Wesley Memorial Hospital, receiving electric shock treatments under the direction of Dr. Chor. By the time that he was able to return to the District Court bench (August), a motion to dismiss the appeal had been denied and a petition for a supersedeas out of the Court of Appeals had been served upon him. Under these circumstances, and on September 21, 1956, Judge Swygert voluntarily disqualified himself. (See page 5, supra). His ruling of March 5, 1956, determining that the Woodmar Realty Company had no interest in the case, was reversed in in February of 1957. 241 F. 2d 768.

G. THE LATE HONORABLE W. LYNN PARKINSON, AS DISTRICT JUDGE CONDUCTS FIRST ADVERSARY HEARING ON A LIEN CLAIM IN SIXTEEN AND ONE-HALF (16½) YEARS

(35) When the mandate of the Court of Appeals same down (April, 1957), Judge Parkinson, succeeded District Judge Swygert on the latter's disqualification. A pre-trial conference on the disposition of the lien claims was set for June 28, 1957. At this conference, a trial of a "test" claim (Claim No. 441) was set for July 15th. Procedures authorizing Woodmar to settle lien claims were established. At the trial of the "test" claim, the "auditing study" was rejected and 63 exhibits, including the bribery letters, cancellation decrees, etc. *offered by the Woodmar Realty Company* were received in evidence. The trustee and trustee's attorney, Davis, were ordered to step aside so that the lien claims could be disposed of, through trial or settlement, by the only parties in interest. Judge Parkison was elevated to the Court of Appeals in September, before he could render his *findings* in the "test" case or approve the settlements entered into during August. Judge Parkinson's successor as District Judge refused to assume juridiction after a three-month delay. The then Chief Judge, F. Ryan Duffy, of Milwaukee, refused to re-assign Judge Parkinson to the District bench in order to enable him to conclude the case, and, in December of 1957, assigned Milwaukee District Judge Robert E. Tehan to the case. Judge Parkinson disappeared under mysterious circumstances and his body was found months later in Lake Michigan.

H. FAILURE AND REFUSAL OF DISTRICT JUDGE ROBERT E. TEHAN (MILWAUKEE) TO PERMIT DISPOSITION OF THE CASE

(36) When District Judge Tehan first arrived in Hammond on January 29, 1958, his tasks had been completely simplified by Judge Parkinson's actions on the lien claims. The parties stipulated that Judge Tehan should proceed to decide the "test" case on the record made before Judge Parkinson in July of 1957. He announced that he would adhere to Judge Parkinson's ruling *as the law in the case*. Approval of 102 settlement stipulations with lien claimants, settlements with three of the four creditors, and the dismissal of 33 abandoned lien claims were in order.

(37) Instead of proceeding to dispose of the case and following Judge Swygert's visit to Milwaukee (April 14–17–1958), Judge Tehan, on April 24, 1958, revived the "auditing study" program, previously rejected by Judge Parkinson. On his arrival in Hammond on May 19, 1958, and, although no one made objection to approval of the 105 settlement stipulations, and the dismissal of 33 abandoned claims, Judge Tehan, *on his own volition*, undertook to upset the settlement agreements (believed necessary to approval of the *auditing study program*). He ignored requests that the remaining lien claims be set down for hearing and refused to permit any further discovery processes in connection with the lien claims.

(38) While Judge Tehan kept the matter of a decision in the "test" claim and approval of the settlement stipulations (*under advisement*, Judge Swygert, along with Floyd Murray and Edmond Leeney (who represented the purported but unseen lien claimants in the "test" case) and Albert H. Gavit (appearing for the Lake Assessment Bond Service bondholder clients) made an all out effort to get the original trustee's attorney, Carl A. Huebner, re-admitted to the Indiana Bar. (His name had been stricken from the rolls on April 29, 1954, having been found guilty on 82 specifications of charges, including perjury in the United States District Court in the Woodmar case on May 10, 1951.)

(39) The State Board of Law Examiners, in rejecting Judge Swygert's written recommendation, found that Huebner had forged at least two lien claims, #62 and #325, in the Woodmar case, signing the name "Darwin S. Luscher" to them. (Gavit, previously, had purported to appear for Luscher in the Court of Appeals in 1956, although Luscher testified by deposition in Seattle, Washington, on July 2, 1959, in the Readmission Case that he had never hired Gavit, or knew of any proceedings in the Court of Appeals).

(40) Copies of the testimony of Lieutenant Schroeder, handwriting expert of the Indiana State Police, identifying Huebner's handwriting on the forged claims, and a copy of the deposition of Darwin S. Luscher were forwarded to Judge Tehan and the Trustee's attorney, Davis, in June and July of 1959, with the request that the evidence of the commission of criminal offenses be turned over to the District Attorney in compliance with the following provision of the Criminal Code:

"§ 3057. *Bankruptcy Investigations.* (a) Any referee receiver, or trustee having reasonable grounds for believing that any violations of the bankruptcy laws or other laws of the United States relating to insolvent debtors, receiverships or reorganization plans has been commited, or that an investigation should be had in connection therewith, shall report to the appropriate United States Attorney all the facts and circumstances of the case, the names of the witnesses and the offense or offenses believed to have been committed. Where one of such officers has made such report, the others need not do so.

"(b) The United States attorney thereupon shall inquire into the facts and report thereon to the referee, and if it appears probable that any such offense has been committed, shall without delay, present the matter to the grand jury, unless upon inquiry and examination he decides that the ends of public justice do not require investigation or prosecution, in which case he shall report the facts to the Attorney General for his direction."

Title 18, U.S.C., Chap. 203, § 3057.

The requests that the information be turned over to the District Attorney have, at all times, been ignored.

(41) The District Judge having failed to act on the 105 settlement stipulations for slightly less than two years (in a then 19 year old proceedings) Woodmar and five major lien claimants filed an original action in a mandamus in the Court of Appeals for the Seventh Circuit to compel him to act (Cause #11833, November, 1959). In avoidance off a rule to show cause, Judge Tehan, in January of 1960, denied approval, circulating an opinion among all lien claimants accusing Woodmar of misconduct in negotiating the settlements. In an appeal from this order and opinion, the Court of Appeals, on November 23, 1960, reversed the decision (284 F. 2d 815) directing Judge Tehan to approve the settlement stipulations. Notwithstanding the mandate, Judge Tehan has still failed and refused to comply with the same.

(42) In addition to his failure and refusal to permit a consummation of the settlements in compliance with the Court of Appeals mandate, Judge Tehan has continued to fail and refuse to decide the "test" case tried before Judge Parkinson in July of 1957. In August of 1960, Woodmar filed an action in mandamus to compel a decision (Cause #13121). In response to a rule to show cause, Judge Tehan filed a return on October 22, 1960, accusing Woodmar of bad faith in filing the proceedings against him. When the mandate case appeared on the calendar of the Court of Appeals in January of 1961, Judge Tehan filed a supplemental opinion (February 13, 1961) forwarding a copy to the Chief Judge of the Court of Appeals stating that he would enter findings in ten days. Acting in reliance upon the letter and supplemental opinion, the Court of Appeals discharged the rule to show cause. In violation

of his commitment, District Judge Tehan continued to fail and refuse to enter findings in the "test" claim for five years. (*This is the only claim the parties have been able to get a hearing on in 30 years!*)

(43) On April 24, 1958, Judge Tehan compelled Woodmar to file a removal petition against the trustee of his attorney. Although issues were joined, the Court, on his own motion, determined in July of 1958 that the petition wasn't specific enough. A 35-page amended petition with a 54-page bill of particulars was filed in compliance with the District Judge's order. Two additional years having gone by without any action on the petition, a further mandamus action was filed (Cause #13113, August, 1960). A rule to show cause was issued on September 7, 1960. In avoidance of the rule to show cause, Judge Tehan dismissed the Amended Removal Petition, allegedly, because it was filed in bad faith and didn't state facts sufficient to constitute grounds for removal. This ruling has compelled a third appeal (Cause # 132[illegible]) in order to get a hearing on the removal petition *filed three years ago.*

Nine mandate cases, in all, have been filed in efforts to force a termination of the then 20-year old proceedings thereby releasing the assets, then $458,000 in cash. The fund remained in a frozen noninterest bearing account for eleven (11) years. The Calumet National Bank of Hammond offered to pay 3 per cent interest on the fund, but Judge Tehan, again upon his own motion, denied an application to transfer the fund to an interest-bearing account in Hammond. Later, the funds were pleased in an interest bearing account in Gary.

(44) The District Judge, Robert E. Tehan, failed and refused to approve further settlement agreements entered into after his opinion and decision were reversed in November of 1960, ignored all requests for hearings on lien claims; and, by orders striking interrogatories, suppressed all discovery processes, He ignored all inquiries from the interested parties. District Judge Tehan was aware of the fact that, with the assets tied up for 30 years, the time would arrive where it would be impossible for the parties in interest to raise independent funds for printing costs, appeal fees, etc., and, in this manner, he was able to consummate the original scheme of the court appointed fiduciaries to divide the cash assets among themselves pursuant to the "alternative Plan of Distribution" and/or the "auditing study" program in avoidance of adversary hearings.

(45) In 30 years, not a single alleged lien claimant appeared in court and proved up the existence and amount of an alleged lien claim. The problem of disposing of lien claims is simple and uncomplicated—District Courts all over the United States have found no difficulty in similar matters for over 100 years. The records established that $155,000 of the $458,000 fund was not subject to any claims whatsoever, lien or otherwise.

(46) The 30 year old history of the "Reorganization" presents an unprecedented example of the abuse and misuse of Federal Court processes established by Act of Congress. In addition to the Criminal laws hereinabove referred to the undisputed records reveal a necessity for action by the Attorney General under the following Acts of Congress designed to preserve and protect the integrity of the United States District Court as a public institution:

"(a) 19 U.S.C.A. 401 *Contempts, Power of Court:*

"A court of the United States shall have the power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as—(1) Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice;"

(b) 18 U.S.C.A. 1503, *Obstruction of Justice, Influencing or Injuring Officer, juror or witness generally:*

*"Whoever, corruptly * * * or by any threatening letter of communciation influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be fined not more than $5,000 or imprisoned not more than five years, or both."* June 25, 1948, c. 645, 62 Stat. 769.

(c) 18 U.S.C.A. Par. 371, *Conspiracy to commit offense or to defraud United States:* (obstruct administration of justice).

"If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor." June 25, 1948, c. 645, 62 Stat. 701.

(47) The Woodmar Realty Company, its officers, directors, stockholders, and attorneys, as the major party in interest, are anxious to attend any hearings held in connection with the matters set forth in this petition, furnish testimony under oath, and to supply copies of court records, documents, and transcripts fully supporting the matters hereinabove alleged.

Wherefore, the Woodmar Realty Company respectfully prays that a hearing be held by this Honorable Committee (or, on reference, an appropriate Subcommittee) and that upon such hearing appropriate relief and assistance be granted in the following particulars:

(a) Appropriate action under the Criminal Laws be directed, and

(b) Impeachment proceedings be instituted by the House of Representatives.

THE WOODMAR REALTY COMPANY,
Petitioner.
By: (signed) HELEN M. WOODS,
President.

RETIREMENT OF CAPT. FRED T. MERRITT

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. JONES of North Carolina. Mr. Speaker, many brave and valiant men have retired from the U.S. Coast Guard as well as our other branches of service. But, occasionally, there comes one after a long and brilliant career which I think deserves special commendation.

On July 1, 1971, Capt. Fred T. Merritt, presently commanding officer of the Elizabeth City Coast Guard Air Station, Elizabeth City, N.C., will retire from active Coast Guard service. After attending North Carolina State University, he entered the Coast Coast Guard service on May 20, 1941. The unusual circumstances regarding this is that his first duty following boot camp was at the Elizabeth City station as a seamen apprentice. Twenty-four years later, Captain Merritt returned to the same unit which had launched his service career, but this time as the unit's commanding officer.

He saw service both in the American and European theaters during World War II. He has been decorated with the following awards: Air Medal, Coast Guard Good Conduct, American Air Campaign, World War II Victory, American Defense Service, European Area Campaign and National Defense Service.

I take this oportunity to congratulate Captain Merritt and along with his many friends to wish him and his family many years of health and happiness in his retirement.

In this day of misguided criticism and sometimes condemnation of the military, I think it only appropriate that we recall the career of one who from the position of apprentice seamen rose to the position of commanding officer of the largest Coast Guard air station on the east coast, and that it further proves that the military indeed still has a great deal to offer those who truly love and appreciate this country, such as in the case of Capt. Fred Merritt.

THE CONDUCT OF PRISONER OF WAR NEGOTIATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. RARICK. Mr. Speaker, in recent remarks—see CONGRESSIONAL RECORD, pages 7131–7133 of March 18, 1971; and page 8240 of March 25, 1971—I expressed a view as to the impropriety as well as the futility of private citizens pleading with the leaders of North Vietnam for release or humane treatment of our POW's.

The great weight of the evidence is that the tons of letters and tremendous activity by concerned Americans can never accomplish anything because Americans do not understand the thinking of Communists and they refuse to understand Communist goals.

Any understanding of the oriental personality should convince our fellow countrymen that to the oriental, weakness is to be treated only with contempt and scorn. Therefore, at most, the Communist dictators who have already been assured that our military does not seek an end to the war in conventional methods can but consider the millions of letters and direct appeals from our well-meaning citizens as a sign of national weakness—a loss of control by those in positions of authority in our country. As such, contrary to accounts in the news media, we but encourage the Government of North Vietnam to forever delay any formal peace talks. We but reassure Hanoi that our Nation is now weak, divided, and leaderless. All that remains is to wait for the masses to demand that the weak leaders remove all U.S. troops and support. Then the Communist goals are satisfied.

In World War II, who would ever have thought of writing or petitioning Adolf Hitler or Emperor Hirohito for the humane treatment or release of American POW's?

History is replete that a nation which does not win its wars loses its captured fighting men—all the proposed peace talks, well-intentioned correspondence, and POW publicity programs notwithstanding. We are reaching our people but not the enemy.

There is but one person in our entire Government who holds the authority as well as the responsibility for regaining the freedom of our captured prisoners of war. He is the President of the United States, the Commander in Chief, under whose orders these military men went into battle, were engaged when captured, and under whose orders they remain even as prisoners.

If the American people want to regain our prisoners of war, they would have far greater effect and success if they would direct their appeals not to the unresponsive Communist dictators, but to Hon. Richard M. Nixon, President of the United States and Commander in Chief of all U.S. military forces.

Letters and news reports which have come to my attention during the past few days tend to confirm my opinion that public demands for action to release our POW's should be directed to the President of the United States. They likewise indicate that POW negotiations should be conducted in the long recognized and traditionally established manner between the official representatives of the governments involved instead of on the basis of newspaper reports.

An exchange of letters between two members of the Reserve Officers' Association of the United States—Jim K. Carpenter, rear admiral, USNR, president of the ROA; and Jack N. Rogers, lieutenant colonel GSUSAR, a patriotic attorney constituent of Baton Rouge—reveals that even though the ROA supported a letter-writing campaign to Hanoi by the wives of our POW's, the ROA does contend that only the President as Commander in Chief can control the conduct of a war, which of course includes freeing POW's.

In his letter to Rear Admiral Carpenter, Lieutenant Colonel Rogers asks this very pertinent question:

As an alternative, why can't we speak out as a 'military' organization should and demand that our government use whatever force or valid threat of force is necessary to end the mess in Vietnam with a clear military decision in favor of the U.S. and our allies and thereby secure the release of our prisoners as we have done all through our past history? Why not?

I insert the letters of the two ROA officers at this point in my remarks:

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, D.C.

Attention: RAdm Jim K. Carpenter, President.

Re: "Letter to Ton Duc Thang"

GENTLEMEN: The letter to Ton Duc Thang has stuck in my mind as a constant irritant since I first read it in the December, 1970, issue of "The Officer." All of us, without exception I am sure, feel compassion and deep sympathy for our comrades-in-arms being held prisoner in North Vietnam. However, might we not have lessened their chances for early safe return by the aforesaid letter? The members of the ROA are presumably fairly well informed on the nature of the Communists. Can we doubt the great weight of evidence to the effect that they respect nothing, literally nothing, other than force or the valid threat of force? Further, can we doubt that the oriental personality is well known to treat weakness with contempt and scorn?

To me, a clear sign of national weakness is the sorry spectacle of reserve officers of the armed forces of the strongest nation on earth appealing to the "humanitarianism" of the Communist dictator of one of the world's weaker nations! Were I Ton Duc Thang, I would deduce from this appeal that even the supposedly dedicated reserve officers of the U.S. were afraid to fight, were willing to sacrifice the lives of several hundred American men rather than fight for them, and were by their actions soundly confirming the oft stated opinion that the U.S. is a "'paper tiger." I believe that because of appeals such as this letter, we can expect the North Vietnamese government to forever delay any formal peace agreement and to simply wait until we go home before gaining all their goals in South Vietnam.

As an alternative, why can't we speak out as a "military" organization should and demand that our own government use whatever force or valid threat of force is necessary to end the mess in Vietnam with a clear military decision in favor of the U.S. and our allies and thereby secure the release of our prisoners as we have done all through our past history? Why not?

These prisoners have risked their lives for a nation that now appears to be unwilling to risk anything for them. If we will not fight for them they will come back to us only after suffering a deadly rot of body, mind and soul, saddened and broken men at having been abandoned by their country. Lets call a spade a spade and decide now whether we are in fact an organization of military officers of the United States or a ladies aid society. The continuation of a policy of weakness, compromise and "no win" is clearly destroying the national morale of our country and it will do us little good to say "I told you so" in the future. Lets stand up for what is right. We know it is right, if we have the moral courage to say it. If we don't, we had damn well better close down the ROA and study the Russian language.

Sincerely,

JACK N. ROGERS,
Lieutenant Colonel, GSUSAR, Member ROA.

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, D.C., March 26, 1971.

Lt. Col. JACK N. ROGERS, USAR,
Baton Rouge, La.

DEAR COL. ROGERS: Thank you for your letter of 10 March 1971. Let me say at the outset that I am in general agreement with all of the points you made in your excellent letter. Let me also point out that our views have been passed on to the President of the United States.

However, this Association cannot control the conduct of a war. This can only be done by the Commander-in-Chief. Our country's elected leaders apparently are not moving toward obtaining a victory in North Viet Nam. The wives of our prisoners are consequently left in a tragic position.

We were asked by them to print this article by them. We could not very well refuse them since negotiations appear to be the only weapons the leadership of our nation proposes to use.

I do want you to know, however, that we have stood up for what we believe to be right and we have had the courage to say it.

Sincerely yours,

JIM K. CARPENTER,
Rear Admiral, USNR, National President, ROA.

The impropriety of carrying on diplomatic business on the basis of news reports is pointed out by three recent news releases. It appears that the Swedish Government now pleads surprise and embarrassment over an announcement in the press that President Nixon had praised the Swedish Government for its offer to intern American prisoners on its soil pending a final settlement of the Vietnam conflict and had called on North Vietnam to accept the offer.

It turns out that the Swedish Government had made no such offer—that the story got started through a press report that a private company, the Swedish-American Line, had offered the U.S. Government use of its passenger ships if there were a prisoner exchange.

Apparently the announcement by the President of the United States was issued on the basis of a press report rather than on a report of our Ambassador to Sweden.

At any rate the Hanoi government did not accept the offer—which was to be expected. And the top Swedes who have repeatedly proven their pro-North Vietnam sympathies now plead embarrassment at being mistaken for humanitarians.

I insert three news clippings to follow my remarks:

[From the Washington, Post, May 4, 1971]

NIXON HAILS SWEDISH BID TO INTERN WAR PRISONERS

LAGUNA BEACH, CALIF., May 3.—President Nixon today praised a Swedish government offer to intern American war prisoners on its soil pending a final settlement of the Vietnam conflict, and called on North Vietnam to accept the Swedish offer.

Mr. Nixon made his views known in a statement read by his press secretary, Ronald L. Ziegler, shortly before returning to Washington after a three-day California stay.

The Swedish government offer, which reached the attention of the Chief Executive through an April 30 news dispatch of Agence France-Press, the French news agency, included the use of Swedish ships to transport the U.S. prisoners from North Vietnam as well as interment facilities in Sweden.

Ziegler said the United States had not yet confirmed the Swedish offer through diplomatic channels, but he said that the next move falls "squarely on the shoulders of the Hanoi government."

[The Associated Press reported that the Swedish government said the question of internment in a third country must be negotiated by the parties concerned. Sweden's Foreign Office said there had been no official contacts with the U.S. government and suggested the right place to start negotiating would be at the Paris peace talks.]

Neither the two-sentence presidential statement nor Ziegler's remarks was an acceptance of the Swedish offer, though they constituted a general endorsement.

"President Nixon noted with great satisfaction that according to press reports the government of Sweden has offered use of its vessels and its territory to provide internment of prisoners of war from the conflict in Vietnam," the White House statement said.

"The President would hope that Hanoi will move promptly to negotiate an agreement on this issue to take advantage of this humanitarian offer on the part of the Swedish government," the statement concluded.

The United States had previously endorsed a South Vietnamese offer to send to a neutral country North Vietnamese prisoners of war who were sick or had been held four years or more.

The Hanoi regime, which has linked the discussions about the release of the prisoners to a date for complete U.S. withdrawal from Vietnam, has not responded to the U.S. and South Vietnamese offer, Ziegler said.

In a speech last Wednesday, Secretary of Defense, Melvin R. Laird mentioned the possibility that U.S. prisoners of war might be interned in a neutral nation. It was this speech which promoted the Swedish government offer, according to the French news agency report.

[From the Washington Evening Star, May 5, 1971]

SWEDEN'S POW OFFER REJECTED BY VIET CONG

PARIS.—The Viet Cong delegation to the Paris peace talks today rejected President Nixon's call for the Communist side to accept neutral Sweden's offer to intern all prisoners of war captured in Indonesia.

The North Vietnamese delegation made no comment. But the two Communist delegations have always taken the same position on issues at the Paris negotiations.

The White House announced yesterday that Nixon had noted the Swedish offer with "great satisfaction," and added, "the President would hope that Hanoi will move promptly to negotiate an agreement on this issue to take advantage of this humanitarian offer on the part of the Swedish government."

But Duong Dinh Thao, chief spokesman of the Viet Cong delegation, told UPI the President's plea was "a machination" of the American administration aimed at "sidestepping the true issues of the South Vietnamese problem."

Thao said the Viet Cong stands by its eight-point peace plan under which the question of prisoners of war would be settled only after President Nixon had set a date for the complete withdrawal of U.S. troops from Vietnam.

[From the Washington Evening Star, May 12, 1971]

SWEDEN FEELS IN MIDDLE OF POW PROPAGANDA

(By Robert Skole)

STOCKHOLM.—Swedish government officials won't say so publicly, but they are most unhappy over President Nixon's declaration on the possibility of American prisoners held in North Vietnam being interned in Sweden.

The Swedes feel that they are not only being used by Nixon in what is essentially a propaganda ploy, but that Sweden has been put in a position that could lead to difficulties in the future.

"Our position has been the same for years," said one official. "We have always maintained that we will do what we can in a humanitarian nature when it comes to prisoners. We have not said we will intern prisoners since we have not been asked to do so by both sides."

Swedish officials said they were taken by complete surprise on May 2 by the President's statement on prisoners, as released by Press Secretary Ronald Ziegler who said the President was pleased about reports that Sweden was willing to intern prisoners and arrange for transportation.

The Swedish Foreign Ministry says the American government never requested Swedish interning. The American Embassy here has never passed on such a request.

How the story got started, it seems, is through a press report saying that the Swedish-American Line had offered the U.S. government use of its passenger ships if there were a prisoner exchange. But this was a strictly private move by a private company, without any government connection, the foreign ministry emphasizes.

The Nixon statement already has caused some embarrassment to Sweden. The Swedish Broadcasting Corp. correspondent in Paris has reported that North Vietnamese delegates to the peace talks told him "Sweden has fallen into Nixon's trap." The delegates, too, were referring to press reports quoting the White House, who in turn, was quoting other press reports.

North Vietnam maintains it will talk about prisoners only after a definite date is set for pullout of all U.S. troops in Vietnam.

Swedes fear that the Americans will now claim with Sweden willing to accept prisoners; the United States agrees, but North Vietnam is holding back.

"Nixon has placed us in the middle," one government source said. "I'm sure, however, that the North Vietnamese realize what has happened, and that our relations with Hanoi won't be hurt. But we don't like to be used in an American political ploy."

Sweden is the only Western nation that has recognized North Vietnam. As a result of this, and Swedish criticism of the U.S. war in Vietnam, relations between Washington and Stockholm in recent years have not been the warmest.

In spite of its opposition to American policy in Vietnam, the government here does what it can to assist relatives of American prisoners held by Hanoi. On two occasions, Prime Minister Olof Palme received from Hanoi lists of prisoners' names, which he passed on to relatives.

WRITERS STRESS VALUE OF RURAL AMERICA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. EVINS of Tennessee. Mr. Speaker, a number of public opinion polls have shown that the great majority of the people who live in our metropolitan cities would prefer to live in smaller towns and rural areas of America.

In this connection two distinguished writers for the New York Times, Mr. James Reston and Mr. Tom Wicker, have recently written interesting columns which relate to life in metropolitan areas and in rural areas.

Mr. Reston in his column points out that many Americans are purchasing old homes in the countryside which they are repairing and enjoying on weekends, thereby escaping from the teeming urban complexes.

Mr. Wicker in his column emphasizes the monotony and sameness of big cities where much of the business establishment is dominated by national franchise organizations.

Because of the interest of my colleagues and the American people in this most important subject, I place in the RECORD herewith the articles by Mr. Reston and Mr. Wicker.

The articles follow:

VIEW FROM THE HILLS

(By James Reston)

FIERY RUN, VA.—There is news—and not all bad either—from China and the Middle East these days, but life goes on in America, too. In the last 25 years, this area of the United States from Tidewater, Md. and Virginia to the Blue Ridge has been transformed by the movement of people and capital.

The cities at the mouths of the great rivers—the Shenandoah, the Potomac, the Rappahannock, the York and the James—have grown spectacularly and expanded toward the hills. Meanwhile, the poor whites and blacks have abandoned their shacks in the mountain coves and valleys, and city folks have replaced them and restored the tumbling old houses and eroded land.

A NEW CLASS

Much has been said and written about this tragic migration of the poor into the cities, but very little about the new class of weekend and early retirement Americans who are moving beyond the suburbs and renewing both themselves and the earth.

This is not a large migration as yet. Outside of the very rich who have taken the old mansions or built new ones, and gone into tax deductible farming, it is mainly a movement of middle-class people from the professions and businesses who have bought small holdings and fixed up abandoned farmhouses in an effort to escape from the cities and hold their families together by giving the children some feeling for the privacy and beauty of country life.

HOLDING TOGETHER

The results of this revolt against present urban living are, on the whole, fairly good. There is, of course, something contrived and even false about it, for money earned elsewhere substitutes for the hard work of tearing a living from the soil, but even the sophisticated young men and women today seem to like it, and when the children are very young and later when they begin to doubt even their own assumptions—but not in between—"the place in the country" helps hold the family together, not much, but some.

It is, of course, hell on the women, who have to put up with the old man's job problems all week and then gather the clan and get ready to go to the country, and feed and bed them, and get back exhausted, meanwhile listening to the stupidities of the Vietnam War and the old generation, which, according to the young, created and even planned it all. But at least the family is together, bringing in the wood and taking out the garbage, and talking about the problems and dreams of life.

NOT SILENT

So maybe "the place in the country" is one answer to the modern family and national problems. Despite the population explosion—25 million more Americans every 10 years, more people and more difficulties in both the cities and the suburbs—America between the teeming urban complexes is still almost vacant.

But it is not a silent wilderness. Life in the country in America, today, thanks to rural electric power, national television, good roads, and the garden tractor, has never been more comfortable or more in touch with the noisy world—if you want to be in touch with it.

Even the services of the American countryside—to say nothing about personal security and courtesy—are better here in the foothills of the Blue Ridge than in Washington or New York, and besides, it is quiet and spectacularly beautiful.

So when the war in Vietnam is over, maybe it will be possible to think again about using this elemental force of privacy and beauty in America—about planning the redistribution of industry and population.

The United States is not overcrowded, but taken as a whole, or in comparison with other countries, seems almost empty.

TOTAL PLANNING

Its cities and suburbs are increasingly congested, and its ground transportation is a disgraceful tangle, but the land and the skies are still wide open, and the possibilities of the helicopter, outside the battlefield, have never even been seriously studied.

"What we need," Vice President Agnew said to me the other day, "is total environmental planning," and if Agnew, the symbol

of modern American conservation, can reach this conclusion, it should be possible to think politically about the redistribution of industry and people, so that personal life and professional life in America are not quite so far apart as they are today.

NOTES OF A TRAVELER

(By Tom Wicker)

DURHAM, N.C., May 12.—The airport here is halfway between Raleigh and Durham. The former is North Carolina's capital and north-south traffic used to run right past the old State House building that distinguished the city. Durham, not too many years ago, was easily recognizable as a cigarette manufacturing center.

Now the political and social and economic change that has come to the South makes the two cities seem, to the casual traveler, all but interchangeable. What's more, to one who has been roaming the South in recent weeks, either could about as easily be Montgomery, Ala., or Little Rock. And while the brand names might be different elsewhere in the country and the drawling voices of the South are still distinctive, the urban scene here is getting to be sadly like Indianapolis, Sacramento or Des Moines.

Spurred on by growing traffic and Federal grants, the cities of America—for instance—have spawned a pervasive new architecture—Airport Modern—that is now as commonplace as the Railroad Gothic of a half-century ago. Glass, steel, concrete, plastic, prefab panels—the materials of the new architecture are as severe and chilling as the sharp-edged design that gives most air terminals an atmosphere of harsh efficiency and rootless speed.

Side by side, past the trip insurance and checked-in counters, Hertz and Avis carry on their endless, meaningless war over whether 'tis better to be No. 1 or No. 2. Other than for the color of the miniskirts filling out the form, it's hard for the customer to tell the difference, as he hands over his driver's license and credit card (which would it be today—American Express, Diner's, Carte Blanche, Bank Americard, Air Travel? No. 1 and No. 2 eagerly take them all).

Even if he goes all the way to No. 3, the traveler still can't tell the difference—certainly not by the power-steered, power-braked, air-conditioned, gas-guzzling behemoth into which he is ultimately strapped. Any red-blooded American boy used to be able to tell at a glance a Ford, a Chevrolet or a Plymouth, let alone anything as grand as a Chrysler, a Caddy or a Lincoln; but now an auto renter needs a catalog and a guide in order to tell whether he's at the collapsible, Nader-style wheel of a Catalina, a Cougar, a Charger, a Mustang, a Malibu, a Pinto, a Nina or a Santa Maria.

Is it a quick trip in and out? Then the traveler registers at the nearby motel, the gaudiest monument of Airport Modern, where in the Toreador Lounge two impaled flaccid olives are automatically included when the tired blonde in the bunny costume brings the martini with a twist. And in the Country Squire Restaurant off the lobby a hamburger steak is inevitably a charcoal-broiled, hickory-smoked chopped sirloin smothered in mushrooms. Howard Johnson's, Holiday Inn, Sheraton, Hyatt House, Ramada, Downtowners, Albert Pick, Statler Hilton—remember to dial 8 for long distance and that the lifeguard is never on duty after 6 P.M.

Eating roadside food in America used to be a gamble with loaded dice; heartburn was certain if ptomaine was only possible. Now, progress has taken danger out of the game and the ubiquitous fast-food industry guarantees the same lack of taste and nourishment in the crinkled French fries and quarter pound beefburger you get in Nashville, Charlotte, Harrisburg or Butte.

It is easy, nowadays, to get downtown from any airport—just guide your rented charger onto the beltway, the interstate, the freeway, the boulevard, and whether it is the outer loop, the inner link, or the Thruway, after breathtaking adventures, you will be spewed out into a traffic jam just past the shopping center and across the street from the mobile home dealership.

Downtown itself is depressing everywhere. In the old hotel, the bellboy's red jacket is likely to be frayed and the elevator may jerk alarmingly; the Paramount and the Roxy are showing skin flicks and the gaudy tile of the storefronts cannot conceal the age and decay of the buildings underneath. Somebody has put up a pre-stressed skyscraper in the middle of town, trying to stave off the trend of the shopping center, but the interstate is cutting a raw swath through the old warehouse district.

You can still get splendid seafood at the Elite Café in Montgomery. The Printer's Alley nightclub and the Grand Ole Opry are flourishing in Nashville, and south of Broad in Charleston the beautiful old houses still stand serenely under moss-hung trees. But these familiar touches are the exception in the new, prosperous, progressive homogeneous South, with its concrete arteries and shrieking jets and piercing neon; and the South itself seems every year more nearly an interchangeable part of the vast, grim sameness of a nation that has discovered in mobility that no one need ever leave home because everything and every place can be made to look, taste, feel and sound like every other thing and place.

So maybe Airport Modern was the American Dream all along; what else have we been so nearly able to spread to every part of the country?

PRISONERS OF WAR

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. CHAPPELL. Mr. Speaker, over 85 long months, or to be exact—7 years and 49 days have passed since Capt. Floyd Thompson was taken prisoner of war in Southeast Asia.

As we remove more and more troops from Vietnam, I am increasingly concerned for the very lives of our prisoners. I submit to you that these men were sent by this country to fight in Vietnam and they honorably did their jobs. In doing so, they were captured by the enemy and have given much more of their lives to our Nation than the average serviceman. Their days and weeks stretch into months and years—with no end in sight for their freedom.

We must not—we cannot abandon these men to the everlasting monotony and cruelty of Hanoi prisons. Let us urge the President to direct our negotiators in Paris to attempt again in this 113th week of negotiations to agree with the Vietcong to a battlefield cease-fire as we, along with our prisoners of war, withdraw from South Vietnam on a timetable agreed to by both sides.

Mr. Speaker, we must not lose sight for even 1 day, that American soldiers are spending great stretches of their lives in prisoner-of-war camps. Let us today renew every effort to call world attention to the cruelty of this situation in the hopes that they will join us in demanding the release of our prisoners.

WESTERN HEMISPHERE HOSTS 8TH WORLD CHINESE TRADERS CONVENTION

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. DANIELSON. Mr. Speaker, today marks the opening of the Eighth World Chinese Traders Convention in Los Angeles, Calif. It is my pleasure to call this significant event to the attention of my colleagues in the Congress. This is the first time the annual conference has been held in the Western Hemisphere. Mr. Wilbur K. Woo, secretary-general for the convention, and one of my constituents, has estimated that over 550 delegates of Chinese descent representing some 50 countries will attend the conference.

Chinese businessmen, notable contributors in the fields of commerce and industry, will gather to strengthen and to expand trade relations and to promote economic growth among the countries and areas of the free world. Discussions will involve such topics as textiles and garments, foodstuffs, handicraft, plywood and wood products, chemical products, electronics and hardware, and tourist restaurants.

Special guests at this conference will include Mr. Sun Yun-Suan, Minister of Economic Affairs for the Republic of China, Mr. Kao Hsin, Chairman of the Overseas Chinese Affairs Commission, and Mr. James Shen, the new Ambassador to the United States.

In addition to the business sessions, there will be an extensive exhibit on display at the Biltmore Hotel featuring more than 120 products from Taiwan.

I would like to include in the RECORD the following fact sheet which gives more details on the history and the significance of the Chinese Traders Convention:

EIGHTH WORLD CHINESE TRADERS CONVENTION

Overseas Chinese number more than 19.5 million throughout the world. Most of them are engaged in commerce and industry. Their hard work and successful performance have given them an important role in the economic build-up of their places of residence.

The first Overseas Chinese Traders Convention was held in 1963 at the initiative of Chinese trade leaders in Japan. It was intended to promote cooperation and coordination among overseas Chinese traders and industrialists to expedite economic development in their countries of residence and to help strengthen the economic power of the free world.

Thereafter, the Overseas Chinese commercial community made the convention an annual event. The first seven meetings were held in rotation in Tokyo, Taipei, Manila and Bangkok. These were comparatively small and participants came only from Asian countries and areas.

Beginning with the sixth convention at Tokyo in 1968, the meetings altogether, attracted 1,450 overseas Chinese trade leaders from 41 countries and areas throughout the world. As a result, overseas Chinese traders have been enabled to strengthen their activities and establish regional economic cooperation programs and a world wide trade network.

The eighth convention will open in Los Angeles May 17—registrations have come

from more than 400 overseas Chinese trade leaders in 50 countries and areas.

Topics of discussion will include the promotion of capital investment, technical cooperation and expansion of trade relations among free world countries and areas.

A World Traders Week will coincide with the Los Angeles convention and Chinese export products will be displayed. A symposium with American traders and industrialists will be held immediately after the convention.

NAVY LEADER "RAPS" WITH ALL HANDS

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. ANDERSON of Tennessee. Mr. Speaker, when the U.S. Chief of Naval Operations, Adm. Elmo R. Zumwalt, initiated his new program for communicating with all hands, a message form which subsequently became know as Z grams, the idea seemed somewhat revolutionary for the conservatively oriented Navy. Nevertheless, from the beginning there were indications that Navy men were reading the Z grams and responding to their leader.

I have just read the excerpts from a speech delivered by the first enlisted man ever to lecture at the U.S. Naval War College and the lecturer is Master CPO Al Johnson. I am encouraged by this type of communications flow inside the Defense Department and commend an article about Chief Johnson's speech to the attention of my colleagues. The article appeared in the April 28, 1971, issue of Navy Times:

NAVAL WAR COLLEGE SPEECH: LANT FLEET MCPO REVIEWS ROLE

NEWPORT, R.I.—The following excerpts are from a speech delivered recently at the Naval War College by Master Chief Avionics Technician Albert T. Johnson, the first Master Chief Petty Officer of the Atlantic Fleet:

"My present position as Master Chief Petty Officer of the Atlantic Fleet represents . . . A rather startling change to the Navy's traditional policy of conducting all of its business through the normal chain of command. And on the surface, it might appear to some officers that my office is a challenge to their authority. I will let you judge that for yourselves as I discuss the aspects of my job and my experiences during the past 18 months.

"In two words, I'm a communications link. I serve as a direct channel of communications between fleet enlisted men and their dependents, and Adm. Duncan, the commander-in-chief.

"When I say Admiral Duncan, naturally, I mean his staff as well. We have an orderly and effective process by which we 'staff' the various recommendations and grievances which are channeled through my office. On the staff wiring diagram, I function under the Deputy chief for Operations and Plans, who is Rear Adm. Erly.

"I am also closely associated with Capt. Golden, who is the fleet career counseling programs officer, but my charter specificially states that I have direct access to Adm. Duncan and his deputy, and this is so.

"I accompany the commander in chief on most of his official trips. I submit detailed reports to him concerning my activities and various items of interest.

"I met with him privately at least twice a month, depending on the timeliness of my proposals, and I receive straight, timely response to my questions and proposals. * * * not respond so readily to a military discipline that was based on the intimidation. They generally resented being told to do something if they did not also understand why.

"We heard about the 'new breed,' and we saw them arrive in increasing numbers during the 50s. But we did not react sufficiently. We simply did not go forward with a coordinated approach, to adapt to changing times and attitudes.

"Up in the wardroom the same conflict existed to some extent between junior and senior officers, and the communications gap widened. Because junior officers and younger enlisted men shared similar frustrations, they were drawn closer together. And the more they identified with one another, the less effective our senior enlisted men became as supervisor. This worked a severe strain on the entire organization.

ACTION NEEDED

"These and other situations made it apparent that the Navy had to take swift remedial action. The senior enlisted adviser program developed, following CNO's lead with the appointment of a master chief petty officer of the Navy in 1967. This provided enlisted men with a focal point where they could direct their suggestions, ideas, recommendations and requests for information, and usually receive immediate and direct result on matters that were tending to become bogged down in administrative proceedings.

"There is no short-range solution to the retention problem, but this one aspect of a many-faceted approach that helped reinforce the credibility of the efforts that were being made. It helped stimulate communication, and by providing enlisted men with direct access to higher command, it helped encourage positive attitudes and helped renew motivation. Enlisted men were given a new sense of identity, dignity and importance.

"As a case in point, consider what happens in daily shipboard routine when word passes from person to person across different levels of experience. The exec puts out word to department heads at officers call. This word is passed on to division officers, then to chiefs, then to junior enlisted men. As it flows downward it criss-crosses generations of difference in basis thinking and experience, and gets interpreted accordingly.

"One way to bridge this situation is to call a combined meeting of division officers and CPO's when the skipper has important instructions to put out. The same basic word is then a reference for later discussions on ways and means to carry out the desired action.

"RAP SESSIONS"

"In a more general sense, it is helpful to encourage what the younger men call 'Rap sessions'—informal and voluntary discussions among officers, chiefs and other enlisted men to help each become more acquainted with the other's various viewpoints, and to help them find common ground for cooperative efforts.

"Then we come to a third category, which is the expression of attitudes by actions, rather than words. This expression communicates either concern or lack of concern—for individuals and special groups.

"One way to determine effectiveness of personal communications is feedback. And this must come in a broader form than the curt, 'aye aye, sir,' that is sufficient to satisfy some officers. Feedback can be registered by gripes, constructive criticism, suggestions, conversations or any number of ways. It is there, but someone has to be receptive and responsive to it for it to be of use.

"Feedback on undesirable conditions enables a command to dispel rumors, clear up misunderstandings, correct discrepancies, and boost morale by showing concern for crew welfare.

"Where command concern for the individual is obvious, feedback is stimulated. Men will not hesitate to discuss problems and accept counsel. Even if their feedback comes in the way of gripes, that is better than grim silence which accompanies bitter attitudes and deep frustration.

"FEEDBACK CHANNEL

"Right now I am able to serve as an effective channel for feedback, as I hold discussions around the fleet. And by encouraging this sort of feedback, we are getting the men to begin thinking and talking about their ships and operations. They take more interest in these things. They welcome more responsibility because they feel their judgment and opinions are valued.

"But the commanding officer also has a personal influence over his men other than that which flows through the command's administration. An enlisted man's personal feeling for his commanding officer can override the feeling he has for the command in general, and this can hold true in a positive or a negative sense. The enlisted man's impressions of his commanding officer are usually by a conglomeration of firsthand observations, factual information, scuttlebutt, and guesswork. But no matter how these impressions are formed, they will hold a strong influence over the man's attitude. This will hold true even if it is a vague and inaccurate impression.

"Many men know so little about their CO that their impression is merely a set of simple judgments about him. They decide that 'he's okay' or 'he's not okay' . . . ! He's sharp! or 'he's not so sharp'! . . . 'He takes care of his crew,' or 'he doesn't give a damn about us.'

"As the men become more informed about their CO, their impressions became more pronounced. Hopefully, this means that their loyalty deepens. And that their respect becomes more personal. A key factor in these impressions is the men's assessment of the CO's credibility—their judgment of whether he means what he says and says what he means. It will be a judgment they continually re-verify by comparing his actions to his words.

"Admiral Zumwalt has demonstrated how quickly men take an interest in a commander who takes an interest in them. Personal attention naturally impresses a man and he responds with respect and loyalty.

LEST WE FORGET

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 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, and I would 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. I insert the name of one of the missing:

Capt. Lionel Parra, Jr., U.S. Marine Corps., [redacted] Birmingham, Ala. Married and the father of three children.

The son of Mr. and Mrs. Lionel Parra, Sacramento, Calif. A 1965 graduate of Auburn University. Officially listed as missing July 17, 1968. As of today, Captain Parra has been missing in action in Southeast Asia for 1,034 days.

NATIONAL OPEN FOOD DATING BILL

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. ECKHARDT. Mr. Speaker, I think that we all owe a debt of gratitude to our former colleague Leonard Farbstein who, in the 91st Congress, started the ball rolling to get Federal action to insure the freshness of the food that the American consumer purchases. In April 1970 a pioneer bill was introduced by Mr. Farbstein to require open food dating but it received little committee attention. I can assure you that as a member of the Commerce and Finance Subcommittee of the House Committee on Interstate and Foreign Commerce that I and Chairman Moss who is cosponsoring the legislation will not allow this new improved bill to go unnoticed in that committee. We really have no way to gage administration support but if the lack of reaction by the Federal Trade Commission to a petition filed with that body on June 12, 1970, to require the open dating of packaged food is any indication, I would expect minimal White House encouragement.

We are proposing today a broad, entirely new, comprehensive piece of legislation to insure the shopper that he will be able to determine the freshness of the packaged products that he finds on the shelves of food stores. The bill is the result of many months of hard work by our staffs, who have consulted with various Federal agencies, manufacturers, retailers and consumer groups. I think that it is a good bill and a fair one and that it will not add any substantial burden on anyone in the food processing or retailing chain.

Dates are currently put on packaged food by the manufacturer or processor but in most cases the secret data is unintelligible to the consumer and even if the code is cracked the meaning of the date is ambiguous. We want, or rather we demand, that consumers no longer be kept in the dark in this area. That is what open food dating means. The sale of spoiled or tainted food to the unsuspecting and uninformed must be stopped.

It appears that only Federal legislation can accomplish that end. The few scattered efforts by various supermarket chains are inadequate since in most cases the dates are still in code and the burden is on the shopper to translate the code. State and local laws in this area are too limited to be effective. Only a national law requiring a uniform open date in plain language on each and every package of perishable and semiperishable food for sale will suffice. As an added aid for the consumer we would also require the label to include the optimum home storage conditions for that particular food.

Let me hasten to point out that this legislation is intended to help retailers as much as it helps consumers. Most retailers of food are also in the dark as to the meaning of the strange combinations of letters and numbers on their products. Stock rotation would be easier and the retailer could be assured that he would not be offending his customers by selling them overage food. The distributors need to know the dates also and for that reason our bill includes a provision requiring pull dates on shipping containers.

At least 25 countries now have open food dating and in none have the food manufacturers or retailers suffered and there has been no general increase in food prices resulting from letting consumers know just how fresh the products are that they buy. Selective buying has also proven not to be a problem.

The time for action in this country is now. My study of this issue has convinced me that open food dating will benefit everyone and harm no one except those persons in the food business who would intentionally choose to sell overage food. I have no compassion for them.

A section-by-section analysis of the bill follows:

SECTION BY SECTION ANALYSIS OF MAJOR PROVISIONS

A bill to amend the Fair Packaging and Labeling Act to require certain labeling to assist the consumer in purchases of packaged perishable or semi-perishable foods

SEC. 201. For purposes of this title:

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(2) The term "food" has the meaning prescribed for that term by section 201 of the Federal Food, Drug, and Cosmetic Act, except that such term does not include any fresh fruit or vegetable.

(3) The term "perishable or semi-perishable food" means any food which the Secretary determines has a high risk of any of the following as it ages:

(A) Spoilage;

(B) Significant loss of nutritional value; or

(C) Significant loss of palatability

(4) The term "pull date" means the last date on which a perishable or semi-perishable food can be sold for consumption without a high risk of spoilage or significant loss of nutritional value or palatability, if stored by the consumer after that date for the period which a consumer can reasonably be expected to store that food.

SEC. 202. (a) No manufacturer of a perishable or semi-perishable food for ultimate sale to consumers, may distribute his product for such sale unless the package is prominently labeled to show (1) the pull date for such food and (2) the optimum temperature and humidity conditions for its storage by the ultimate consumer.

(b) No retail distributors of such packaged perishable and semi-perishable food may sell such food unless the package is labeled pursuant to (a) above.

(c) Retail distributors of such packaged perishable and semi-perishable foods may sell such foods whose pull date has expired, but only if (1) the food is fit for human consumption, as determined under applicable Federal, State, or local law, and (2) the food is physically segregated from like food whose pull date has not expired, and (3) the food is clearly identified as having passed the pull date.

(d) The shipping or outside wrappers and cartons of perishable and semi-perishable food must be marked with the pull dates of those foods in order to facilitate stock rotation.

(f) (1) The pull date and optimum storage conditions shall be prescribed by regulations of the Secretary of HEW.

(2) The pull date shall be expressed in the commonly used letter abbreviations for months of the year and such combination of numbers describing years, as will permit ready identification of the day, month, or year comprising the pull date, without reference to special decoding information.

(3) The pull date determination shall be made after consultation with the submission of data by food manufacturers.

SEC. 203. Any person who violates this Title shall be imprisoned for not more than one year or fined not more than $5,000 or both. Violation of this Title after a previous conviction or with intent to defraud or mislead, is punishable by imprisonment for not more than three years or a fine of not more than $25,000 or both.

PLIGHT OF THE JEWS IN RUSSIA

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. FRENZEL. Mr. Speaker, there is a growing concern over the plight of the Jews in Russia. Many of us have introduced resolutions this year to bring worldwide attention to this deplorable situation.

Two statements have recently come to my attention from the State of Minnesota which I feel should be read by every Member of the House. The first of these is a statement adopted by an ecumenical service of concern for Russian Jewry and sent to various world leaders. The second is a resolution now pending in the Minnesota Legislature memorializing the President and Congress to make efforts to relieve the situation of Soviet Jewry.

Mr. Speaker, I hope that this country will make every effort to help Jewish people in Russia to live in accord with their cultural and religious heritage and to emigrate to Israel if they wish.

The statements follow:

CONCERN FOR RUSSIAN JEWRY

We, religious leaders of Minneapolis, Minnesota, joining with others similarly concerned with the faith and future of all persecuted people, have come together this evening to decry the policy pursued by the government of the Soviet Union in suppressing the historic Jewish cultural and religious heritage and refusing to accede to the lawful wishes of those Soviet Jews who desire to emigrate to the land of Israel.

This constitutes a flagrant violation of human rights which the Soviet Constitution pledges to uphold and which is enshrined in the Universal Declaration of Human Rights as contained in the Charter of the United Nations.

At this Service of Concern, we call upon all religious leaders of all faiths to join with us in urging Soviet authorities.

To recognize the right of Soviet Jews who so desire to emigrate to Israel, and to ensure the unhindered exercise of this right.

To enable the Jews in the USSR to exercise fully their right to live in accord with the

Jewish cultural and religious heritage and freely to raise their children in this heritage.

To put an end to any defamation of the Jewish people in the Soviet Union.

Archbishop LEO BYRNE,
Archbishop Coadjutor of St. Paul and Minneapolis.
Dr. MELVIN A. HAMMARBERG,
President, the Minnesota Council of Churches.
Dr. JOHN CUMMINS,
of the First Universalist Church and past president of the United Nations Association of Minnesota.
Rabbi MAX A. SHAPIRO,
Temple Israel.
Rabbi HERBERT S. RUTMAN,
Temple Israel.

April 16, 1971.

A RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS TO MAKE EFFORTS TO RELIEVE THE SITUATION OF SOVIET JEWRY

Be it enacted by the Legislature of the State of Minnesota:

Whereas, the tragic conditions of Jewish life in the Soviet Union have neither eased nor improved in recent years. Suppression of Jewish culture, restriction of religious expression and lack of equal opportunity continue to be the official policy of the Soviet government. The virus of anti-Semitism continues to afflict other Communist countries such as Poland, where the diminishing number of Jews has not mitigated the poisonous growth of anti-Semitic prejudice against the Jews. Despite the continuing discrimination by the Russian government of Jews behind the Iron Curtain they seem even more determined to preserve their Jewish identity. We applaud their courage and uphold their hands; now, therefore,

Be it resolved, that we urge our President, Congressmen and Senators to pledge their energies to an intensified campaign to keep the plight of Soviet Jewry before the world's conscience and urge them to plead the cause of the right of Soviet Jews to emigrate and be reunited with their families, in keeping with the so far unfulfilled commitments of Soviet leaders.

Be it further resolved, that the Secretary of State of the State of Minnesota be instructed to transmit copies of this resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to the Minnesota Senators and Representatives in Congress.

EXPLORING AMERICA'S MEDITERRANEAN

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. FASCELL. Mr. Speaker, after years of scientific neglect, the Caribbean is being probed and measured in a cooperative study by 15 nations.

The project is known as the Cooperative Investigation of the Caribbean and Adjacent Regions, or CICAR. U.S. participation is now being funded by a National Science Foundation grant under the International Decade of Ocean Exploration program.

The International Coordination Group for CICAR met in Trinidad to review initial efforts and plan future operations in scientific investigation of the Caribbean. The head of the U.S. delegation to this meeting and the U.S. national coordinator for CICAR is Harris B. Stewart, Jr. Dr. Stewart directs the National Oceanic and Atmospheric Administration's Atlantic Oceanographic and Meteorological Laboratories in Miami, Fla.

An article by Dr. Stewart concerning the progress of CICAR appeared in NOAA, the house organ of the National Oceanic and Atmospheric Administration. I commend this report, entitled "Exploring America's Mediterranean" to the attention of our colleagues.

The text of the article follows:

EXPLORING AMERICA'S MEDITERRANEAN

It is interesting—if not discouraging—that so little scientific work has been done over the years in "the Mediterranean of the Americas."

The Caribbean Sea with its adjacent Gulf of Mexico is, oceanographically speaking, still poorly described and even less well understood.

Now, its dynamics, its contained life, its bottom topography and tectonic framework, its interactions with the overlying atmosphere, and the dynamics of the atmosphere above it are the subjects of a cooperative international investigation sponsored by the Intergovernmental Oceanographic Commission.

Officially called the Cooperative Investigation of the Caribbean and Adjacent Regions—CICAR for short—its field phase began in 1970 and will continue through 1972. Originally proposed by Dutch oceanographers, the idea won quick acceptance among the larger Caribbean countries and many of the maritime nations with or without territorial claims in the CICAR region. Since then, several of the smaller countries bordering the Caribbean have also joined in, so that as CICAR enters its second year of field operations some 15 countries are involved: Brazil, Colombia, Cuba, Germany, France, Guatemala, Jamaica, Mexico, Netherlands, Panama, Soviet Union, Trinidad and Tobago, United Kingdom, United States, and Venezuela.

Because so little is known of the oceanography of the Caribbean and the Gulf of Mexico, much of the CICAR effort is of a reconnaissance or survey nature. This is particularly true of the marine geophysics and the marine biological and fisheries programs.

The United Kingdom, the Dutch, and the United States are all involved in systematic surveys of the bathymetry, gravity, and magnetics of the Antillean arc and the A, B, C's, as the islands of Aruba, Bonaire, and Curacao are known.

The Cubans are deeply involved in standard repeat sections of observations along lines radiating out from their island, sections along which they make repeated collections of plankton and measurements of the physical and chemical properties.

The Colombians recently completed a successful cruise along several standard sections to evaluate the upwelling area off the north coast of South America, and NOAA's National Marine Fisheries Service with the *Oregon II* has made several cruises to evaluate the fisheries potential of the area.

Since the available data in the CICAR area are comparatively few, it has been difficult to identify specific research problems that would lure research oceanographers from their previously planned projects in other portions of the ocean. One outstanding exception among U.S. oceanographers has been the interest in determining circulation patterns in the Caribbean and the Gulf of Mexico. At a meeting held in Miami last summer, physical oceanographers from the eastern seaboard and the gulf coast identified two aspects of the overall circulation that they particularly wanted to investigate in view of the importance of the CICAR area as the source for the Florida Current and much of the water of the Gulf Stream. Highest priority was given to the currents in the Yucatan Channel and the circulation of the Gulf of Mexico. The second problem to be investigated is the complex movement of the waters through the passes between the Antillean Islands.

While the *Atlantis II* of the Woods Hole Oceanographic Institution investigated the currents in the passes, a large cooperative Mexican-U.S. effort was mounted in the Yucatan Channel and the eastern Gulf of Mexico. This latter effort, called the Eastern Gulf of Mexico Expedition, has consisted thus far of three carefully planned multiship operations, with a fourth one now in the planning stages. Ships from the several universities of the State University System of Florida, from Texas A&M, the University of Miami, NOAA's *Discoverer* and the *Uribe* from Mexico worked together to obtain data on the elusive Loop Current in the Gulf of Mexico and on the distribution of eggs, larvae, and other planktonic organisms.

A CICAR Tides Program under the international direction of Bernard Zetler of NOAA's Atlantic Oceanographic and Meteorological Labs in Miami is well underway. Records from tide gages on the coasts of Cuba and Mexico have recently gone to the National Ocean Survey for analysis, and data from six Ocean Survey gages throughout the Lesser Antilles are being used to piece together the tidal picture for the whole region. A NOAA deep-sea tides projects will place bottom-mounted pressure-type tide gages at critical points throughout the area to help in determining the tidal characteristics of the entire basin. More specifically, two one-month sets of open-sea tide measurements will be made with bottom-mounted gages deployed by the NOAA ship *Discoverer* this fall in the area of the semidiurnal amphidromic point in the eastern Caribbean. Tidal current analyses are even now being run on the data from near-bottom current observations obtained by the Discoverer in the Yucatan Channel in 1970, and analyses are planned on current data obtained by Woods Hole oceanographers in the passes between the Antillean Islands.

The United States' effort in CICAR is truly a cooperative one. From the federal government, personnel and facilities are committed from the Geological Survey, the Navy, the Coast Guard, the National Science Foundation, and NOAA's various components. From the university community, there is broad representation including Woods Hole, University of Rhode Island, Lamont-Doherty Geological Observatory, Princeton, Duke, Florida State University, University of South Florida, Florida Institute of Technology, University of Miami, Texas A&M, University of Puerto Rico, and the Scripps Institution of Oceanography.

The National Marine Fisheries Service, particularly with the Oregon II, is heavily involved in the fisheries aspects of the CICAR program. In January of this year, the Oregon II and the Uribe from Mexico met near Alacran Reef (22°30'N, 89°45'W) to intercalibrate various nets for sampling larval and juvenile fishes and to demonstrate the use of the so-called "bongo nets" to the Mexicans. This operation was under the direction of Ken Honey from the NMFS Lab at Boothbay Harbor, Maine, as Chief Scientist, and Bengt Arpi of the FAO mission in Mexico was in charge aboard the Uribe.

NOAA's Tropical Atlantic Biological Laboratory at Miami is serving as the central agency for the CICAR drift bottle program. Feodor Ostapoff of the Atlantic Oceanographic and Meteorological Laboratories is the International Coordinator for CICAR meteorology, and plans to conduct sea-air interaction research aboard the Discoverer in the CICAR area this fall. Zetler is the subject leader for tides, and his own project in this

field is progressing well. NOAA's ships are participating. NOAA's physical oceanographers, NOAA's fisheries scientists, and NOAA's marine geophysicists are involved, and the National Oceanographic Data Center is heavily involved as the central data repository and distributory for CICAR.

Through the International Decade of Ocean Exploration, first-year funding has just become available from the National Science Foundation for the CICAR program, and it is anticipated that NOAA's role in CICAR will continue to be a larger portion of the United States' contribution to this international cooperative venture.

WHEAT INDUSTRY

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. FOLEY, Mr Speaker, The importance of agricultural research is pointed out clearly in a recent statement of policy issued by the Washington Association of Wheat Growers. The association, with headquarters at Ritzville, Wash., has been in the forefront of efforts to obtain adequate funding of research programs of the Department of Agriculture. Therefore, I would to call the attention of my colleagues to the association's statement:

STATEMENT BY THE WASHINGTON ASSOCIATION OF WHEAT GROWERS

The Washington Association of Wheat Growers is concerned with an apparent shift in governmental policy with respect to agricultural research. Recent conversations with Agricultural Research Service personnel in Beltsville, Maryland, lead us to believe policy now is to gradually and permanently reduce public fund support for agricultural research leaving this activity increasingly to private entities. One of the apparent purposes is to increase the amount of funds available for use in solving urban problems.

We do not hold that total commitment of federal funds to agricultural research cannot be reduced without creating disproportionate damage to the U.S. economy and consumers. We do not hold that diverting some of this funding to other purposes would not be beneficial. We do submit that if extreme care is not exercised in judiciously selecting the areas in which this research is reduced then the losses to the agricultural sector of the economy and the general public could far outweigh the benefits of the alternate use of the funds.

There are two areas of research in which we believe the public cannot afford to discontinue support. One is the agricultural sector that is heavily involved in world market competition—for instance, wheat.

In testimony presented to the Washington State Legislature in February 1970, WAWG President William McGregor said, "It is a fact, though a fact that is apparently not sufficiently understood, that agriculture is a research dependent industry.

"I am going to talk about the wheat industry, not because our situation is unique but simply to illustrate the role of agricultural research in maintaining the economy of the state.

"The value of Washington's wheat crop has averaged $136 million at the farm gate during the last three years. Direct and indirect gross product generated by these sales is estimated in the "input-output" tables developed by the University of Washington Graduate School of Business at $190 million. The total impact on Washington's economy has been $264 million per year.

"Most of Washington's wheat goes into foreign export so wheat is a major contributor every year to Washington's favorite foreign trade balance. The wheat industry, along with the rest of agriculture, has provided a base of stability in our present economic slump.

"You are all aware that the value of wheat relative to the value of farmer's cash expense items has been declining for years. The wheat industry has been able to make these contributions to the State's economy in spite of the cost price squeeze only because it has constantly and rapidly increased its efficiency. These strides in efficiency, in turn, are directly dependent on the agricultural research program at Washington State University, the Washington State University USDA–ARS program and the Extension education programs that translate the results of research into working management programs on the farm."

In stressing the need for uninterrupted and undiminished research as a means of keeping Washington's agricultural industry growing and competitive in foreign markets, McGregor said, "We could not survive today using the technology of 1961 or even 1965. When agricultural technology stagnates the agricultural economy stagnates and the whole economy of the state soon feels the pinch, in Seattle as surely as in Ritzville.

"The commercial life of a variety of wheat in this state is about five years. But it requires at least ten years, usually longer, to develop a new variety. To maintain the levels of production and the competitiveness in world markets that we have achieved we must have a long term, continuing research effort.

He further said, "What is true of plant breeding is equally true of plant pathology, soil moisture management and the host of other research areas that must progress in co-ordination to achieve and maintain a profitable agricultural production system."

In support of Mr. McGregor's testimony and in further illustration of the importance of USDA–ARS research to not only this nation but to the hungry of the world, Mr. J. L. DeWitt, Washington Association of Wheat Growers Vice President, said, "In 1948 Dr. Orville Vogel, working at (the) Washington State University Station of the USDA-ARS, made the first crosses which 13 years later led to the release of the world's first high yielding, semi-dwarf wheat. This wheat, called Gaines, and its sister selection Nugaines, have annually added 18 million dollars of gross income to Washington State's agriculture since 1961. In terms of Gross Product added to Washington's economy, the figure amounts to 43 million dollars annually.

"But even more important, this research has had world wide application of immense magnitude. Dr. Norman E. Borlaug, whom you will recognize as the recipient of the 1970 Nobel Peace Prize, took seed of Dr. Vogel's early selections to Mexico and began transferring the semi-dwarf habit to Mexican wheat. By the early 1960s, he had developed varieties that were both high yielding and widely adapted. Mexico rapidly moved from an importer to an exporter of wheat. Soon after the introduction of these varieties to West Pakistan, that country increased production by 171 per cent. India's wheat production has risen by 50 per cent since introduction of these varieties. The results in many other food division countries have been equally astounding.

"Yes, 20 years after Dr. Vogel's now historic crosses were made this world experienced a green revolution which has helped fill the stomachs of millions of hungry people. Wouldn't it have been a shame if budgetary cuts had been made in 1948, and this important germ plasma had been discarded or put on the shelf?"

Mr. McGregor's and Mr. DeWitt's statements point up three things: One, the important role public funded agricultural research has played in developing an agricultural production industry that provides the U.S. consumer with the lowest cost and most abundant food supplies of any nation in the world. Compare the 16% of disposable income that the average U.S. consumer pays for his food supply; that price does not require the sacrifice of lining-up for the privilege of purchasing. It also buys high cost processing, packaging and transportation services that allows all kinds of food to be purchased for heat-and-serve use—a convenience universally available only in the United States.

Nowhere else in the world is food so cheap and abundant that the consumer can spend such a small portion of his disposable time buying and preparing the food necessary for the sustenance of life. These are only part of the public benefits of past farm policy—including research.

Second, this research-developed technology, and related farm programs, has enabled U.S. agricultural producers to sell 25 per cent of their production in world markets in competition with other world producers in spite of the fact that the U.S. has the highest standard of living in the world. The favorable contribution this has made to U.S. balance of payments is tremendous.

Wheat is a major item in these exports. Private plant breeders have told us they cannot yet match even our older Pacific Northwest varieties for yield and quality. The same may be true of other commodities that contribute heavily to exports. It is important that public funding for research not be withdrawn from specific projects until private industry had demonstrated ability to maintain the results.

Third, U.S. agricultural policy, including its research policy, has enabled the U.S. to become the mightiest industrial nation in the world. Only because U.S. consumers can buy the first essential—food—at the lowest cost have they had available the money with which to buy the products of an industrial economy and the capital to spend on industrial development. We would do well to look long and hard, not only at overall policy, but at specific changes in money expenditure policy before deciding which areas will give greatest public benefit.

The other area of agricultural research that we must take care not to short is product development for regions upon which new production demands are being made. As U.S. and world population grows new areas of population concentration arise. At the same time urban sprawl preempts prime agricultural land. The result is markets for new products become continually available to all agricultural regions. This requires continuing development within agriculture and the development of plant varieties adapted to new environments. The development of adapted varieties for new areas is a risky business. Private plant developers, unlike the public, cannot view economic activity and jobs created as a return on research investment; hence, they cannot mount sustained research programs of the magnitude needed for successful regional development.

An illustration of how important product and technology development is to overall agricultural development—and to the public—can be found in the Columbia Basin region of eastern Washington.

Expansion of population, urban sprawl and agricultural technology in recent years has made it economical to "marry" the land and water resources of Eastern Washington. Potatoes were one of the products in demand. Until 1963 the potato industry never really got off the ground—the region had a potato quality problem. The results, once the prob-

lem was solved, are stated in a memorandum from Dr. Eldon Weeks, a Washington State University Agricultural Economist, to Dr. Louis Madsen, Dean of the College of Agriculture, WSU. The memorandum says:

"I solicited the help of Larry Summers, an ERS employee at the University of Idaho, to estimate the size of the potato processing industry in Washington. We concluded that in 1969 gross sales of this industry were in the neighborhood of $100 million and that this industry purchased approximately 70 percent of Washington's potatoes (pounds) or $25–30 million worth.

"If we can assume that potato processing plants have approximately similar structural input-output characteristics to the aggregate food processing industry, their total payments to wages, rents, profits, depreciation, and indirect business taxes were in the neighborhood of $32–35 million and their employment (rough estimate) probably was about 3,000.

"In terms of both direct and indirect effects, this would appear to be an addition to the Washington economy of approximately $120 million per year in Gross Washington Economic Product and (rough guess) 5–7 thousand jobs, all told. This is all over and above the benchmark year of 1963.

"In addition, reference to acreage data would indicate that crops normally thought competitive with potatoes did not decline in the aggregate. The other side of this observation is that the potato processing industry was built on expanded irrigated acreage. Potato production was valued at $13.8 million in 1963 and about $42–44 million in 1969."

In summation let us say that the United States has not for several generations seen food shortages. This is the result of public funded agricultural research. Private plant researchers, including funds made available by farmers for research, is successfully relieving some of the need for public research. But there are some research areas in which private funds cannot fully replace public funds. One area involves export products going into highly competitive foreign markets—products which are important to the public interest in trade balance. A second area involves plant variety adaption, disease research and production technology for continued agricultural development in both old and new U.S. producing regions.

It would be tragic if we ever lost sight of the fact that U.S. agriculture policy is responsible for our nation's overall development and decided it was not longer in the public interest to continue pursuit of this policy.

PETE HAMILL SCORES SST

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. ROSENTHAL. Mr. Speaker, the recent revival of the supersonic transport project was a most disappointing example of throwing good money after bad.

In these troubled times, that money—the SST represents an investment of billions and billions of tax dollars—could be better spent on improving the level of health care, raising the standard of education, eradicating hunger and poverty, cleaning the environment and bettering the quality of life in the United States.

New York Post columnist Pete Hamill has expressed this conflict of priorities with his usual skill in a piece entitled "The Swindle." I am inserting it in the RECORD at this point:

[From the New York Post, May 13, 1971]

THE SWINDLE

(By Pete Hamill)

The House of Representatives has now declared that New Yorkers can slowly die but that the Boeing Co. must go on forever.

By a vote of 201 to 195, the House voted yesterday to put another $85 million into that discredited piece of technological junk, the SST. The money was supposed to be for funeral expenses, to terminate all contracts involved in the development of the supersonic airplane. Now, instead of getting rid of the thing for good, they have opened up the debate all over again. And while the debate resumes, with the final resolution in the Senate coming up, Brownsville riots, and New York cannot get its hands on its own tax money.

That $85 million is going to an airplane that will never fly commercially. It won't fly because nobody will buy it and because New York—if it is smart—will not allow the plane to land here. It doesn't really matter that the French-British Concorde has already been flight-tested with President Pompidou on board; the plane can fly all over France with Howard Hughes at the wheel. If it can't land in New York, it will be no competition with anything except the Mars flying boat.

The $85 million is, in fact, a simple device to save the Boeing Co. We couldn't get ten cents from these people to save Brownsville, because that involves New Yorkers. The people in the House think about the Boeing Co. in terms of white, crew-cut, "decent" folk, with mortgages and kids in school and the car to keep up and things like that. New Yorkers are the unworthy poor; the white folk in Seattle are the worthy poor. So the only way to save the worthy poor from the ultimate dishonor (welfare) is to use the SST as a welfare program.

It also represents the durability of the myth of technological progress. Apparently there are still many in Washington who believe that technological progress is a straight line, heading up. If you *can* build something, then you *must* build it. It is technologically possible to build an SST, therefore we must build an SST. If we don't, the Russians will continue to build their SST, the French and the British will develop theirs, and America will be reduced to a pitiful helpless giant, technology-wise.

All over the world people will be sitting around giggling. Farmers in Ceylon will come up to each other and say: "Hey, Chung, you hear about the Americans? They don't even have an SST." Guys in cafes in Khartoum will mutter into their beer: "Hey, man, what's happenin' to the good old U.S. of A? The French got a plane flies to New York two hours faster than the 747." The Viet Cong will increase their vicious attacks, spurred on by the knowledge that the Americans are on the ropes. After all, U.S. developed the automobile, which has brought such bliss and happiness to city-dwellers from Rome to Sydney. We have given mankind the electric can opener, the electrified cattle prod, the pop-up toaster, the electric blanket, the Lexington Av. Express and the mass-produced stickball bat. Such marvels didn't happen by accident. They happened because we were smarter, braver, more daring than anyone else, and also because God was on our side, a sort of ultimate engineer.

The whole debate about the SST was a quarrel over technology. The cost of developing large technological projects is enormous. The wealthiest corporation in the country is the U.S. government and that government rapidly became the banker for technological development. Congress will seldom spend money in vast sums if the project are for the good of American human beings. If however the good pols can be convinced that our prestige is at stake, or that we are in a life-and-death contest with the Russians, the Chinese or the Costa Ricans, the money will always be forthcoming.

So most of the development money went into what is laughingly called "defense." That meant that there were billions available to build atom bombs, hydrogen bombs, aircraft carriers, machine guns, tanks, helicopters, and all sort of other redundant hardware. A physicist could always get a government grant; a city planner had no chance at all. If a guy wanted to figure out a proposition in quantum physics, all he had to tell the government was that it would lead to dead Russians and the dough was on the way. Meanwhile, subways rusted, cities rotted, houses were town down and never replaced. Disease spread through the ghettoes; neighborhoods were destroyed; the air and the rivers were poisoned. Technology was misused and mangled while ordinary Americans suffered.

In the past year, with the Viet Cong and the North Vietnamese army continuing to prove that technology does not always win wars, and with the ecologist showing that uncontrolled technology can do irreparable harm to the earth, a reversal has begun. The killing of the SST was a major step in bringing sanity back into our relationship with technology.

Now the House is stepping backwards again, into a period when the government felt responsible for the development of a capitalist technology at the expense of the rest of us, who put up the money in the form of taxes. We should all hope that the Senate maintains its cool, reasoned approach to the problem, and that no more money is poured into stupid projects. Not while we have work to do right here, in all the cities of America.

RUMANIAN INDEPENDENCE DAY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. HELSTOSKI. Mr. Speaker, last Monday, May 10, was the traditional holiday of the Rumanian people. On that day Rumanians throughout the world celebrated three events which symbolize the historic struggle that the Rumanian people have fought to obtain their freedom and sovereignty.

On May 10, 1866, Charles, Prince of Hohenzollern, was proclaimed the Prince of Rumania, in Bucharest, and thus founded the first Rumanian dynasty.

The second event occurred in 1877, when the Rumanian people declared their independence from the Ottoman Empire. The Rumanians joined forces with the Russian armies, and played a significant role in the defeat of the Turkish forces in the Russo-Turkish War. At the Berlin conference of 1873, the independence of Rumania was secured, although Czarist Russia turned on her former ally at this conference and forced the secession of Bessarabia from Rumania.

The third event occurred in 1881, when Charles I was crowned King of Rumania, and six decades of stable government followed.

In 1945 the era of Rumanians true national sovereignty came to an end when the Soviet Union, through the presence of its Red army, forced the Rumanians to establish a Communist government that would be a satellite regime to the Krem-

lin. In recent years the Rumanian Government has made limited efforts to reassert its national independence and sovereignty from the dominance of Moscow. The possibility of this nationalistic movement in Rumania completely succeeding may be delayed, but the true spirit of Rumania will eventually make it succeed.

As seen from the long periods that Rumania has been ruled under foreign domination and the numerous times that the Rumanian people have been forced to fight for their nation's sovereignty and their own individual freedom, it is clear that today the Rumanian people live under Communist rule, and are no longer allowed to observe this 10th day of May as their national holiday of independence. However, they are permitted by their rulers to observe May 9 as the anniversary of Soviet victory over their country.

Mr. Speaker, I join with all Americans in recognition of Rumania's fight for freedom. I share with all others who cherish freedom the hope that Rumania again will be free. I salute not only the history of a proud nation, but a proud and independent people who in their long history, have known oppression many times, but whose spirit has never been broken.

Whether or not the goal of national independence for Rumania will really be achieved will depend largely on the ability of freedom-loving people around the world to preserve the tenets of liberty against totalitarian aggression. The unique spirit of Rumanian independence will flourish if we, as Americans, continue to champion the hope and the cause of freedom in the hearts of those who still live in bondage.

DEALING WITH THE PROBLEMS OF ENVIRONMENT

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. MOLLOHAN. Mr. Speaker, with the concern that most of us share for our environment and its protection, I think the time has come for us to focus on the need to develop an overall strategy for dealing with the problems of environment. I think it is particularly important that we see this as a new industry within the country and begin now to train young men and women to work within this field.

While the Government has established a program to help colleges begin education programs in the environmental sciences, our efforts are certainly in the most embryonic of stages.

Mr. Speaker, a distinguished scientist who serves us as an assistant professor of biology at Washington and Lee University has published an article in the magazine of that college. More than any of the mounds of material I have seen on the environment, Dr. Thomas G. Nye's article points out the directions our efforts must take, if we are to intelligently confront the challenges we face in that field.

Dr. Nye is a specialist in ecology and has made it his life's work. His remarkable work in that field dates from 1959 when he earned his bachelor's degree from Fairmont State College in West Virginia. He holds an M.S. in botany from the University of Kentucky and completed his doctoral work there as well. His Ph. D. is in biological sciences.

I would commend this article to my colleagues because of its clear and intelligent approach to a problem which baffles us all:

WHAT CAN WASHINGTON AND LEE DO?

(By Thomas G. Nye, II, Assistant Professor of Biology)

Once again Washington and Lee, no less than other colleges and universities, is faced with a new challenge. As Professor Graebner stated in his Founders Day address, "This age has little relationship to that of post-1865 America; thus the tasks of education in the two periods cannot be the same." The tasks of education during the post-1865 period have been, by economic necessity, concerned with facilitating technological development for the exploitation of resources. Throughout the United States the emphasis shifted from a primarily rural, agrarian economy based on individual enterprise, to an urbanized, industrial economy, strongly supported and encouraged by the federal government. Today we are faced with the even more complex problem of continuing our technological development while simultaneously striving to maintain, and in many instances reclaim, our own environmental habitat.

One might well ask how our nation has allowed itself to reach this point in terms of environmental pollution and contamination? The answer to this question is not entirely clear, but perhaps a closer look at the policies, or lack of policies, aimed at solving the problem during the past 100 years will help to clarify our present situation. As early as 1873, the American Association for the Advancement of Science called attention to the rapid exploitation of our forest resources; in 1879 Major John Wesley Powell, later of the United States Geological Survey, recommended to Congress a revision of the laws governing the land of the West, based upon the reality of the importance of water rather than acreage. Unfortunately legislators and an apathetic public ignored these recommendations for a decade until, finally, in 1889, Congress took the first halting steps in the direction of soil and timber conservation.

Against the opposition of western cattle, timber, and mining interests, the last three Presidents of the 19th century, Harrison, Cleveland, and McKinley, withdrew millions of acres from public entry and established them as forest reserves. The century closed amidst dawning public realization that the days of plentiful, cheap land were gone. McKinley's assassination in 1901 brought to the White House one of the staunchest presidential supporters of conservation, Theodore Roosevelt. His first congressional message announced that, "perhaps the most vital internal problems facing the nation are those concerned with forest and water." To further protect national forests from exploitation by special interests he reorganized the Forestry Service by placing it under civil service and appointing as its head, Gifford Pinchot, whose zeal matched the President's. To arouse and educate public opinion he sponsored first the Inland Waterways Commission to study water resources, then a White House Conference attended by leading conservationists and scientists, and finally the National Conservation Association to continue stimulating public interest.

Not until the 1930's did an administration threaten Theodore Roosevelt's record as the preeminent exponent of conservation. Nevertheless, during the period between the two Roosevelts the government did take several important steps. In 1910 Congress authorized the Bureau of Mines to safeguard the nation's mineral resources; the Water Power Act of 1920 regulated use of water reserves on public lands, and the Boulder Dam Project provided water power, flood control, and irrigation. Franklin Delano Roosevelt's interest in preserving our natural resources pervaded every part of his program. The relief-oriented Civilian Conservation Corps undertook the extensive project of forest protection. The Tennessee Valley Authority sought to reform an entire region's economy by reclaiming exhausted soil, reseeding timber lands, and establishing wildlife sanctuaries and recreation facilities. Other important conservation projects, on a more permanent basis, were carried out by the Public Works Administration. These latter projects included the elimination of pollution in streams, the creation of fish, game, and bird sanctuaries, and the conservation of mineral resoruces.

After World War II, public apathy regarding conservation returned. Only in the past four or five months has the subject caught the imagination. Attention has been focused on this topic by such governmental agencies as the National Science Foundation, Department of Health, Education and Welfare, and the Department of the Interior. The recent State of the Union Address and budgetary requests by President Richard M. Nixon have firmly established, as a first priority of the present Administration, the development of both immediate and long-term solutions to our environmental problems. In the words of President Nixon, "The battle for the quality of the American environment is a battle against neglect, mismanagement, poor planning and a piecemeal approach to problems of natural resources. It is a battle which will have to be fought on every level of government, not on a cacth-as-catch-can basis, but on a well thought out strategy of quality which enlists the aid of private industry and private citizens." We cannot hope to solve all of the myriad of environmental problems overnight, but we cannot afford to wait until tomorrow.

Recently much has been written concerning man's alterations of his environment or the ecosystem in which he lives. The term "ecosystem" was first proposed by A. G. Tansley in 1935. Tansley envisioned this unit as including "not only the organism-complex, but also the whole complex of physical factors forming what we call the environment." In such a complex system one must consider all the facets. Any study of environmental alteration would be foolish if it focused on only one facet of the organism-environment complex. Examples of this interaction are readily available to those who seek them and, unfortunately, examples of misjudgment of this complex are also available. Perhaps one of the most poignant examples of man's failure to consider the overall effects of environmental controls is the Aswan Dam on the Nile River. During 1966, scientists from a number of concerned countries gathered in Split, Yugoslavia, at a meeting sponsored by UNESCO. The results of this meeting dramatically illustrated an environmental imbalance which was precipitated by the presence of the dam. Originally the dam was constructed to provide a source of power and irrigation water for Egypt's lagging agricultural economy. The results of this meeting indicated, however, that although the Egyptians did benefit, the remainder of the Mediterranean economy suffered tremendously by irreparable damage to the staple sardine industry.

The question has now been posed as to how a dam on the upper reaches of the Nile

can affect a major industry located literally hundreds of miles away. Ecological studies have shown that prior to the building of the Aswan Dam millions of tons of dissolved phosphates and nitrates were annually carried into the impoverished Mediterranean Sea by the Nile. This rapid influx of nutrients initiated what ecologists call a "bloom" of phytoplankton (microscopic aquatic plants). In turn the phytoplankton provide nutrition for zooplankton (microscopic aquatic animals) which similarly "bloomed." The chain is thus established as young sardines flourish and grow rapidly on the great abundance of zooplankters in their diet.

Results of the meeting showed that the annual sardine catch in the Mediterranean Sea was decreased by 50 per cent, and it is anticipated the completion of the project may lower the catch to 25 per cent, or less, of its original figure, thus eliminating a major industry from the Mediterranean economy. At this date the total effects of this project are not yet known. Evidences also indicates that the *Schistosomiasis* disease will rapidly increase in portions of Egypt. This disease, producing irritability of the bladder and dysentery, enters the body by the alimentary tract, especially by drinking water, or through the skin of persons bathing or wading in infested waters. One of the alternate hosts of the organism responsible for this disease is a snail common to the waters of the Nile; thus as vast areas are flooded by the backwaters of the new dam the range of the infected snail will be greatly extended.

Such environmental alterations as the Aswan Dam point clearly to the gravity of unplanned adjustments of our environment. The complexities involving the interactions of physical, social, spatial, and biological relationships are indeed difficult to determine and thus far are, at best, poorly understood. The need for basic research is clearly evident, but I would caution these same researchers to avoid the pitfall of examining each of these facets as a separate entity. In the words of Dr. Melvin A. Bernarde, of the Hahnemann Medical College and Hospital in Philadelphia, "our environment is a vast complex incapable of being grasped by understanding any one of its parts." Only by considering our environment as a true system with interrelated parts is this research relevant.

Much of the popular writing today concerning "ecology," "our environment," "pollution," etc., is meant to appeal to the masses and contributes little toward solving the basic problems of our environment. Writers who have seen the smog of Los Angeles, the contamination of Lake Erie or the Hudson River, the strip mining destruction of eastern Kentucky, southwestern Virignia, and southern West Virginia, or the conversion of east coast salt water marshes into housing developments, have suddenly cast themselves into the role of "ecological savior." Within certain limits I readily admit that they are performing a service to our society by focusing attention on environmental problems. On the other hand, I am somewhat bothered by the possibility of our society actually becoming indifferent toward the programs designed to eliminate these problems because of boredom produced by constant bombardment and saturation by all news media. This latter alternative is one which we cannot afford, especially since we do have the technological knowledge, in many instances, to begin the necessary clean-up programs.

The challenge confronting all responsible colleges and universities today is to establish the role they must play in the forthcoming assault on environmental problems. The question is not whether we participate actively, for if we are truly a responsible educational institution, our participation may be assumed. The basic issue is: To what extent do we feel we can participate and make a worthwhile and relevant contribution toward solving these problems?

Washington and Lee University must soon address itself to this particular issue. Quite obviously we cannot establish a broad-based curriculum aimed at developing a new Department of Environmental Studies, although some schools such as the University of Wisconsin, University of Louisville, and the University of Virginia have already taken such steps. The initial and continuing costs, in terms of both space and money, make such an effort prohibitive for most smaller institutions.

From my own considerations, I would like to see Washington and Lee's role develop along two separate, but certainly interrelated lines. (1) There exists, within the present framework of the University, the possibility of establishing an interdisciplinary approach to an environmental studies program for undergraduates. Should the University find enough interest in such a program, the precedents have already been established. Interdepartmental programs already exist for pre-medical and chemical-engineering students at Washington and Lee. In addition, such a program would certainly harmonize with the recent changes in curriculum flexibility. Dr. F. Kenneth Hare of the University of Toronto has suggested that such interdisciplinary programs must by necessity be quite flexible and synthesizing in method and approach. This is in opposition to most interdisciplinary programs which usually end up with the same analytical approach as their comprising disciplines. (2) The second approach which the University might undertake would be in the area of further focusing attention to environmental problems. This latter role would include not only our own students but local citizens as well. Lecturers from other campuses and governmental agencies, symposia by our own students and faculty, and lectures by our own faculty to local civic and service organizations would all lend impetus to such a program.

Student interest in this timely and critical topic has already been demonstrated on the Washington and Lee campus. On April 22, the students organized and participated in an Earth Day "teach-in" on environmental problems. Responses such as this are becoming the rule rather than the exception throughout the United States.

From the previous discussion it is quite evident that most of the present day problems concerning our environs are the result of years of apathy. Within our society, this sentiment cannot be allowed to continue unchallenged. Our environmental problems can be remedied only by a responsive and well-informed public.

IN FURTHER RECOGNITION OF PUBLIC SERVICES OF A FORMER CONGRESSMAN

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. SNYDER. Mr. Speaker, perhaps no Member of the Congress has had more honors accorded for worthwhile official and unofficial public welfare activities than those bestowed on a former Member of this body, Hon. Maurice H. Thatcher, who represented the Louisville, Ky., district for five terms—1923–33. His truly outstanding record of such services extend to more than 60 years last past.

His general achievements have been mentioned many times in the House and Senate and there is no need to recount them here. Ever since he left Congress, his domicile has been in Washington, D.C., and his gratuitous labors in behalf of legislation and benefit of the Panama Canal and its employees, and for the Isthmus of Panama has continued. Also, his achievements for conservation. He is the only surviving member of the Isthmian Canal Commission which had supervision of the building of the Panama Canal, and where, as such Commissioner, he was specially charged with the administration of civil affairs of the Canal Zone. He rendered outstanding service during the years 1910–13.

On August 15, 1970, he reached his centenary milepost, which event was signally celebrated at the Cosmos Club in this city under the auspices of the Panama Canal Society of Washington, D.C. In the CONGRESSIONAL RECORD of September 9, 1970, a full story of the celebration, in ample detail, was given by Senator THURMOND.

Also, from time to time, the CONGRESSIONAL RECORD has carried other tributes to Governor Thatcher in the two bodies of Congress. His services in and out of Congress in behalf of the Gorgas Memorial Institute of Tropical and Preventive Medicine and its world famous laboratory in Panama City in researching the cause and prevention of tropical disease, have been long and notable. Recently, he received a gold medallion, appropriately inscribed and bestowed by the Canal Zone Government and the Governor of the Canal Zone for his services for 60 years or more in behalf of the canal and its employees, and other activities.

Recently, April 1971, "Tropical Medicine and Hygiene News" carried a concise commendation of Governor Thatcher's general career, with special emphasis given to his cooperative services during his Isthmian tenure, with his fellow Commissioner, Gen. William C. Gorgas—of yellow fever fame—Chief of the Department of Health and Sanitation. The article thus appearing in this periodical, is now inserted as a part of these remarks:

EARLY SUPPORTER OF GENERAL GORGAS BEGINS SECOND CENTURY

On August 15, 1970, the Honorable Maurice H. Thatcher celebrated his 100th birthday at a special anniversary luncheon held by the Panama Canal Society of Washington at the Cosmos Club.

Mr. Thatcher, a resident of Washington, D.C., is the Honorary President of the Gorgas Memorial Institute of Tropical and Preventive Medicine. A distinguished public servant, he is the last surviving member of the Isthmian Canal Commission; his career has included law practice in his home state of Kentucky and Washington, D.C., and 10 years as a member of Congress from Kentucky. High on his list of varied interests, over the years, have been the Gorgas Memorial Laboratory and its parent organization, the Gorgas Memorial Institute, as well as subjects of humane and conservational character.

Appointed by President Taft in 1910, Mr. Thatcher served for more than three years as a member of the Isthmian Canal Commission and as Civil Governor of the Canal Zone at the time of peak construction. Among the various responsibilities and duties of the Governor was the health and sanitation of Panama's terminal cities and contiguous areas. Mr. Thatcher thus became

familiar, early in his public life, with the health needs of the Isthmian soil and the necessity for additional research on tropical diseases.

His close association in the Canal Zone with William Crawford Gorgas, whose work in Havana had already earned him recognition as a sanitarian, was perhaps one of Governor Thatcher's most satisfying experiences. Friendship and mutual respect blossomed between the two fellow commissioners, and it was only natural that Governor Thatcher should lend officially his assistance and support to Gorgas' health and sanitation policies, which soon proved invaluable for the completion of the great industrial enterprise of the century undertaken by the United States, the Panama Canal.

Shortly after General Gorgas' death in 1920, Dr. Belisario Porras, then President of Panama, made known his desire to establish on Panamanian soil a tropical medicine research center to serve as living memorial to the man who in President Porras' own words was "the redeemer of the tropics". The creation of the Gorgas Memorial Institute of Tropical and Preventive Medicine followed. Its Charter was incorporated under the laws of the State of Delaware in October 1921, and was subsequently registered in the Republic of Panama.

The Institute failed to obtain philanthropic contributions from Gorgas' fellow countrymen and from Latin American nations in its early years, as envisioned by its incorporators. In 1928, an appeal to the United States Congress for financial support was considered. Dr. Franklin H. Martin, then President of the Institute, approached the then Congressman Thatcher for advice and counsel. Thoroughly cognizant of the problem, sympathetic to the needs for continued research in tropical health, friend and admirer of the great sanitarian with whom he had shared days of labor, anxiety and triumph in the Canal Zone, Congressman Thatcher welcomed the opportunity and, with proper parliamentary skill, obtained the enactment of his Bill H.R. 828 (P.L. 350–70th Congress) which provided an annual appropriation for the establishment, maintenance and operation of the Gorgas Memorial Laboratory, in the land and building ceded by the Republic of Panama. Over the years, Governor Thatcher's sustained interest and wise control counsel have assisted invaluably in the growth and life of the organization.

Public recognition of the Institute's indebtedness to its strong advocate and friend has been made recently by its President, Rear Admiral Calvin B. Galloway, MC, USN (Ret.), with the announcement that "The History of the Gorgas Memorial Institute and the Gorgas Memorial Laboratory—40 Years of Research," written by Willard H. Wright, Ph. D. and currently in press, will be dedicated to Governor Thatcher.

MUSEUM OF THE AMERICAN CHINA TRADE DEDICATED IN MASSACHUSETTS

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, I include in the RECORD news of a very exciting happening for not only the people of my district, not just for the people of the Commonwealth of Massachusetts, but for the people of the whole Nation. On April 7, the old Capt. Robert Bennet Forbes House was officially renamed the Museum of the American China Trade and its purpose expanded to acquaint Americans with the history of the American China trade. Hopefully, the net result of it all will be a better understanding between our peoples. Those of us who have lived in the area have known of the unique charm and historical value of the Forbes House for many years. Now the whole Nation will benefit from the historical contributions of the Forbes family and in the process will learn not only more about themselves but another whole Nation. In retrospect, the publicity surrounding the rechristening of the museum could not have occurred at a better time than these days of ping-pong diplomacy.

Mr. Speaker, it gives me pleasure at this time to include in the RECORD my statement at the dedication ceremonies, as well as those of Senators BROOKE and KENNEDY. Following those statements is the official release of the museum to commemorate the occasion. It only remains for me to extend to each and every person reading this a warm invitation on behalf of the museum and townspeople of Milton to drop by and spend a most enjoyable time in the Forbes House.

The materials follow:

THE COMMONWEALTH OF MASSACHUSETTS,

Boston, Mass.

Massachusetts has a prominent history in commerce and shipping. Its citizens distinguished themselves in the China trade of the last century. It is altogether fitting that the Museum of the American China Trade should be established here in the Commonwealth.

People from all over the world and the nation are attracted to the Commonwealth by its outstanding educational and cultural institutions, and in addition many visit our state every summer. For these reasons, the Museum of the American China Trade will be an added vital resource for Massachusetts.

I wish those connected with this effort much success.

Sincerely,

FRANCIS W. SARGENT.

REMARKS BY CONGRESSMAN JAMES A. BURKE

Congressman James A. Burke (D-Milton) today announced that "having known the Captain R. B. Forbes Museum intimately since its founding in 1965, I welcome and endorse the Trustees' decision to expand its scope as the Museum of the American China Trade." The Congressman continued, "it is, indeed, a very historical moment for the Town and for the nation, and I feel very privileged to have been invited to participate in the ceremonies marking the beginning of the new era for the museum.

It is my opinion that the time is ripe for a greater understanding between the American and the Chinese people. One of the best places to begin is with the long history of our involvement with mainland China. Massachusetts took a leading role in that relationship and it is fitting that a museum of national scope, dealing with American trade relations with China, should be established here.

I realize, too, the importance of locating a museum of this sort south of Boston in the Town of Milton. Its location is close enough to a major population center to be easily accessible. At the same time, being located in Milton, the museum will have the advantage of pleasant open space and of room to expand.

Our colleges and universities must serve primarily the student community. I am, therefore, particularly pleased to learn that the teaching, research and exhibition programs of the Museum of the American China Trade will be offered not only to students but to all interested members of the general public.

I welcome and endorse your long-term plans to develop a major center for study of the whole field of our nation's early relations with China, particularly through the China trade. I believe that this effort can do much to create better understanding between our two peoples, which in turn should lead to improved relations. I shall continue to watch your progress with interest.

I know I speak for the residents of the Town of Mitlon and the rest of the District I represent when I wish the museum a long and proud future in the very important task which it has undertaken here today."

[From the Patriot Ledger, Apr. 8, 1971]

U.S.-CHINA TRADE MUSEUM BEING PLANNED BY MILTON

MILTON.—Construction of a museum dedicated to America's past role in the China trade is planned for the town as part of a 14-year program to coincide with the 200th anniversary of the start of trade with China.

NEW BUILDING

The announcement was made yesterday by Ralph M. Forbes, president of trustees of the Captain Robert Bennet Forbes House, on Milton Hill which will continue as the museum until a new building can be constructed.

The Forbes House is to remain standing and will be preserved, said Mr. Forbes.

The site of the proposed museum, which also will be a teaching institution, will be to the rear of the Forbes House and near the re-creation of the Lincoln log cabin which was developed by the descendant of Captain Forbes—Mary Bowditch Forbes.

The museum will specialize in the history and artifacts relating to American contacts with China and East Asia.

It will be the only museum of its kind in this country and only one of two in the world devoted solely to the China trade.

The 200th anniversary of the opening of the American China trade will be held on Feb. 22, 1984 to mark the sailing of the ship Empress of China from New York to Canton.

The Milton Hill site has historic links with America's early history and also with the China trade. It overlooks the Neponset estuary where most of colonial Massachusetts' industry was located nearby in the Milton-Dorchester Upper and Lower Falls area. More than 50 ships were built in the estuary, including two which sailed to China.

NATIONAL LANDMARK

The present museum was declared a national historic landmark in 1966. It was built in 1833 by Capt. Robert Bennet Forbes, a leader in the China trade. The house was designed by architect Isaiah Rogers.

This state's role in the China trade lasted until about 1900 and involved exchanges of tea, sugar, spices, silk, cotton and other textiles.

As part of the 14-year project the museum also announced the appointment of Professor Francis R. Carpenter, who is fluent in Chinese, and is considered an expert on East Asia history.

His title will be that of associate director for education and research.

He learned Chinese during his Naval service in World War II and later studied at Yale. Mr. Carpenter has been associated with the government, Freer Gallery in Washington, D.C., professor of history and chairman of the history department at Springfield College, and is now working on a book dealing with the 19th century's well known Chinese merchant, Wu Ping-Chen. Westerners knew the merchant as Houqua.

One of his projects will be to microfilm

manuscripts and printed materials for the history of this trade with China. The museum hopes to expand its service to historians, museums and educational systems.

Students and adult educational programs at the museum also are proposed.

Dr. H. A. Crosby Forbes, museum director, cited the importance of the China trade study by commenting that "today one of every two people on this planet is Asian, and one out of every four is Chinese.

"Whatever one may think of the recognition of China in the present, one must recognize the great importance of the relationship between America and China in the past. Knowledge of this past history is essential to better relations with East Asia today and in the future."

The founding Forbes' descendants are active in the management of the museum and the family has made available the collection of China, paintings, furniture, silverware, carvings, lacquerware and other objects.

Captain Forbes and other American traders picked up cargoes en route to China at stops in South America, California, the Northeast Coast settlements, and the Hawaiian Islands.

MILTON MUSEUM DEDICATES ITSELF TO AMERICAN-CHINA RELATIONS

MILTON, MASS.—A museum devoted to America's relations with China has been established in Milton.

The institution, called the Museum of the American China Trade, is located in the historic Captain Robert Bennet Forbes House.

This is the only institution in New England devoted solely to the history of the America-China trade and is believed to be the only such institution in the U.S. and perhaps one of three in the world.

The museum will specialize in the history and artifacts relating to American contacts with China and East Asia. Massachusetts played a leading role in the China trade. Tea, sugar, spices, silk, cotton, and other textiles were the staples of the trade and were used in nearly every household, not only in Massachusetts, but were familiar throughout the country.

Dr. H. A. Crosby Forbes, museum director and founder, says that "the American China trade era, which began under English control during the colonial period, is one of America's great forgotten epics.

Everyone has heard of the American Revolution, the winning of the West, the Civil War, the California gold rush, but the history of the America-China trade, which helped pull America out of the post-Revolutionary depression and make it a Pacific power, has been all but forgotten in the public mind, and by many professional historians too."

"The almost universal ignorance of our early contacts with China through trade, which might almost be called a national lapse of memory, goes far to explain the many years of frustration and disappointment Americans have experienced in Asia," he said.

The ports that were most prominent in the China trade in New England were Boston, Salem, Portsmouth, Providence, New Haven, and New London. Other major China trade ports elsewhere were New York, Philadelphia, Baltimore, Wilmington, Norfolk, Charleston, and later San Francisco.

The museum also announces the appointment of Professor Francis R. Carpenter, who reads and speaks Chinese fluently, and who is an expert in the history of East Asia and particularly of American contacts with China. He has been appointed Associate Director of Education and Research.

Prof. Carpenter learned Chinese during his service with the U.S. Navy in World War II and later pursued Chinese history at Yale University. He studied East Asian art history at the Freer Gallery in Washington, D.C. He was formerly Professor of History and Chairman of the Department of History at Springfield College, Springfield, Mass. He is currently working on a book in collaboration with the museum on the 19th century's best known Chinese merchant Wu Ping-Chien, better known to Westerners as Houqua.

Dr. Forbes is a Harvard-trained historian who specializes in the history and art of the 18th and 19th century American trade with China. He was the first person to put on an exhibition of China trade silver made for Westerners. The field was previously unknown to all but a few experts before this exhibition. He is writing a book on Chinese silver.

"The China trade, a period of exploration and discovery—our age of Raleigh and Drake—played a decisive role in shaping the American experience, especially during the years from 1730 to about 1860."

"China trade seamen from Massachusetts and other Atlantic ports scoured the world for merchandise to trade for the teas and other precious goods of the East," Dr. Forbes said.

The present museum building, which was declared a National Historic Landmark in 1966, was built in 1833 by Captain Robert Bennet Forbes, one of the most outstanding sea captains of the 19th century. The structure was designed by a leading architect of the day, Isaiah Rogers.

Samuel Eliot Morison, the Harvard historian, says tht "Robert Bennet Forbes had the most original brain and the most attractive personality of any Boston merchant of his generation."

The museum was established in 1965 and houses a part of the collection of China trade furnishings (porcelain, paintings, furniture, silver, etc.) brought back by Capt. Forbes. It also houses a collection of some 50,000 frames of microfilmed papers of Capt. Forbes and members of his family. The microfilming was done in 1969 by the Massachusetts Historical Society, which also published a guide to the Forbes papers.

Milton Hill, on which the museum is located, is the highest point on the Old Coast Road, now Adams Street, which stretched from the Massachusetts Bay Colony to Plymouth Bay. The view from the hill has been famous since Colonial times and the last English governor of Massachusetts had his country seat two houses north of the museum.

The hill holds a commanding view of the Neponset Estuary below, which was the most important tidal estuary in America during the Colonial period. Much of Colonial Massachusetts' industry was located nearby in the Milton-Dorchester Upper and Lower Falls areas. More than 50 vessels were built in and near the estuary, including at least two ships which were engaged in the trade with China.

Capt. Robert Bennet Forbes and his family lived atop the hill from 1816 on and one could look out over the estuary which leads into Massachusetts Bay.

The museum which directed itself to one family's participation in the China trade, will now have exhibitions and teaching and research programs relating to the whole China trade.

It will also conduct extensive research and education programs and will change many of its Victorian items, replacing these with representative materials brought back from China, including paintings, porcelain, furniture, silverware, lacquerware and various other furnishings. The scope of the museum, which covered only parts of coastal Massachusetts, will now be extended to cover trade ports along the whole Atlantic Coast.

At the same time, the museum is undertaking a 13-year program designed to establish itself as a major research, teaching and exhibitions center relating to American contacts with East Asia. A new museum complex is scheduled for completion in time for the 200th anniversary of the opening of the American China trade on Feb. 22, 1984, which was the date of departure of the vessel, Empress of China, from New York to Canton.

To illustrate the importance of the American China Trade Museum, Dr. Forbes said, "today one of every two people on this planet is Asian, and one out of every four is Chinese.

"For these and other reasons a museum specializing in the history and artifacts of the American trade with China should be considered a high priority item in the cultural agenda of the United States during the next decade," Dr. Forbes said.

"Whatever one may think of the recognition of China in the present, one must recognize the great importance of the relationship between America and China in the past. Knowledge of this past history is essential to better relations with East Asia today and in the future."

Among the China ports included in the trade was Canton, virtually the only port open to trade until after 1842, Hong Kong, Shanghai, and other so-called "Treaty Ports," including Foochow, Ningpo, Amoy and others.

Ships en route to China traded or picked up cargoes for the Canton market along the east and west coasts of South America, traded with the missions in California and with the Indians of the North West Coast. Sandalwood was also picked up in the Hawaiian Islands. Exotic products such as shark fins and sea slugs, which were favored by the Mandarin gourmets of China, were found in the Pacific Islands.

The effect of all this trade of Westerners with China was that China and East Asia were brought into contact with Western ideas, industry, military matters, and cultural affairs.

The Trustees of the museum are: Weston Howland, honorary chairman, Milton; F. Murray Forbes, chairman, Boston; Ralph M. Forbes, president, Milton; R. Forbes Perkins, treasurer, Manchester; William B. Osgood, assistant treasurer, Boston; James A. P. Homans, secretary, Sherborn; Samuel Cabot, corresponding secretary, Beverly Farms; Francis F. Brooks, Milton; Allan Forbes, Cambridge; H. A. Crosby Forbes, Cambridge; James M. Forbes, Brisbane, Australia; Henry Lee, Boston; Arthur W. Monks, Milton; George Sommaripa, Cambridge; Walter S. Robbins, Milton; and Mrs. William S. Youngman, East Hebron, New Hampshire.

Among the persons on the Advisory Committee are Ernest S. Dodge, Director, Peabody Museum of Salem; John K. Fairbank, Director, East Asian Research Center, Harvard University; Kwang-Ching Liu, Chairman of the History Department, University of California, Davis; Albert E. Van Dusen, Professor of History, University of Connecticut and State Historian of Connecticut, and Mrs. David K. E. Bruce, wife of the American delegate to the Peace Conference, Paris.

Other Advisory Committee members are: Charles F. Batchelder; Russell S. Codman, Jr.; Edward Cunningham; George M. Cushing, Jr.; Frederic D. Grant; Miss Aimee Lamb, Miss Roasamond Lamb; Francis B. Lothrop; Mrs. Henry Lyman; David McKibbin; Peter Parker, Jr.; Thomas H. P. Whitney; Alexander W. Williams; Frederic Winthrop; and George L. Wrenn, III, all of Massachusetts; Howard G. Cushing, Rhode Island; Jacques M. Downs, Maine; Wallace F. Forbes, New York; Frederick W. Macondray, California; John H. S. Russell, California; Samuel Russell, New Jersey.

The museum is open to the public May through October from 2 to 5 p.m. every day except Sunday, Monday and holidays. Admission is $1.50 for adults and 50¢ for children under 12.

DRAFT OF STATEMENT BY SENATOR KENNEDY

GENTLEMEN: I am delighted to hear of the formation of the Museum of the American China Trade. The history of our relations with China goes back to the beginnings of this nation. Within a year of the signing of the Treaty of Peace which ended our war for independence, Americans were voyaging across the Pacific in search of the riches of the East. The wealth they brought back from China did much to get this young nation established.

Today the Chinese people have a government which is also still relatively young. It seems to me unrealistic to think that we can continue any longer to ignore this government which guides the destinies of more than a quarter of the world's people. The time has come to put our relations with the Peoples Republic of China on a more realistic footing.

It is essential if we are to avoid continued frustration and disappointment in our relations with East Asia and China, to understand the history of our early contacts with that area. This history is not only interesting in itself but it forms the background against which contemporary events take place. Yet for most Americans this is a little known area. The Museum of the American China Trade can do much to make this history come alive.

I send those concerned my best wishes for the success of their plans to build this museum into a major research and educational center open to the general public. The Museum should become a constructive educational and cultural force in Massachusetts and the nation.

DRAFT OF STATEMENT BY SENATOR BROOKE

If we are to play a responsible role today in East Asia we must have understanding of our past contacts with this area. We are paying a high price today for our lack of understanding of China and the Chinese people. I believe that anything that will improve understanding between the Chinese and American peoples will help the cause of world peace.

No part of this nation was more involved with China in the past than was Massachusetts. The contacts made in those days largely through trade, are the background against which present-day relationships between East Asia and America are played. When we are not aware of these relationships we act blindly.

I can, therefore, tell you that I am pleased to hear of the establishment of the Museum of the American China Trade. I believe it can shed much light on the history and cultures of East Asia and on our relations with China.

DRAFT OF STATEMENT BY REPRESENTATIVE BURKE

Having known the Capt. R. B. Forbes museum intimately since its founding in 1965, I welcome and endorse the Trustees' decision to expand its scope as the Museum of the American China Trade.

It is my opinion that the time is ripe for a greater understanding between the American and the Chinese people. One of the best places to begin is with the long history of our involvement with mainland China. Massachusetts took a leading role in that relationship and it is fitting that a museum of national scope, dealing with American trade relations with China, should be established here.

I realize, too, the importance of locating a museum of this sort south of Boston in the Town of Milton. Its location is close enough to a major population center to be easily accessible. At the same time time, being located in Milton, the museum will have the advantage of pleasant open space and of room to expand.

Our colleges and universities must serve primarily the student community. I am, therefore, particularly pleased to learn that the teaching, research and exhibition programs of the Museum of the American China Trade will be offered not only to students but to all interested members of the general public.

I welcome and endorse your long-term plans to develop a major center for study of the whole field of our nation's early relations with China, particularly through the China trade. I believe that this effort can do much to create better understanding between our two peoples, which in turn should lead to improved relations. I shall continue to watch your progress with interest.

CONGRESS NEEDS INFORMATION ON LOCKHEED BAILOUT: FACT SHEET INTRODUCED BY REPRESENTATIVE MOORHEAD

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. MOORHEAD. Mr. Speaker, last week the Treasury Department sent a measure to the Banking Committees of the Senate and House. This measure, if enacted, would provide guaranteed Federal backing for a $250 million loan to the Lockheed Corp. so that it might continue production of its commercial L-1011 airbus. I believe that this measure is of profound significance since it could spell the beginning of the socialization of the American aircraft and aerospace industry.

For this reason, I think that the Members of the Congress and the American public should consider this proposal and its implications quite carefully before deciding the merits of the measure. Because of this, I insert into the RECORD the following fact sheet which I have sent to all Members of the House and Senate as well as 500 newspaper editors across the country. I also insert material related to the current Lockheed situation:

FACT SHEET

Question: What is the L-1011 airplane?

Answer: The L-1011, or Tri-star, is a medium range, second generation, wide-bodied commercial jet airplane. It has been designed primarily to provide transportation on high density routes shorter than the maximum intercontinental routes. The L-1011 is in direct competition with the DC-10 built by McDonnell-Douglas. To a limited extent the L-1011 is in competition with the longer range 747 built by Boeing.

Question: What is the Lockheed relief measure being proposed by the Treasury Department?

Answer: This measure, if enacted, would provide Federal guarantees of $250 million in loans to the corporation so that it can continue work on its commercial L-1011 airbus.

Question: Why hasn't Lockheed sought credits from commercial banks?

Answer: The corporation has. The banks already have extended $400 million in secured loans. The 24-bank consortium backing these commercial loans does not believe that additional credit should be extended unless the Government is willing to guarantee the loan.

Question: Does the reluctance of the banks to extend further credits indicate that the L-1011 is not a commercially viable program?

Answer: Only the banks know the reason for their reluctance. However, it is extremely unlikely that the L-1011 wil be viable in the foreseeable future. Lockheed has no past experience in producing a commercial, pure jet plane for airline use. This lack of experience cannot possibly help commercial sales. According to the British Minister of Aviation Supply, Lockheed has firm orders for 110 aircraft and options for 68 more, 50 of which he characterized as "little more than a bookkeeping transaction, and a somewhat bogus one at that." In addition, TWA has indicated that unless the plane can be made to meet specifications it will not accept its L-1011's. Beyond this, sales of commercial airplanes have been extremely slow because of the sagging economy, and the downturn in airline passenger travel. For these reasons it appears that Lockheed may not sell the more than 300 L-1011's required to break even.

Question: Would the actual funds be provided by commercial banks?

Answer: Yes. The Federal Government would come into the act to repay the loan if Lockheed could not.

Question: In effect, aren't the banks being subsidized?

Answer: Yes. The taxpayers foot the bill and repay the banks if Lockheed cannot. The banks would have no risk for the $250 million loan, yet they will be earning substantial amounts of interest on this no-risk investment.

Question: Will this $250 million loan insure completion of the L-1011 program?

Answer: There are no guarantees on the part of the corporation that this loan will insure completion of the L-1011 program. Therefore, this procedure is open-ended. Lockheed may come back at a later date and request additional Federal funds.

Question: If Lockheed cannot sell the required number of L-1011's what will be the effect on the nation's taxpayers?

Answer: The taxpayers probably will lose their $250 million investment. The banks and the Federal Government on the C-5 Program already have tied up $500 million in assets as collateral against loans to Lockheed. Should the company go bankrupt it is highly unlikely that much of this additional $250 million investment could be redeemed.

Question: The President in referring to the Lockheed situation has stated that "we need a strong airframe producer in Southern California." Is this true?

Answer: The President made the statement in Southern California and, as a consummate politician, the statement must be considered in the light of the circumstances under which he made it. The fact of the matter is that McDonnell-Douglas, the second largest U.S. commercial plane manufacturer already exists in Southern California. North American Rockwell, while not producing large commercial planes is located in Southern California and does build military planes such as the B-1.

Question: It has been said that this measure is necessary in order to protect existing jobs. Is this correct?

Answer: This guarantee is a most expensive way of protecting jobs. The L-1011 employs only 31,000 people. This represents a miniscule fraction of the nation's overall unemployment. If this same $250 million were invested in the Public Service Employment program, it would create 300,000 jobs instead of a mere 31,000 jobs.

Question: But, it is argued that if this loan is not guaranteed the brunt would be focused on the Southern California area.

Answer: This is only partly correct. It should be remembered that subsidizing the L-1011 will cut into orders for the DC-10. McDonnell-Douglas, also in Southern Cali-

fornia, has lost $540 million in orders and options held by American, Eastern and United Airlines. Therefore, the Administration's measure would protect Lockheed jobs at the expense of McDonnell-Douglas jobs.

Question: Is Lockheed so essential that this extraordinary action need take place?

Answer: This extraordinary action need not take place. If the L–1011 is not subsidized and the company goes into bankruptcy, the country can still obtain essential military hardware such as the Poseidon missile. As Admiral Rickover has observed, "the work would go on . . ., because people who do the work are not affected by this (bankruptcy). What happens when the president of any large corporation or the officials go? The work goes on."

Question: Has Lockheed's record been fairly good?

Answer: No, it has not. In the last ten years, Lockheed's record has been quite dismal. The company has not had a financially successful large commercial airplane venture in over twenty years. The company lost money on the Electra. It misjudged in producing a turboprop rather than the pure jets produced by Boeing, Douglas and Convair. On the military side, Lockheed's record is no better.

Lockheed has incurred a $2 billion overrun on the C–5A cargo plane—whose unit cost has skyrocketed from $23 million to $60 million each—and recently was reported by the GAO to be unable to perform its major mission.

According to sworn testimony in a Securities and Exchange Commission investigation, Lockheed management deliberately misled the Pentagon and reduced its bidding price by 10% on the C–5A program in order to underbid Boeing and get the original contract.

For years Lockheed management has withheld information from the Pentagon on the C–5A prorgam relating to both cost and technical problems.

There are strong indications that many within Lockheed's corporate management may have used their intimate knowledge of the company's financial problems to sell large portions of their own personal stockholdings before the company's problems became public knowledge and stock prices went down.

The SEC also investigated Lockheed for less than full disclosure on a debenture issue—thus misleading the public.

Lockheed management underestimated the cost and technical problems on the Cheyenne helicopter program which was to have been deployed by now, but which is still in R&D. In this case the taxpayers have bailed Lockheed out of a fixed price contract on this program.

Lockheed has severely overrun a contract on the SRAM rocket motor and according to the GAO this motor is still deficient technically—Lockheed was also bailed out of a fixed price contract on this program.

Question: What is the long range impact of the Treasury Department measure?

Answer: A recent editorial in the Wall Street Journal stated it most succinctly. "Helping out Penn Central, Lockheed or any other corporation fuzzes the line between private and public enterprise." The government cannot extend credit guarantees to any private firm, especially for a commercial venture, without in some way interjecting itself into the management of the firm. To do otherwise would be dereliction of the Government's responsibility toward the interests of the taxpayers. Yet by interjecting itself, the Government cannot but help to destroy the independence of government and industry. It is this underlying step toward de facto socialization of the industry which has so many thoughtful members of industry gravely concerned about this measure.

Question: What effect will this Lockheed relief measure have on Lockheed's competitors in the airbus field?

Answer: As General Electric Company has pointed out, "any form of subsidization of Lockheed would necessarily bring additional pressures on the viability of the two dominant domestic suppliers of commercial aircraft, Boeing and McDonnell-Douglas." Today, there is an extremely limited commercial aircraft market. There is not enough business to go around. Both Boeing and McDonnell-Douglas have sold far fewer 747's and DC–10's than they expected. Therefore, by artificially keeping Lockheed in the commercial jet airplane market, the Government is hurting Lockheed's competitors who might have sold more aircraft. Additionally, the Lockheed L–1011 uses British RB 211 engines. To continue production, Rolls Royce will need British governmental assistance in addition to the Treasury Department's U.S. assistance to Lockheed. Rolls Royce is directly competing with both General Electric and Pratt and Whitney in the commercial jet engine market. Therefore, the Treasury Department's plan will aid foreign producers and workers to the disadvantage of domestic jet engine manufacturers and American workers.

Question: In effect then, the Treasury Department's plan appears to: (1) be inhibiting the free enterprise system for commercial ventures; (2) produce unfair competitive advantage of one manufacturer over others in the field and (3) prop up a foreign engine manufacturer and workers to the distinct disadvantage of domestic engine manufacturers and American workers. Is this correct?

Answer: Yes.

Question: Have other alternatives to the Treasury Department's proposal been examined?

Answer: It is not known how seriously the Administration has examined other alternatives. However, it is known that no other proposals such as corporate bankruptcy or reorganization have been submitted to Congress for consideration. Additionally, unless it has been kept secret, no complete audit has been made of Lockheed's finances to determine how badly the company needs additional financial assistance. All assurances that this additional help is required have come from the company's management—not from the GAO or other appropriate arms of the Government. No commercial lending institution would even consider lending an amount of this magnitude without knowing far more about the finances of the borrower than we in Congress have been told.

Question: Has the GAO investigated the financial condition of Lockheed?

Answer: Such a request was made over a year ago by Senator Proxmire and myself. However, the GAO was denied access to necessary information by the Administration.

Thus far, many people within government and industry have spoken out against the Treasury Department's Lockheed bailout scheme. Below are a sampling of these reactions:

"It is wrong to protect an environment in which a company makes a bad bid and is not forced to live with the consequences of it."

JACK H. VOLLBRECHT,
President, Aerojet General Corp.

"At the outset, let us have right on the record the actual number of orders for the aircraft. At the latest count, there are 110 firm orders, with a further 68 which are not firm, including the whole of the 50 Air Holding order, which is little more than a bookkeeping transaction, and a somewhat bogus one at that."

FREDERICKE CORFIELD,
British Minister of Aviation Supply, in the House of Commons, February 8, 1971.

"In presenting these reservations on the Present Lockheed crisis, General Electric Company questions seriously the propriety of the U.S. Government subsidizing one company engaged in commercial competition with other companies not similarly supported. Specifically, it feels that any such departure from our competitive enterprise, system may by precedent lead to similar departures in other segments of the economy. "General Electric Company opposes U.S. intervention in the private free enterprise competitive arena."

From a communication of April 26 from General Electric Company to the Treasury Department.

"You should bear in mind that there are about 10,000 business failures in the United States each year. And almost all of these involve very small businesses where a man loses all of his savings and faces the situation on his own. If as is being claimed, the Government has an obligation to rescue a giant defense firm, then the Government has the obligation to see that the firm is properly managed. This will inevitably lead to state socialism."

Adm. HYMAN RICKOVER,
U.S. Naval Ships Command.

"As a precedent, it disturbs me."

DONALD M. KENDALL,
President, Pepsi Co., Inc.
Wall Street Journal, May 10, 1971.

". . . I am just greatly concerned about the precedent involved in that kind of Federal intervention in the private marketplace. It does seem to me that once the Federal Government gets into the business of preventing bankruptcies—I wonder whether there is any stopping place then. I wonder whether there is any limitation that would prevent it from merely maintaining inefficient businesses and poorly run businesses in operation.

". . . As an organization which favors the enhancement of the free enterprise system, we (the U.S. Chamber of Commerce) have long recognized the appropriateness of George Stigler's commentary about the social valve of bankruptcy. Bankruptcy, Stigler argues, is one of the great inventions of the free enterprise system. It allows for the reorganization of activities which are no longer sufficiently useful to remain liquid. And so I think support of the free enterprise system generally would require support of the institution of bankruptcy."

CARL H. MADDEN,
U.S. Chamber of Commerce.

". . . I have some grave doubts about this whole line of thinking, of the Federal Government bailing out private businesses from difficulties, which result from their own mismanagement."

NAT GOLDFINGER,
AFL–CIO.

"I can only say that I view the notion of bailing out private companies on this scale with a great deal of caution."

JAMES DUSENBERRY,
Harvard University.

"Certainly, through the years the commercial banks—and their trade associations—have been the most vocal about free enterprise and have traditionally opposed the intervention of the Federal Government in their affairs. It now seems strange that they want the Federal Government to carry out their banking role in regard to Lockheed."

Congressman WRIGHT PATMAN,
Texas, CONGRESSIONAL RECORD—11356,
April 21, 1971.

"Rep. John E. Moss, D-Calif., today served notice he is prepared to lead a 'vigorous' drive

to block an expected White House request for a $250 million loan guarantee to serve the ailing Lockheed Corporation."

Congressman JOHN MOSS,
California, Sacramento Bee.
April 30, 1971.

"National prosperity does not depend upon financing the short-sightedness of big corporations."

Senator GEORGE D. AIKEN,
Vermont.

"A major justification for the proposed guarantee is the alleged need to assure the jobs of Lockheed's employees. Yet the proposed guarantee would also include the manufacturer for jet engines of the airbus—which happens to be British not American."

Senator EDWARD BROOKE,
Massachusetts.

"The plan to guarantee loans for the tottering aerospace company is bad economics, bad public policy and bad news for the American taxpayer."

Senator WILLIAM PROXMIRE,
Wisconsin.

"I doubt that I will be able to support it (the Treasury Department proposal) and my gut feeling is that the proposal will be very difficult to sell in the Senate." Senator Griffin added, that "the approach—passing special laws for one company—is very questionable. I have real serious doubts about the approach and whether it is politically possible to do it."

Senator ROBERT GRIFFIN,
Michigan, quoted in the Detroit Free Press, May 6, 1971.

LOCKHEED LOAN GUARANTEE FACING ROUGH GO ON HILL

Lockheed executives face the prospect of a rough going-over by members of the House Banking Committee when hearings are held on the Nixon administration's request that the government stand behind a $250 million bank loan to the hard-pressed aerospace contractor.

Although the White House request, announced last Thursday, has not been formally sent to Capitol Hill, staff members of the House Banking Committee are pouring over all available evidence on Lockheed's financial situation and past performance, including the more than 3,000 pages of testimony collected by the Securities and Exchange Commission investigation of the C–5 overrun disclosure.

Committee Chairman Wright Patman (D-Tex.) has promised prompt hearings even though he is highly critical of the proposal. Two ranking committee members, Reps. Henry Reuss (D-Wis.) and William Moorhead (D-Pa.) already have strongly denounced a federal guarantee of the $250 million bank loan to help Lockheed complete the commercial L–1011 TriStar without bankruptcy.

Moorhead, speaking on the House floor late last week shortly after the White House announced support for the bank loan guarantee, was particularly vitriolic in his attack. "Quite frankly, what it amounts to is that these corporate bandits are using Rolls-Royce, the British government, other subcontractors and the airlines as hostages in this latest raid on the taxpayers' purse," he remarked.

WILL OPEN THE FLOODGATE

"If measures such as the one by the Treasury Department to bail out Lockheed are enacted," he added, "it will open the floodgate and numerous other troubled businesses will seek the same sort of relief. If this happens, industry of the United States will have taken one more step toward relinquishing its independence from the government."

Moorhead said he has recently spoken with several aerospace executives who warned that "if the government guarantees loans in this case so Lockheed can avoid bankruptcy, 'it clearly signals the kind of game it will take to win major procurements in the future; that is, going in and doing anything to win an award with the full knowledge and confidence that the government will bail us out later.' "

Taking the lead of Patman, who has charged that the loan guarantee is more of a bail-out for 24 banks which extended $400 million in credit to Lockheed for the L–1011, Reuss said that "it is incumbent on the Congress to investigate this newest corporate bail-out attempt and to determine clearly just who would benefit if this huge guarantee were voted."

From other quarters, the White House announcement got mixed reviews. Sen. Edward Brooke (R-Mass.) questioned why Lockheed doesn't change its engine from the British Rolls-Royce to either a Pratt and Whitney or General Electric powerplant, and remarked that "an all U.S.-produced aircraft might be a more appropriate recipient of Federal guarantees than the present domestic-foreign hybrid."

Georgia's new Democratic senator, David Gambrell, promptly came out for the proposed legislation to help the Lockheed Rolls-Royce program on the ground that "this is a guarantee and not a direct cash subsidy plan."

Senate Majority Leader Mike Mansfield of Montana said over the week-end that while he opposes the bank loan guarantee he would not be surprised if Congress enacted it. "I do not believe it is the function of a democratic government to pick up the tab for the failures of private enterprise," Mansfield said.

Major question marks in the Senate debate are Washington's two Democrats, Warren Magnuson and Henry Jackson, both severely stung by Congress's rejection of Boeing's civil supersonic transport program. Congressional sources pegged Magnuson as "skeptical" of the Lockheed loan guarantee and others said that the Nixon administration purposely is asking the two banking committees to handle the legislation because of fears that Magnuson would kill it had the plan gone to his Commerce Committee.

In the same questionable category are Sens Stuart Symington (D-Mo.) and Thomas Eagleton (D-Mo.) who represent McDonnell Douglas's home state. Both McDonnell, building the competing DC–10 airbus, and Boeing, with its 747 wide-bodied jet, have suffered from falling orders and resulting cash flow pinches. McDonnell is going to float a $50 million issue for the DC–10 to raise cash above its heavy bank loans.

House Banking Committee members, who probably will have first crack at the White House bank loan guarantee, intend to use hearings as an opportunity to get into Lockheed's financial inner workings. Sen. William Proxmire (D-Wis.) has been trying without success for years to get a look at Lockheed's inside accounts in connection with the Air Force C–5 jet transport program, and, as ranking Democrat on the Senate Banking Committee, is expected to press even harder.

House committee staff workers, recently who have made startling disclosures of mismanagement and stock market advantages by executives of the bankrupt Penn Central Railroad, say there is no way that Lockheed can keep its books closed to them in preparation for the upcoming hearings.

In contrast to the "kid gloves" treatment that Lockhead executives received from both Armed Services Committees on the C–5 transport program, these staffers promise that hearings on the federal bank loan guarantee will be vastly different.

ADMINISTRATION'S BID TO BAIL OUT LOCKHEED IS WIDELY OPPOSED BY TOP BUSINESS LEADERS

(By Albert R. Hunt)

HOT SPRINGS, VA.—The nation's top business leaders overwhelmingly oppose the Nixon administration's effort to bail out Lockheed Aircraft Corp. with $250 million in loan guarantees.

This sentiment was repeatedly echoed, often privately, by members of the blue-ribbon Business Council at its spring meeting here. "There appears to be almost universal opposition to government intervention in the Lockheed situation," said one council member.

During the sessions the businessmen also expressed:

Strong doubts that inflationary pressures are significantly receding and particular worry about the possibility of a new burst of inflation next year.

Continuing skepticism over the administration's forecast of a rapid economic recovery this year. They generally predicted that the unemployment rate will remain higher than 5% until late next year.

Surprisingly little concern over the international monetary crisis, although several executives said the complexities of the situation baffled them.

Deep concern over growing antibusiness sentiment in the country. But they were admittedly perplexed over how to cope with this problem.

A "DISTURBING PRECEDENT"

Many of the businessmen were plainly troubled by the Lockheed proposal. "As a precedent, it disturbs me," said Donald M. Kendall, president of PespiCo Inc. and a close friend of President Nixon. Asked whether a Lockheed failure could dangerously undermine business confidence, he responded, "It wouldn't affect my confidence."

Some council members, including William M. Allen, chairman of Boeing Co. and Fred J. Borch, chairman of General Electric Co., even were actively drumming up opposition to the administration's proposal, according to one participant at the meetings. GE reportedly has attacked the plan because Lockheed's L1011 plane would use a Rolls-Royce engine, which competes against GE's own jet engine.

Mr. Borch's opposition particularly antagonizes administration officials. "It seems pretty hypocritical that in the same week GE would ask Congress for reimbursement for its expenses on the supersonic transport plane, and then oppose any effort to help Lockheed," one administration man fumed.

But these officials conceded that the Lockheed proposal faces a tough uphill fight in Congress. "As of now, our chances are certainly less than 50–50," one insider said. Some top officials are known to believe the only chance for favorable congressional action is to broaden the proposal so other companies also could qualify for similar guarantees.

Over the weekend, Senate Democratic Majority Leader Mike Mansfield of Montana said it isn't "the function of a democratic governmment to pick up the tab for the failures of private enterprise," the Associated Press reported. But the Senate Leader added he "wouldn't be surprised" if Congress approved the Lockheed request.

GE OPPOSES U.S. LOAN AID TO LOCKHEED

(By Philip Greer)

NEW YORK, May 11.—The federal government should guarantee loans to the Lockheed Aircraft Corp. only if the firm uses American instead of British engines in its L-1011 TriStar airbus, the chief executive of the General Electric Corp. said today.

GE itself is a leading maker of jet engines.

Making public the main elements of let-

ters to President Nixon and Treasury Secretary John B. Connally, Jr., GE Chairman Fred Borch thus brought into the open a split within the aerospace industry on the guarantee to Lockheed.

The administration's request for authority to guarantee $250 million in loans to Lockheed will be presented to Congress Wednesday. A draft of the request was circulating on Capitol Hill today.

One of the leading Senate opponents of the Lockheed loan, Sen. William Proxmire (D-Wis.), immediately indicated that he intends to use GE's statement against the administration proposal.

"This is a major breakthrough," he said.

In London, meanwhile, Daniel J. Haughton, chairman of Lockheed, signed a contract to buy engines for the TriStar from Rolls Royce '71, the successor to the bankrupt Rolls Royce Ltd.

The 400 page contract is conditioned on "assurances" that Lockheed will have the financial capacity to carry out the project.

Lockheed officials said that higher costs for the engines will increase the price of the TriStar to more than $15 million.

With top officials of Lockheed in London, a spokesman for the company said, there will be no comment on GE Chairman Borch's letters. He said, however, that airlines that have contracted to buy the TriStar recently made a reevaluation of the Rolls Royce RB-211 engines and the competing American engines made by GE and by United Aircraft's Pratt and Whitney Division. "They unanimously re-chose the RB-211," he said.

At a news conference called to discuss his letters, GE's Borch said it is "incredible" for the British government to insist that the United States "guarantee Lockheed's ability to pay a higher price for engines which do not meet the original specifications."

Borch charged that Rolls Royce's presentation in the 1967-8 contract competition was based on a "paper engine" with prices that were unrealistic. He said the British government backed Rolls Royce by offering long-term credit for buyers that, "to say the least, established new dimensions in international competition and against which no U.S. manufacturer could compete."

In his letters to President Nixon and Secretary Connally, Borch said that the federal government should replace the British government credits to airline buyers of the plane with U.S. engines.

At the news conference, Borch said he did not know enough about the administration's specific proposal for the loan guarantees to comment on it. However, he asked, "What criteria will be established for a go-no go policy on government assistance? Does the bankruptcy have to be a big one?"

Other points to be considered, he said, are "what safeguards will be built in to make sure the government doesn't bail itself out by favoring Lockheed with defense contracts? What interest rate will be charged? Will it be comparable to rates paid by McDonnell-Douglas and Boeing? Are we talking only about corporations? How about New York City, which could use some loan guarantees, too?"

McDonnell-Douglas builds the DC-10 airbus, with GE engines, a competitor of the L-1011. Boeing's 747 is powered by Pratt and Whitney engines.

Borch said that if, as bankers warn, refusal of the loan guarantees would lead to the collapse of Lockheed, with dire consequences for the national economy, the government should make sure that doesn't happen. "None of us wants a debacle," he said.

Conversion of the TriStar to accept GE engines would cost about $52 million. Borch said. But the increased cost of the RB-211 "makes conversion to GE engines a virtual standoff," he said.

Borch said that requiring American-built engines in the TriStar would create 10,000 to 12,000 jobs in the "hard-hit aerospace industry."

LOCKHEED, RESPONDING TO GE STATEMENT, SAYS IT STILL PREFERS RB.211

Lockheed Aircraft Corp., responding to a General Electric statement that government guarantees to Lockheed should provide for a U.S. engine for the L-1011 TriStar, said it still prefers the Rolls-Royce RB.211 engine.

Daniel J. Haughton, Lockheed board chairman, said late Thursday that the GE CF6, the Pratt & Whitney JT9D and the RB.211 could all meet the basic technical requirements for the L-1011. However, "on the basis of the present development status of the RB.211 design, . . . the advantages of the original concept are still valid."

Haughton said that after Rolls-Royce went into receivership Feb. 4, his company and the airlines "in effect . . . conducted a complete new engine competition" and found the RB.211 still superior.

In addition to appealing design features and growth potential, Haughton said, the Rolls engine was the only one that would keep the L-1011 on schedule. Added costs of refitting one of the other two engines was also a consideration.

"With reference to the General Electric engine, for example," Haughton said, "the basic engine cost is substantially equal between the CF6 and the Rolls-Royce engine, including duty, under terms of the new conditional contract. Added for the CF6, however, would be a substantial cost increase for the total power package, including nacelles and other elements that make up the total propulsion system.

"And the modification cost of $52 million mentioned by GE in its public statement is based on apparent misinformation," Haughton continued. "Redesign, retooling, additional flight testing, modification, redundant parts, and added production costs for use on the CF6 would actually exceed $100 million.

"Obviously, therefore, total cost of a GE-powered L-1011 would be greater for Lockheed and for the airlines," Haughton said. "In addition, airplane deliveries would be delayed another six months as compared with the schedule for an RB.211-powered airplane."

These factors, "together with the arrangements that have been negotiated for Rolls-Royce and the British government to provide the required financing to see the RB.211 project through," convinced Lockheed and the airlines "that proceeding with the Rolls-Royce engine was the most satisfactory course that could be taken."

MCDONNELL DOUGLAS STILL WON'T PREDICT PROFIT ON DC-10

McDonnell Douglas expects to recoup the more than $1.2 billion spent to develop and build the D-10 wide-bodied jet transport but still is not predicting if and when a profit will be made.

At the same time, information McDonnell Douglas filed recently with the Securities and Exchange Commission discloses that the major aerospace contractor has earned better profits on government contracts than commercial business the past four years. Profits as a percentage of government sales averaged 8.1% while profits on commercial sales averaged 1.37%.

"DC-10 deliveries are scheduled to commence in the fall of 1971," the corporation said, "provided that delivery schedules are met and customers are able to accept the aircraft when ready for delivery. Substantial sales will be generated as deliveries of the DC-10 increase. Program profitability, however, will depend upon sale of additional aircraft. Immediate prospects for additional sales in substantial volume are affected by the current status of the airline industry and no prediction can be made that they will occur in the near future. . . ."

In a registration statement accompanying plans for a $50 million issue of redeemable notes, McDonnell said proceeds will be used to meet cash needs for the DC-10, in competition with Lockheed's L-1011 TriStar and Boeing's 747. At the end of March, McDonnell Douglas had spent $1.215 billion on the DC-10. It said peak cash requirements are not expected to exceed $200 million more.

"The corporation is obligated to obtain $100,000,000 of such amount at such time after 30 April 1971 as aggregate borrowings of McDonnell Douglas and Dacan (Douglas Aircraft of Canada) under their respective credit agreements exceed $325,000,000, and the remaining $100,000,000 at such time after 31 December 1971 as such aggregate borrowings exceed $400,000,000," the contractor said.

McDonnell Douglas said that it expects additional orders will be received "which will eventually permit recovery of all DC-10 program costs." At March 31, there were orders for 128 aircraft and options for an additional 116. However, there have been cancellations and options not exercised.

United Air Lines cancelled eight orders and let 15 options expire. American Airlines will let 10 of 25 options expire and National has let six options expire. In its filing, McDonnell Douglas said that the 116 options reflected the United Air Lines option expiration and that 16 of the 116 were due for exercise or expiration last month. "Three of the options have been cancelled and informal advice from airlines holding the remaining 13 options is that seven may be exercised and six may be cancelled," McDonnell Douglas said.

It listed a firm DC-10 backlog of $1.972 billion at the end of March, adding that "a significant number of orders in addition to the orders and options at 31 March 1971 must be obtained before program profitability can be achieved." Financial problems in the airline industry "have had a material effect on the ordering of wide-bodied jets, including the DC-10."

MULTILATERAL LENDING INSTITUTIONS

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. J. WILLIAM STANTON. Mr. Speaker, over the past 10 years we have made great efforts to expand the role of multilateral lending institutions through increased support for existing institutions, like the World Bank and the International Development Association, and through leading in the creation of new regional mechanisms for development. These institutions have served and continue to serve important foreign economic policy objectives of the United States.

It has been observed over the last decade that multilateral lending institutions have proved an effective means for, first, sharing the burden of development among the other industrialized countries which are now able to carry much of the responsibility for providing financial assistance; second, actively involving the developing countries themselves in the process of solving their development problems; third, pooling the

skills and experience with donors and recipients in improving development policies and programs; and, fourth, cooperation among developing countries, particularly with respect to regional problems.

Failure to provide the sums requested for the Inter-American Development Bank will force the IDB to curtail its operations as early as the final quarter of calendar 1971.

The appropriation requested for the IDB is needed now, in order to meet the deadline of June 30, 1971, for payment of the requested amounts—a deadline to which the Congress subscribed when it authorized the United States vote for the replenishment resolutions. Action short of that will be a serious assault on the successes built up over more than a decade in the IDB and sharply reduce the benefits to be received from the nearly $3 billion investment which the United States has made over the last 10 years in an effort to build healthy and harmonious relations with our Latin American neighbors.

CONGRESSMAN BENNETT ANSWERS COUNCIL ON ENVIRONMENTAL QUALITY POSITION ON CROSS-FLORIDA BARGE CANAL

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. BENNETT. Mr. Speaker, the President was clearly misadvised to halt construction on the Cross-Florida Barge Canal, authorized for national defense, economically justified, and ecologically advantageous.

Only by the announcement made by the White House press release of January 19, 1971, did Members of Congress and the sponsoring local authorities for the project learn of any proposal to terminate the canal, one-third complete at a cost of $50 million. The decision was made in a vacuum without both sides being heard, not in the American tradition of hearings open to all views and including the scrutiny of the news media.

At my insistence, and the insistence of others, finally a summary of negative comments of the Council on Environmental Quality was presented, obviously written after the decision was made, quite a different document from their earlier and highly political document which was apparently the only presentation to the President prior to the President's action, recently published at page 5494 of the CONGRESSIONAL RECORD of March 10, 1971.

I am inserting in the CONGRESSIONAL RECORD the answers to the poorly founded charges made by the Council on Environmental Quality in their summary they prepared after the news release:

THE ANSWERS TO THE COUNCIL ON ENVIRONMENTAL QUALITY

SUMMARY OF ENVIRONMENTAL CONSIDERATIONS INVOLVED IN THE RECOMMENDATION FOR TERMINATION OF CONSTRUCTION OF THE CROSS-FLORIDA BARGE CANAL

(A paper presented by U.S. Representative Charles E. Bennett, Third District of Florida, May 5, 1971)

Immediately after the White House announcement of a halt in construction of the Cross-Florida Barge Canal, the Council on Environmental Quality was requested by Members of Congress to furnish them with the terms of the action of that body concerning the Canal and the basic reasons therefor. The decision on the Canal by the Council was made in a vacuum with no information given to or received from those who have a vital interest in the project, including the State of Florida and Members of Congress. This default is contrary to the law and legislative history which established the Council.

However, a statement by them was worked up thereafter and presented to Congressmen ("Summary of Environmental Considerations Involved in the Recommendation for Termination of Construction of the Cross-Florida Barge Canal"); and the arguments made in it are answered here to the best of my ability.

Planned Oklawaha River changes are beneficial ecologically

At page 2 of the "Summary" there is a heading "Loss of Oklawaha River" and under this heading there are discussed changes in the river prior to the commencement of the Canal work and subsequent thereto.

Improvements in the Oklawaha River have been made by the federal government since 1890, all at the request of people living in the area. Since 1960 about half the river has been widened, straightened, and deepened for flood control purposes under the Four Rivers Basin project. In one year, 1960, flooding in the area caused $25 million in damage to homes and property. Work already done for the Canal has altered 22 miles of the 65-mile river by greatly widening it. The area is not virgin timberland, having been substantially cut over years ago.

The Canal project is making the area more accessible and available to Floridians and visitors with new recreation sites, additional boating, fishing and swimming waters and camping and picnicking facilities. At the same time the proposed alternate route will permit all of the presently untouched portions of the Oklawaha River to retain its existing wild beauty.

The construction of the Cross-Florida Barge Canal will have an effect upon the plants and animals of the small area of the Oklawaha River which has already been altered by widening. Changes in kinds and numbers of species will occur there, changes similar to those which occur with the construction of any new reservoir. This is because rivers and lakes differ in many basic considerations. A stream and a lake represent two distinct environments, and some plants and animals associated with one will not survive or prosper in the other. The planning of the Canal will protect and preserve the environment, whereas before there was no such plan to protect plants and animals.

Construction of Lake Oklawaha (Rodman Pool) has greatly increased fishing opportunities and harvest as compared to the undisturbed river. The reservoir will provide habitat for a wide variety of desirable sport and commercial species. Fishing for game fishes such as largemouth bass, chain pickerel, and several kinds of panfishes should be spectacular for the first five to ten years; and after this initial "boom" period fishing could be expected to level off, but in Lake Oklawaha it should be possible to maintain excellent fishing through proven management techniques such as drawdowns.

If management tools such as periodic drawdowns are utilized, the fishery resource productivity and dollar value of fisheries could be raised significantly.

Manmade reservoirs now support approximately one-fourth of all inland sport fishing in this country, and in 1964 the U.S. Fish and Wildlife Service reported that this use was expected to double by 1976.

Birds, wildlife adapt

On pages 3–5 of the "Summary" there is a discussion of the impact of the Canal on wildlife. The wildlife resources of the limited area affected by Lake Oklawaha will be changed. While populations of certain nonendangered species of animals will decline, wildlife such as the various waterfowl, herons, egrets, anhinga, ibis, limpkins, gallinules, rails, turtles, and alligators will become much more numerous. The Lake Oklawaha area now abounds with many species of wildlife (including nesting bald eagles and ospreys) which can be easily observed and enjoyed by the general public.

With the adoption of the alternative alignment plan, most of the original hydric hammock still existing would be preserved.

The following table presents the results of bird censuses conducted by U.S. Corps of Engineers wildlife biologists during the past year. These conclusively show that a *great variety of bird species have been attracted to the new environment* of the reservoir, and that numbers and species have not declined as was predicted.

RESULTS OF BIRD SURVEYS CONDUCTED IN LAKE OKLAWAHA

Species	June 26, 1970	July 31, 1970	Dec. 7, 1970	Feb. 18, 1971	Mar. 16, 1971
Anhinga	37	43	58	61	81
Great blue heron	12	22	27	25	36
Little blue heron	42	110	30	36	55
Louisiana heron	5	11	16	17	22
Green heron	14	11	7	6	11
Black-crowned night heron	2	----------	[1] 9	----------	1
Yellow-crowned night heron	----------	----------	4	2	3
Common egret	25	15	320	172	102
Cattle egret	26	3	27	28	6
Snowy egret	6	1	3	22	27
American bittern	----------	----------	1	1	----------
Glossy ibis	----------	----------	----------	----------	8
White ibis	25	20	475	133	221
Wood stork	----------	5	6	----------	----------
Double-crested cormorant	1	2	2	6	6
Sora or similar rail [2]	----------	----------	3	----------	----------
Florida gallinule	15	29	20	43	32
Purple gallinule	----------	----------	----------	11	2
Common snipe	----------	----------	11	16	66
Osprey	10	8	5	5	16
Red-tailed hawk	1	1	5	3	4
Red-shouldered hawk	3	5	2	3	5
Marsh hawk	----------	----------	1	2	3
Sparrow hawk	----------	----------	----------	4	----------
Small unidentified hawk	----------	----------	----------	----------	4
Bald eagle	----------	1	[1] 3	[1] 3	[1] 3
Swallow-tailed kite	2	----------	----------	----------	----------
Killdeer	6	4	52	38	13
Least sandpiper	----------	----------	24	41	7
Lesser scaup	----------	----------	42	149	51
Florida duck	9	5	32	47	26
Wood duck	28	14	31	20	32

Footnotes at end of table.

RESULTS OF BIRD SURVEYS CONDUCTED IN LAKE OKLAWAHA—Continued

Species	June 26, 1970	July 31, 1970	Dec. 7, 1970	Feb. 18, 1971	Mar. 16, 1971
Blue-winged teal			61	33	35
Ruddy duck				13	
Mallard			14	10	17
Pintail			2		
Unidentified surface-feeding ducks [2]			325	420	320
Hooded merganser				4	
Common merganser					1
Pied-billed grebe			18	9	9
American coot	11	2	11,000	6,111	2,250
Snow goose			2		
Yellow-bellied sapsucker			1		
Downy or hairy woodpecker [2]			3	3	2
Red-bellied woodpecker	1		2		
Red-headed woodpecker			3	2	1
Pileated woodpecker	1			7	2
Boot-tailed grackle			70	(3)	25
Common grackle and/or cowbirds	46	12	240		
Starling				50	8
Red-winged blackbird	22	33	(3)	(3)	(3)
Unidentified blackbird		25			
Meadowlark					7
Mockingbird					3
Robin				(4)	37
Eastern and/or fish crow [2]	1		32	24	21
Tree swallow				(4)	(4)
Belted kingfisher	2	6	19	28	21
Black vulture	4		13	13	2
Turkey vulture			7	8	6
Cardinal			6	6	
Eastern bluebird			4	3	
Eastern kingbird	6	6			
Bobwhite quail	4	2			
Ground doves		2	4		29
Herring gull			6		
Number of species [5]	30	28	53	49	47

[1] Includes immature individuals.
[2] Difficult to distinguish species.
[3] Hundreds.
[4] Thousands.
[5] Does not include unidentified species.

Fishery and the Canal

Lake Oklawaha Fishing Good

The effect of the Canal on fisheries in the reservoir area not only has not fulfilled the predictions of disaster cited in pages 5–8 of the "Summary," but fishery has improved and there is no reason why all adverse possibilities cannot be completely avoided through proper fishery management. Construction of the Canal along the alternate route will have little effect one way or another upon the Oklawaha River south of Eureka Dam.

Fish samples were taken during 1968 in the undisturbed Oklawaha River and again during 1970 in the reservoir by biologists of the Florida Game and Fresh Water Fish Commission. The samples were collected by a variety of methods (rotenone, electrofishing, and trammel nets) and the results are expressed as a percentage by weight of the entire sample. A breakdown of all species into one of three categories is as follows:

	Fish samples, percent by weight	
	Oklawaha River 1968	Lake Oklawaha 1970
Game fish	42	83
Rough fish	52	1
Forage fish	6	16

As can be seen the fish life of the area has been "profoundly affected" but in the opposite direction as to what the "Summary" predicted . . . there has been a considerable increase in desirable species including bluegill, shellcracker, redbreast, chain pickerel, crappie and particularly largemouth bass. Concurrently, these data show a marked reduction in the percentage contribution of rough fish species (from 52 to 1% by weight.) Statements to the effect that rough fish species will eventually dominate the system are unjustified, as demonstrated by the excellent game fish population found in other reservoirs (such as Talquin, Seminole and Inglis) that range in age from 15 to 60 years.

The predicted loss of the Oklawaha population of striped bass and mullet, which is small and whose contribution to the total sport fishery is negligible, would hardly destroy an interesting and unique life cycle and sport fishery and also need not be allowed to occur. The striped bass is a highly desirable fish that is most abundant along the Atlantic coast between Cape Cod and South Carolina, and which has been successfully introduced on the Pacific coast. The striped bass also occurs in many rivers along the Gulf coast of Florida, and in the St. Marys, Nassau, and St. Johns Rivers on the east coast. The striped bass has been stocked successfully in many reservoirs in the southeast and midwest, and stocking the Barge Canal reservoirs and the Oklawaha untouched by the alternate Canal route would in fact create a striped bass fishery where little existed before.

Similarly, mullet have for years been passed through locks leading to Lake Okeechobee and there is no reason why these fish cannot be passed into Lake Oklawaha in the same manner.

The other anadromous species in the Oklawaha include American shad, blueback herring, and hickory shad. The St. Johns River represents the southern limit of these species. In the Oklawaha River their importance as a fishery was negligible, probably due to the unsuitability of the Oklawaha River as a spawning site.

Thus proper management of the fishery areas involving the Canal can lead to long-term maintenance of the improvement of fishing which has already occurred.

The validity of the "careful comparison" referred to on pages 5 and 6 of the "Summary" is established only by assertion, since the only evidence cited is open to serious question. Lake Oklawaha could be contrasted with, but should not be compared to, the St. Johns River. The St. Johns is grossly affected by industrial, municipal and agricultural waste material. Sea-level variations have a pronounced effect on water levels in the St. Johns River. The river's storage capacity is considerably increased during the spring and fall when sea levels are at a maximum. In addition, the river is subject to tidal influence as far upstream as Lake George. The combination of these two factors produces an oscillation of the water mass between Lake George and Jacksonville, thereby concentrating the pollutants and further aggravating the problem. The quantity of effluents from such sources as Jacksonville, DeLand, Winter Park, and Orlando is not expected to diminish in the very near future.

In contrast, the water entering Lake Oklawaha is of better quality and is relatively free from industrial and urban pollution. The quality of water flowing into the reservoir system will be monitored and Federal control of a collar of land surrounding the reservoir will permit stricter pollution control than was possible before the reservoir was constructed.

The "twenty years of fishery information" referred to on page 5 of the "Summary" is based entirely on two haul seine surveys. The first was conducted during the period 1948 to 1953; the second survey was made in 1969—after an interval of 16 years. Fishery biologists recognize the fact that fish populations are cyclic in nature and evidence based on only two surveys separated by such a long period of time is questionable at best.

The table on page 6 illustrates the higher percentage of game fish by weight in Lake Oklawaha as compared to the natural Oklawaha River. These data indicate a great improvement in sport fish populations in the new reservoir and a tremendous reduction in the percentage of rough fish after two years of impoundment.

The Florida Game Commission's conclusions based upon deterioration of the three impoundments cited on pages 6 and 7 of the "Summary" are suspect. Dead Lakes has been noted for its fishing, particularly for bluegill and redear sunfish, since the early 1900's. The natural dam on this lake was rebuilt in 1957, but this can hardly be called "impoundment." Bear Lake is a 107-acre lake that cannot be compared to a mainstream reservoid such as 10,800-acre Lake Oklawaha.

Concerning the decline in the fishery of these impoundments referred to by the Game Commission, a letter dated 18 September 1970 from their Tallahassee office states, "There are essentially no creel census figures available on these lakes as the cost of such information is extremely high." Without creel census data, it is difficult to determine how anyone can reliably determine whether or not fishing has deteriorated or improved.

Further, of the three "impoundments" listed by the Game Commission, only one (Deer Point) is a reservoir by accepted definition. The Game Commission fails to mention the excellent fisheries in certain other reservoirs (such as Talquin, Seminole, and Inglis) that range in age from about 15 to 60 years. Thus, the evidence used by the Florida Game Commission does not appear to satisfactorily support the conclusions upon which the "Summary" depends.

Pages 7 and 8 of the "Summary" contain over-simplified conclusions of Canal reservoir fishery based upon the "boom and decline" cycle frequently found in new water impoundments. New reservoirs typically exhibit rapidly expanding sport fish populations, the reason being that limiting conditions are removed. Interspecific and intraspecific competition for food and habitat space is vastly reduced. Survival and growth rates of young and adult individuals are markedly increased. Since two to three years of growth are generally required, a sport fishery for such a species as largemouth bass will not develop until the first year class enters the fishery. This and the next few year classes dominate the fishery for several years. Declining fishing success after the initial "boom" period is typical of impoundments, but the crucial point is that the dynamic

conditions typified by a new impoundment can be maintained through proper management. The benefits of periodic drawdowns are known and are discussed in detail below. If environmental conditions deteriorate, a severe drawdown and subsequent refilling would in essence create a new impoundment with its associated population rejuvenation. Further, there is some question concerning the use of the word "decline" to describe fishing conditions in older impoundments. The "boom" fishing during the first few years is the result of an abnormal circumstance (i.e., the inundation of previously unflooded lands coupled with low initial population densities) and should not be the standard by which the fishing in other years is judged. Most older reservoirs provide good to excellent fishing of a cyclic nature, and it is not unusual for favorable climatic and/or hydrologis conditions to periodically result in the establishment of stronger year-classes that furnish fishing comparable to that during the "boom" years.

Lake Quality Will Be Maintained

The best tool available to prevent eutrophication is water level fluctuation. The scientific literature indicates that this management tool (1) retards eutrophication by oxidation and compaction of bottom sediment, (2) promotes growth of desirable equatic vegetation around the shoreline, (3) helps to control undesirable aquatic vegetation, (4) increases growth rates and production of desirable gamefish, (5) results in cropping of forage species and small centrarchids which compete with and prey upon the young of desirable game species such as largemouth bass, (6) induces spawning of game species, (7) provides the proper habitat for young game species, and (8) produces a game species-dominated fishery.

A publication by John W. Woods of the Florida Game and Fresh Water Fish Commission titled "Ecological Management as a Means of Water Pollution Control" states:

"Habitat improvement by manipulating water level fluctuation appears to be a method in resolving the problem of maintaining adequate populations of desirable species. An extreme, but applicable variation of this is the partial or total drying up of a body of water . . . Lake Trafford . . . was highly eutrophic with a bottom consisting mainly of unconsolidated muds, an absence of rooted vegetation, a limited amount of benthic organisms used as food by game species and a fishery composed predominantly of gizzard shad."

After this lake (Trafford) experienced a natural drawdown exposing 15% of the bottom for about 6 months, the author states that a desirable firm substate, rooted aquatics and intermediate organisms provided the necessary habitat for a game fish population.

Woods further states that, "annual fluctuations in water levels will yield desirable results in habitat preservation by prolonging the period between artificial drawdowns of eutrophic lakes and to slow the aging of less eutrophic lakes."

The Corps of Engineers has effected a two-foot drawdown in Lake Oklawaha which was initiated in December, 1970, and its effect on the biota is being evaluated. Such a fluctuation was expected to expose approximately 20% of the bottom for a period of 2–3 months and refilling was planned to occur just prior to the peak of the largemouth bass spawning period. With proper management the reservoir should provide excellent recreation indefinitely.

"Pests" and the food chain

There is inadequate evidence to make the implication of page 8 of the "Summary" that insects and larvae produced in the Canal reservoirs may be in sufficient numbers to be classified as "pests," nor that their natural enemies will not keep them in perfect control. The assertion that the Canal "will increase the number of potential nuisance organisms" is unsupported by any evidence that the number of such organisms per unit of water surface area will increase.

Ecologists have in recent years reminded us of the importance of the food web. Growth in the numbers of fish and aquatic birds made possible by the increased water in the Canal impoundments must be supported by an increase in their food—insects and larvae. Studies have shown Tendipedidae larvae are an important item in the diet of several game fish including largemouth bass, bluegill, shellcracker and redbreast sunfish. It is well known that Tendipedidae (Midges) form one of the most important groups in the food web of aquatic environments. Larval forms are consumed by a variety of secondary and tertiary consumers including other insects, forage fishes and aquatic birds. The presence of this family of insects has evidently contributed substantially both directly and indirectly to the high production of gamefish throughout the reservoir. The new equilibrium between the numbers of fish, birds, and insects is being firmly established at this time; and there is no evidence that the results will not be entirely ecologically beneficial.

It should also be noted that the alternate route substantially decreases the amount of flooding associated with the Eureka Pool and removes a major portion of the areas where lake-type waters would occur. The alternate plan would reduce the size of the proposed Eureka Reservoir from 18,000 acres to about 7,000 acres, preserving 11,000 acres of the Oklawaha River ecosystem. Thus, the areas in which insects might breed are reduced by the alternate Canal route. And to this extent the changes just discussed minimized.

No Significant Spread of Pests Can Be Accurately Assigned to the Canal

In the section on the possible migration of pests, pages 8–11 of the "Summary," the Cross-Florida Barge Canal is unfairly made to carry the burden of seeming to be the only or the most important means by which various pests may move into and across the state. For example, page 9 of the "Summary" is dominated by a paragraph warning of the dangers of *Hydrilla* which is identified as "one of the world's most fastest growing and rapidly multiplying submerged aquatic flowering plants." The paragraph concludes with a warning of the economic and environmental dangers *"if* this plant were to spread through the Canal to the eastern waterways (emphasis supplied)." If this plant is the danger it is asserted to be and as mobile asserted, the issue is not *whether* it will spread but *when*. The best policy would be to actively look for a solution to the problem rather than to pretend that the absence of the Canal will cause the problem to go away.

As will be demonstrated in an example below, there are many ways in which such pests can migrate, including through the existing Okeechobee Canal route, or through the Everglades, or by aquatic birds, or by our highly mobile boaters with their boats and trailers, or by the intentional transplanting of species for a variety of motives. While we should be concerned about desirable environmental changes caused by man, we must also remember that nature is not static and that some environmental changes are still caused by migration and evolution of some species and their enemies.

With regard to the Erasian milfoil mentioned on pages 9 and 10 of the "Summary," a report by John H. Steenis, of the U.S. Fish and Wildlife Service, titled "Eurasian Watermilfoil, A Rapidly Spreading Water Plant" (Hyacinth Control Journal, Vol. 6, June, 1967), states that *Myriophyllum spictatum* is presently established in Massachusetts, Vermont, New York, Pennsylvania, New Jersey, Delaware, Ohio, Indiana, Illinois, Wisconsin, Maryland, Virginia, North Carolina, Georgia, Florida, Alabama, Louisiana, Texas, and California.

The plant has been spread by boaters and tropical fish dealers and its introduction into Lake Oklawaha is probably only a matter of time, not really to be increased in substantial probability by this Canal. However, disease organisms found in association with the plant in both Florida and Maryland and the TVA has had considerable success in controlling this plant with drawdowns; and its natural enemies may well keep it in check as has been the case in other localities.

The exotic fish referred to on page 10 of the "Summary" is a species of Tilapia (*Tilapia heudeloti*) which was first reported in Hillsborough Bay in 1959. By 1962 the species was firmly established as a resident and a study was initiated by the U.S. Fish and Wildlife Service. Their report states that little competition for food (detritus and phytoplankton) exists between this and native species, so apparently the fish simply moved into an ecological niche not filled by some other animal. In the 12 years since it was first reported, *T. heudeloti* has shown little inclination to wander and is still confined to Tampa Bay in rather distinct and ecologically similar areas. In addition, this *Tilapia* (like most other members of the Cichlidae) cannot tolerate low water temperatures, and periodically suffers winterkills in Tampa Bay. A commercial fishery has developed for the species and consumer acceptance locally has been excellent. In summary, it is extremely unlikely that a fish which has shown a definite preference for low salinity water, and which has extended its range very little in more than a decade, would suddenly migrate about 100 miles in the open Gulf to get to an area (North Florida) where it probably could not survive a winter.

The Asiatic clam (*Corbicula sp.*), which is discussed on pages 10 and 11 of the "Summary" is worldwide in distribution, and was first reported in the Western Hemisphere from the Columbia River in Washington in 1938. The clam first appeared in the Ohio River Basin in 1957, and has since spread throughout this drainage basin. In Florida, it has been reported from the Chattahoochee, Apalachicola, Withlacoochee Rivers, and from Inglis reservoir. *Corbicula* also occurs in the Suwannee River, and has been collected as far upstream as the State Park. The Canal is not likely to speed its spread in any way.

Corbicula has most recently been found in Lake Okeechobee. Although it is unknown how the clam became established, a likely explanation is that larvae were accidentaly introduced by crappie fisherman (free-swimming larvae are abundant in water supplies where the clam occurs) as has occurred in other areas. At any rate, the presence of *Corbicula* in Lake Okeechobee and the headwaters of the Suwannee River will predictably result in their eventual establishment on both coasts of Florida; but the Canal will not seriously affect the speed of this spread. The clam is considered a nuisance in irrigation systems in California, and has also been reported to interfere with steam plans and sand and gravel operations in the TVA area. On the positive side, the Asiatic clam is an important food item for many species of fishes as well as waterfowl, and the shells provide a substrate for many invertebrates important to aquatic food chains. For example, the Federal Water Pollution Control Administration report noted 30 mayflies, 10 caddisflies, and 193 amphipods per square foot of bottom where clams occur, whereas shifting sand bottoms without clams are often virtually sterile.

In summary, the discussion of the Barge Canal as an infestation route for potentially serious pests make a poor case for its inclusions. While the opening up of any new

waterway opens up the opportunity for the migration of aquatic plants and animals, the Barge Canal's route from salt to fresh water presents a natural barrier to the migration of many potential pests, of the pests cited by the "Summary," the exotic fish appears to not be a problem; and the others have such an ability to migrate that the presence of the Canal will not significantly increase their spread. A termination of the Canal project is not a responsible answer to the presence of these pests in the state of Florida.

Eutrophication no real problem

The potential for eutrophication problems in the reservoirs of the Canal discussed in pages 11–13 in the "Summary" has been greatly over-estimated. A majority of the available nutrients in Lake Oklawaha and other mainstream reservoirs flow completely through the system without becoming incorporated in plant or animal biomass. The comparison of Lake Oklawaha to a sewage treatment polishing pond on page 11 of the "Summary" would be ludicrous if it were not so manifestly unfair as an argument against the Canal.

Material developed by the Florida Game and Fresh Water Fish Commission appears to have been a major source for the discussion in the "Summary" of eutrophication. The Game Commission predicted that Lake Oklawaha might rapidly become eutrophic. Their report states that, "The average surface water flow entering this system (Inglis) is much greater and not as rich in available nutrients as the Oklawaha system." This statement is unsupported by fact. Data collected by the U.S. Geological Survey indicate that the average surface flow entering Inglis is actually *less* (3,808 AF/day—37 years of record) than the flow entering the Oklawaha system (4,036 AF/day—25 years of record).

More importantly, the figures listed under the heading "sources and nutrients" presented by the Game Commission are also incorrect. Data reported by the U.S. Geological Survey show an average flow from Rainbow Springs of 1448 A/F day, not 668 A/F day as reported by the Game Commission. This underestimation introduces a serious error into the Game Commission's calculations of nutrient loads.

The source of the Game Commission's data on nutrient concentrations is not available for examination, but a recent report by the U.S. Geological Survey indicates that Inglis Reservoir is actually *much richer* in available nutrients than the Oklawaha system. The June 5, 1970, report by this agency presents the following data on nutrient loads expressed in lbs/day:

	September 1968	May 1969	September 1969
Total organic carbon:			
Inflow to Inglis	225,600	70,000	----------
Inflow to Lake Oklawaha	124,800	41,000	----------
Total nitrogen:			
Inflow to Inglis	19,300	5,800	12,480
Inflow to Lake Oklawaha	14,400	5,660	8,360
Organic nitrogen:			
Inflow to Inglis	12,200	2,400	7,080
Inflow to Lake Oklawaha	9,240	2,750	5,400
Total phosphorous:			
Inflow to Inglis		194	600
Inflow to Lake Oklawaha		500	348

In addition, but not included in the above data, Inglis Reservoir is surrounded by private homes (nearly all of which have septic tanks) which likely contribute significant additional quantities of nutrients to the water.

The Game Commission report makes the point that water replacement time for Inglis is only 5.1 days; therefore the nutrient load is not allowed sufficient time to express itself fully in plant growth. Lake Oklawaha has a replacement time of 18.6 days. The Game Commission suggests that full utilization of nutrients by aquatic plants will occur. The fallacy in this line of reasoning is that nutrients which flow into a reservoir can pass through and out of the system without ever becoming incorporated in plant biomass. A recent publication by Dr. J. M. Lawrence of Auburn University titled "Fertility and Aquatic Biomass in Southeastern Impoundments" demonstrates this point. "Nutrient inputs into both Lake Seminole and Eufaula (both of which are nationally recognized sport fisheries) are relatively high when computed on a pound/year/mi² of drainage area basis, but in the 7 to 10 years of existence have shown no indications of producing obnoxious algae growths. The conditions which are responsible for this suppressed algae growth in habitats with an abundant N and P supply are not known. The major portion of the input N, K, Ca and C passed through these main-stream impoundments and was released into the downstream environment." His studies also showed that although the Flint River Arm of Lake Seminole could be ranked in the upper quartile of rivers analyzed by Keup (1968) on the basis of fertility, "the utilization of this excess P in production of obnoxious growths of algae has been minimal. On the other hand, the rooted aquatic plant populations appeared to have their maximal nutrient assimilation within this area even though the water replacement time was only 3 days." I am unaware of any publication which suggests that detention time is the "key" to nutrient utilization in reservoirs.

It is incorrect to simply state as the "Summary" does on page 11 that the river was cool and imply that the reservoir will be warm. The Oklawaha River was greatly influenced by the relatively warm (72–74° F.) water from Silver Springs, and could be expected to have an annual variation in temperature of about 60–85° F. The reservoir will not be influenced as greatly by the flow from Silver Springs, and thus will be cooler in the winter (45–50° F.) and slightly warmer in the summer (85–90° F.). These temperatures are well within the limits considered desirable for production of sport fishes.

Page 11 of the "Summary" predicts without supporting evidence that the Canal reservoirs will be dominated by aquatic plants and algae. Available evidence indicates that this has not happened and that it will not happen. As was obvious during the first summer of impoundment, aquatic plants can become a problem and if not controlled could greatly diminish fishery and other recreational benefits. However, it is also true that fish production in most Florida waters is intimately associated with aquatic vegetation with a positive correlation between vegetation and sport fishing. Algae production is also beneficial as it forms the primary trophic level of the food chain in the aquatic environment. Algae becomes a matter for concern when extremely large numbers of one or a few species are produced, whereas moderate numbers of a wide variety of species is considered indicative of a heathy environment. Data supplied by the Game and Fresh Water Fish Commission since July, 1970, from their monthly water quality and algae sampling program show good species diversity in Lake Oklawaha and its source waters. In general, the lowest diversity occurs in the two streams tributary to the reservoir while the diversity remains relatively high throughout the reservoir as well as above and below it. This indicates relatively healthy conditions as opposed to the conclusions drawn by the Game Commission. Since impoundment the reservoir has experienced no serious algae bloom, and there is no scientific basis for predicting severe blooms in the future.

In regard to aquatic vegetation, the presence of high concentrations of tannins in the water itself has a marked effect on light penetration and its utilization by aquatic vegetation. Recent data collected by the U.S.D.A. Agricultural Research Station show that approximately 8% of the total incident light penetrates to a depth of one foot, 2% penetrates to three feet, and less than 0.5% penetrates to a depth of six feet. No detectable light penetration was found at depths greater than nine feet. Light penetration data collected by the Game Commission and furnished to the Corps of Engineers since August, 1970, follow a similar pattern. Each species of plant has specific requirements for the wavelengths of light needed for photosynthesis. Further sampling is needed to determine the spectral composition of light found at various depths; however, it is felt that because an extensive area of Lake Oklawaha is relatively deep and its water is darkly stained with tannin, control of undesirable submersed aquatic vegetation is not a real problem.

In most new impoundments there is an initial dissolved oxygen (D.O) deficit due to the high Biochemical Demand (BOD) of the inundated soils and vegetation. Because much of Lake Oklawaha occupies former swamps with large quantities of oxidizable organic material, and because the waters of the Oklawaha were often low in D.O. under natural conditions, it could only have been expected that the postimpoundment oxygen sag would be more severe than in many other new reservoirs. However, the periodic periods of low D.O. undoubtedly have conditioned aquatic animals of the Oklawaha to this stress, and recent fish samples cited elsewhere in this paper indicate an abundance of game species.

Studies by Corps of Engineers biologists indicate that the growth rate of young largemouth bass was depressed but that these fish are in excellent condition at the present and it appears that no long-lasting ecological damage resulted. Largemouth bass have produced two strong year classes in successive years, and as a result the population structure in the reservoir is well balanced. The D.O. in Lake Oklawaha is now generally at acceptable levels (about 7 to 9 parts per million). Because of the large open expanses of water in the reservoir, oxygen, levels, after the initial high BOD is met, should generally be higher than occurred in the river.

It is also true that the maintaining of proper control of water hyacinths will result in minimal adverse effects on the dissolved oxygen and the bottoms. The necessity of destroying large amounts of other aquatics by chemicals is speculative, and may well be better accomplished with drawdowns, as has been discussed above.

The water replacement time of the reservoirs discussed on pages 12 and 14 of the "Summary" is an important consideration. It should be noted that the water replacement time for Eureka is not the 56.2 days cited in the "Summary" but rather, 36.1 days (storage capacity at 38' msl is 98,500 AF and average inflow is 1,364 cfs). More importantly, however, the modified Eureka reservoir of the alternate Canal route should have a significantly shorter replacement time since the area flooded will be greatly reduced and flooded areas off the main flow of water will be almost entirely eliminated. The waters of the Oklawaha River will flow unimpeded directly to Eureka Dam and spillway as they do today, and the Canal will not be a factor in the eutrophication in the untouched river.

Aquatic weeds can be economically controlled

The discussion of aquatic weeds on pages 14 and 15 of the "Summary" again offers extreme predictions based upon insufficient scientific evidence. The water hyacinth problem of Lake Oklawaha, which attracted much attention during the summer of 1969, was the result of many factors, prime among them being the early lack of control, coupled

with a mild winter. The quantity present, however, did not expand from an insignificant hyacinth population as was suggested. Following the population increase the hyacinth control has been so effective that at present only one spray crew has been needed to complete routine spraying operations. This procedure has resulted in minimal rather than "ever-increasing" quantities of deposited vegetation, the decomposition of which is rapid in a highly oxygenated system such as the reservoir.

It is hoped that research sponsored by the Corps of Engineers on mechanical and biological control methods (conducted by the U.S. Department of Agriculture and the University of California at Davis) will soon provide a better solution to the problem than chemical herbicide application. Three South American insects, currently being tested, show promise in this regard. Utilization of the flea beetle (Agasicled n.sp.) to control alligator weed is an excellent example of a biological control which has no adverse effects on non-target organisms.

Thus far the costs of aquatic plant control in Lake Oklawaha have not been unreasonable. Total costs for all aquatic plant control since impoundment are as follows:

	Acres	Cost	Cost/acre
Fiscal year:			
1969	1,012	$11,084	$10.95
1970	6,325	55,012	8.70
1971 (through February)	1,874	22,030	11.76

These figures primarily represent the cost of controlling water hyacinths.

There is also scientific evidence that the control of aquatic plants can be inexpensively achieved through water management techniques. The Corps of Engineers is optimistic, based on studies conducted in other states, that submersed aquatic plants can be largely controlled by manipulating water levels. The following studies are pertinent to a discussion of aquatic plant control in lakes or reservoirs where water level can be manipulated.

In an Arkansas study, Lake Catherine (built in 1923) was drawn down in an attempt to control an overabundance of aquatic plants, primarily coontail and elodea. Mathis reports that:

"After the 1964–65 drawdown was completed and the lake returned to normal level, periodic checks were made of the lake. There is a complete absence of *Elodea* and *Ceratophyllum*, almost a complete absence of *Polygonum*, and a significant reduction of Nitella and *Chara*."

"That the vegetation control program on Lake Catherine is a success, there is not a doubt. It was successful beyond our greatest expectations. The amazing thing was the speed with which the vegetation was eliminated." (Mathis, W.P. 1965) Observations on control of vegetation in Lake Catherine using Israeli carp and a fall and winter drawdown. Proc. Nineteenth Ann. Conf. S.E. Assoc. Game and Fish Comm.)

In a discussion of Louisiana impoundments, Lambou stated that controlled drawdowns of water levels during the late summer or fall offers the best possibility as a sport fishery management tool. (Lambou, Victor W. 1959. Louisiana impoundments: Their fish populations and management. Trans. Twenty-fourth North American Wildlife Conference, 187–200.)

And in other Louisiana studies the following results have been documented:

Anacoco Lake, a 2,600-acre impoundment in central Louisiana, was fluctuated primarily for aquatic vegetation control. The vegetation was reduced 90 percent over a period of three years. The effects on the fish population as shown in annual rotenone samples were an increase in the game fish of available size and a decrease in the intermediate size sunfish. Fishing success improved markedly.

Bussey Lake, an impoundment of 2,200 acres in northeastern Louisiana, was extensively studied. The noxious vegetation was reduced over 95 percent in two years. The effects on both the fish population and fishing success were extremely favorable with harvest per acre up over 250 percent. (Lantz, Kenneth E., James T. Davis, and Janice S. Hughes. 1964. Water level fluctuation—its effect on vegetation control and fish population management. Proc. Eighteenth Ann. Conf. S.E. Assoc. Game and Fish Comm.)

Davis has summarized the results of the above and other experimental drawdowns in Louisiana and concludes that water level fluctuation can effectively control aquatic weeds, result in better balanced fish populations, increase spawning of the desirable fishes, and result in a two to threefold increase in fish food organisms. In addition to the remarkable results obtained in the earlier study by Lantz et al., Davis lists the following:

"Chicot Lake near Ville Platte was fluctuated for many years. A decision not to lower the lake resulted in the lake becoming so clogged with weeds that fishing or boating was impossible. The lake finally was dried up in an effort to remove the problem."

"D'Arbonne Lake, was fluctuated annually since its completion. This large, shallow, clear lake has developed a high fish population and water weeds are being checked." (Davis, James T., 1967. Water fluctuation: Louisiana Conservationist, Vol. 19, Nos. 1 and 2, pp. 5–7.)

It should be noted that there is no out-of-pocket cost associated with this management technique and that adequate notice to shippers could minimize costs due to delays associated with the use of this technique.

Finally and to summarize, the spread of the water hyacinth throughout Florida without benefit of the Barge Canal has made it clear that the aquatic plant hydrilla is not a particular problem of the Canal. If hydrilla is the serious problem, which the "Summary" indicates it is, its control in the Barge Canal is not likely to be more difficult than in Florida's other waterways and bodies of water. Two points seem pertinent in this regard. First, the sport fishery in Florida is intimately associated with aquatic vegetation, with a positive correlation between vegetation and fish production. Aquatic plants become undesirable only when they are so abundant as to preclude use of the water. Secondly, if we are unable to control these plants in these impoundments, then it follows that they cannot be controlled in other lakes and in a few years there will be little or no fresh water fishing in the entire state. There are no scientific data to support such a dire prediction.

Dredging will conform to law and present no serious problems

The discussion of dredging on pages 15 and 16 of the "Summary is an excellent example of the overstatement which is present throughout the "Summary." If its predictions were to be taken literally, no dredging or use of waterways would be permitted anywhere. While older dredging techniques might justify such fears, modern techniques and requirements minimize environmental changes. The Corps of Engineers' spoil plans for the project are designed with the intent and desired to absolutely minimize environmental damage during these operations. Upland spoil areas, as recommended by the U.S. Fish and Wildlife Service and the Florida Game and Fresh Water Commission, will be used whenever possible. In certain other areas the spoil will be consolidated into large islands or placed on the upland to be developed as public use areas. In all cases the spoil areas will be diked and weired and the effluent carefully monitored to prevent ecological damage. Dredging of the Canal will be in strict conformance with Public Law 91–190 "National Environmental Policy Act of 1969" and with FWPCA requirements for dredging operations.

Salinity intrusion miniscule

The increase in salinity discussed on page 16 of the "Summary" is apparently much ado about very little. Greater evaporation losses in the Oklawaha and Eureka Pools would result in an annual loss of about 30,000 acre-feet. This represents about two percent of the flow of the Oklawaha River, or about one-half of one percent of the flow of the St. John River.

A reduction of this magnitude could hardly be expected to "induce intrusion of salinities further up the St. John's River" or "aggravate pollution conditions from Palatka to Jacksonville." The decrease in size of the Eureka Pool built along the alternate route will mean that even lesser evaporation losses will occur. The report by the U.S. Geological Survey indicated that salt water intrusion into the Canal was unlikely and that proper management techniques would completely control salt intrusion into the Canal itself.

Surface and subsurface water pollution problems easily met

This section will respond to the separate discussions of Surface and Subsurface Water Pollution in pages 17 through 20 of the "Summary" because pollution of the acquifer is entirely dependent upon pollution of the surface water. Again, in treating this topic, the "Summary" demonstrates a preference for inferences of potential disasters rather than a desire to argue from hard evidence or even probabilities. Thus, on page 16 the "Summary" argues that a "real danger" of accidental surface water pollution exists. The danger is real in the sense of not being imaginary but as the discussion below will make clear, the probability that an accident will occur which will be allowed to have a significant environmental impact is quite small.

Similarly, in the discussion of pollution problems and the aquifer, the "Summary" on page 19 admits that the U.S. Geological Survey report concluded that the planned operations of the Canal "should not seriously affect Florida water supplies." But the "Summary" goes on to note that the U.S.G.S. report suggested the need to minimize surface water pollution and then asserts that there is a "*clear* potential for *some* pollution of the Florida subsurface waters" (emphasis added). The only evidence cited for this "clear potential" of pollution of unspecified seriousness is the unsupported prior statement that a "real danger exists." The minor pollution dangers of back pumping the waters of the Oklawaha when necessary to maintain water levels in the Summit Pool ("Summary" page 18) will be eliminated by the alternative Canal route, because the waters of the alternate Eureka Pool will come only from the Summit Pool and from Silver Springs.

Pollution of the Summit Pool and the Floridan Aquifer is not inevitable because of the Barge Canal. Pollution of the Floridan Aquifer through inflow into the Summit Pool and other Canal waters from adjoining land will be strictly controlled under the permit procedure of the Corps of Engineers. Pollution of the aquifer is much more likely from sources such as the drainage wells drilled in and near the city of Ocala. The "Summary" in its great concern with the remote probabilities of accidental oil spills in the Canal affecting the aquifer neglected to mention that the U.S. Geological Survey report found that three wells in Ocala have had 35 feet of oil in direct contact with the waters of the aquifer for some time.

The discussion of surface water pollution in the "Summary" is almost entirely given

over to a discussion of potential cargoes. From the estimated base year Canal traffic of about 980,000 tons, it was estimated by the Corps of Engineers that about 40 percent are liquid commodities. It should be noted, however, that these commodities are carried in specially designed tank barges under rigid Coast Guard and insurance requirements. Given these requirements, the chance of this commodity group being spilled is quite remote.

The remaining 60 percent of the tonnage are solids. Undesolvable solids such as lumber and pulpboard comprise 50 percent of the total tonnage. The remaining 10 percent of the total tonnage are desolvable solids such as sulphur, potash, salt cake and sugar. If considered to be problem cargoes, they can be prohibited or required to be containerized at the cost of shipper.

Many studies have shown that barge traffic is the safest of all known forms of transportation.

Most of the potentially dangerous products carried by barge are carried in minor amounts with double safety precautions clearly outlined by Coast Guard rules. Operators of towboat vessels and river pilots must be licensed. No comparable system of federal inspection and licensing exists for other commerce. Further, there are over 9,000 passages per year in the Panama Canal system where these and many other materials are transported without ecological danger or catastrophe. New transportation techniques such as containerization and better barges will minimize the dangers of accidental spills of cargoes. And there is every reason to expect that environmental awareness will produce stricter pollution standards made practicable by technological advances.

A proper assessment of the likelihood of surface water pollution should consider the ability of the Corps of Engineers' operating proposals to minimize the effects of highly infrequent accidents. There are methods that can be implemented to prevent pollutants from entering the aquifer. The Corps has proposed that barges be inspected at each end of the canal and that those which are doubtful or show signs of leaking will not be locked through.

In the event that a spill does occur, equipment to take care of such emergency will be stationed along the Canal. A new law requiring tow boats to have radio equipment will permit early warning. If a pollutant should enter the water, the means to remove it are available. Some liquids such as oil can be boomed off and removed by skimming or pumping. Heavier materials such as phosphate and sulphur could be removed by clamshell. Materials for which recovery measures have not yet been developed would be prohibited from the Canal until recovery procedures are established. Remedial action will be taken to prevent contamination of the aquifer by lowering the head in the Canal and reversing the flow into the aquifer. This management technique is especially important in the Summit Pool area since it greatly reduces the pollution potential which is so greatly magnified on page 18 of the "Summary." Further, the Corps of Engineers has proposed to set up a task force of experts to study the problems and design methods to prevent spillages and to develop the latest emergency plans to handle such spillages should they occur. In conclusion, there is extremely little danger that toxic materials will be spilled in a potential Cross-Florida Barge Canal; and further, sites with distinct one-way flow into the aquifer could be sealed using current known methods thus preventing transport of materials into the aquifer.

Recreation benefits long term

On pages 20 and 21 of the "Summary" it is argued that the recreation benefits will be lost and the benefit-cost ratio is really unfavorable for this reason. Factual data, national statistics and extensive Lake Oklawaha research should lead to the following conclusions on the realization of predicted recreation benefits:

1. Lake Oklawaha now supports a high quality sports fishery (83% game fish, 16% forage species, and 1% rough fish) composed of large-mouth bass, bluegill, redbreast, shellcracker, chain pickerel and channel catfish.

2. Nutrients and dissolved oxygen continue at satisfactory levels after two years of operation, insuring maintenance of a high productivity in the reservoir system.

3. Variations in depth and substrate types will provide habitat for a great number of plant and animal species, particularly those of the primary and secondary trophic levels, upon which the reservoir food web is based.

4. Water level manipulation has been shown to be an effective and inexpensive method of controlling aquatic vegetation, retarding euthrophication, and developing a dynamic and productive sports fish population. If managed properly, the reservoir should provide excellent recreation potential indefinitely.

5. Based upon national reservoir statistics, a boom in fishery production occurs in new impoundments, after which there is a decline from the boom years. However, the decline, even over a 100-year period, would show a fishery value of nearly $600,000 per year as compared with a fishery value of the Oklawaha River of $26,000. As noted above, with proper management the "boom" period of fishery production could be extended almost indefinitely, at little or no cost.

This paper has supported the conclusion that the dire environmental results of the Canal predicted in the "Summary" will not occur and that through proper management techniques the recreation benefits can be long lasting. As a matter of fact, in 1970, Lake Oklawaha attracted 340,000 visitors to the new recreational oasis for fishing, boating, camping, picnicking and other activities.

Alternate route preserves scenic river

The alternative alignment plan referred to on pages 21–23 of the "Summary" would permit navigation through the Oklawaha Valley from Eureka to State Road 40 bridge, a distance of some 20 miles. Flow down the natural river would not be affected nor would be the surrounding hydric hammock. This plan, therefore, preserves the natural character of the river and forest while at the same time allowing navigation to proceed along the isolated Canal route. The water required to replace lockage losses in this Canal are insignificant as compared to the flow of the Oklawaha River. Cost of aquatic plant control in this stretch would be less than that anticipated for the Eureka Reservoir which this Canal replaces. Fish and wildlife resources would be little affected by the plan although as pointed out earlier, the potential fishery (and recreational) benefits afforded by a reservoir such as Eureka would be forfeited in turn for the preservation of a wild and scenic river; and there would be some benefits to the wildlife because a large area which would have been flooded under the original plan will not be flooded by the alternate route. The system of a wild river leading into a reservoir, which unlike most freshwater bodies can be managed exclusively for game fish production, aquatic weed control and eutrophication retardation, represents an ideal recreational and research complex. The alternate plan would permit flexible operation of both the Oklawaha River and the Barge Canal as separate systems. The plan would also eliminate objections of the U.S. Forest Service by removing Lake Eaton, Lake Charles, and Mud Lake from Eureka Lake.

THE WHITE HOUSE YOUTH CONFERENCE TASK FORCE ON POVERTY

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, May 17, 1971

Mr. McGOVERN. Mr. President, recently the White House Conference on Youth was held in Estes Park, Colo. That gathering was hailed by a spokesman for the administration as being a truly representative outpouring of the complex, but intense, feelings of the young people of this Nation. This group was not brought together to demonstrate for one cause or another, or to be advocates for any particular direction in the sphere of political activity. The group was balanced by age, geographical distribution, sex, color, ethnic origin, and so on.

From this perspective, I believe we in the Congress would be wise to give our most serious reflection and consideration to the recommendations which were promulgated by this outstanding group of young Americans. I am convinced, after hearing the preliminary reports of the conference activity that these are more than mere recommendations for future governmental policies. They are the strongest feelings of dedicated and concerned Americans about the directions which we as a people must take if we are to fully live up to our historic national goals of assuring the rights of life, liberty, and the pursuit of happiness for all of our people. In their own words:

It is time now finally to affirm and implement the rights articulated in the Declaration of Independence and the Constitution.

I shall speak at a later time of the full scope of recommendations made by this group. There are several which have been made available at this time, however, and these I would commend to the attention of the Senate. Most of us are aware that the conference approved a recommendation of total and immediate cessation of U.S. ground and naval operations and bombing in Indochina and total withdrawal of all U.S. military forces and cessation of logistical support by December 31, 1971. Over 70 percent of the young delegates approved this recommendation. This, I believe, is an accurate reflection of national sentiment at this time.

In addition the task force on poverty of the White House Conference made a number of very useful and specific recommendations relating to a general annual income, the elimination of hunger through the adequate financing of the food stamp program and the national school lunch program, the provision of a decent home for every American, and more. This task force, which was led by Mr. Sterling Tucker, vice chairman of the District of Columbia City Council, and Mr. James Branscombe of the Appalachian Regional Commission, has produced a report which is well worth the attention of every Member of this

body. I support their recommendations entirely in principle, and nearly entirely by specific, and I urge my colleagues to do the same.

At this point, Mr. President, I request that the final recommendations of the task force on poverty of the White House Conference on Youth be printed in the RECORD.

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

FINAL RECOMMENDATION OF THE TASK FORCE ON POVERTY

GUARANTEED ADEQUATE INCOME

Background: Every citizen in the United States has the *right* to a decent and adequate standard of living. Today there are millions of American families, "in poverty". This incidence of poverty and the factors causing it have made it necessary to develop some form of income maintenance programs to provide for subsistence needs of those incapable of supporting themselves.

7.1 Action statements

The current welfare system of payments, services, and commodities should be replaced with an income program which guarantees every person in America sufficient cash income for decent and adequate standards of food, shelter, and clothing, supplemented by supportive services. We further recommend that the program be designed to includes the following essential charactertistics.

(a) *Benefit levels.* Cash benefits must be sufficient to provide for a decent and adequate standard of living. The benefit level should be no less than the lower standard budget established by the Bureau of Labor Statistics, with regional variations. The BLS lower standard budget was $6500 for a family of four in 1969.

(b) *Eligibility based on need.* The only requirement for eligibility should be a simple declaration of need.

(c) *Determination of eligibility.* An individual or family could become eligible through two processes: (1) the potential recipient may request cash allowance upon submittal of standardized proof of earning level; or (2) the administering agent will inform persons of the eligibility and ineligibility as a result of their records.

(d) *Subsidized public services.* The cost of essential services such as child care, vocational planning, family counseling, legal and health services, should, if necessary, be directly subsidized by the federal government. Participants in the income program should be free to purchase the services they need or want. These services should be integrated into those used by the affluent citizens and available to all on a graduated fee scale based on ability to pay. Food stamps, commodities, and other such alternatives to cash should be eliminated.

e) *Work benefits.* Work benefits should be built in so that participants in the income program are encouraged to work and encouraged to find higher paying jobs if possible.

f) *Work requirements.* No one should be required to work or enroll in training as a requirement for initial or continued eligibility.

g) *Privacy.* All precautions should be taken to guarantee that privacy and other rights of participants are protected including legal rights of appeal.

Implementation

This income program should be federally financed and administered according to federal standards. Administration procedures should be simple and participants in the program should be included in program development, decision making, and implementation.

Date: April 20, 1971.

JIM BRANSCOME
STERLING TUCKER,
Co-chairmen.

EDUCATION

The Task Force on Poverty believes that the educational system is a primary deterrent to the economic and political sufficiency and mobility of poor people in America. The American public school system cannot meet the needs of all the youth if a significant number of people are excluded from the decision-making process.

Any program designed with the purpose of truly educating poor youth must necessarily make education accountable and acceptable to life the way it is actually lived in poor communities. We strongly believe that there must be a two-pronged approach to the current education problems of the poor community. First, *we submit that priority be given to the fostering of alternatives to the present education system,* and that *all* vehicles of funding be explored, such as Voucher systems, Street Academies, and Performance Contracts.

Secondly, the following steps must be taken to reform the existing system. *The Task Force on Poverty advocates full community control of schools for poverty areas.* Community residents of poverty areas should control decisions on personnel, expenditures, and curricula. Each school should have a policy-making board of community residents. Students above the elementary school level should be represented on the policy-making boards could seek technical assistance in their work, but the role of the consultants should be defined by the boards. Students and parents should be represented on *all* district-wide policymaking boards. Steps should be taken to involve representation of *all* segments of the community on district boards. We strongly recommend proportional representation.

These two basic approaches—alternatives to the public school system and full community control—undergird each of the following recommendations.

NUTRITION

Background

The Task Force on Poverty recognizes the importance of adequate nutrition to the educational process. A hungry child cannot learn. We support a fully expanded child nutrition program, including the following:

7.2a Action statements

(1) We recommend that Congress increase the proposed FY 1972 budget request for Section 11, Free and Reduced Price Lunches to $600 million.

(2) We recommend that Congress increase the non-food assistance funds for the purpose of providing facilities to non-participating schools to $33 million for FY 1972.

(3) We recommend that Congress increase Section 4 School Lunch funds to $500 million for FY 1972.

(4) We recommend that the Administration and the Congress set a goal to feed the 10 million eligible school children a free or reduced price lunch by Thanksgiving 1971.

(5) We recommend that the Congress and the Administration work toward the implementation of a universal free school lunch program by no later than January 1, 1976.

(6) We recommend that the Congress raise the school breakfast program budget request to $100 million for FY 1972.

COUNSELING

Background

The counseling services now established in the public educational systems do not satisfy the needs of the individual students. Many counselors, appointed by the school boards, have inadequate training, thus having little or none of the students' confidence. Due to the small number of counselors per school, the lack of understanding on the part of the counselors of the low-income or minority-group students and the stereotyping of these students' futures, we see need for changes in the present system.

7.2b Action statements

In accordance with our recommendation for Community Control we feel the following could alleviate many of the present problems:

(1) Guidance Counseling, which is crucial to the educational life of a student, should be extended to the elementary level.

(2) A maximum of 300 students per counselor should be established to give counselors sufficient time to deal with students' individual problems.

(3) Junior High and High School students should have an effective voice in the selection of their counselors.

PRE-SCHOOL EDUCATION

Background

We strongly recommend the expansion of pre-school educational programs. Recognizing the importance of pre-school education, we feel it mandatory that all children have equal opportunities for development of proper life forms and habits to help enable their proper growth and development. Our recommendations in this area are as follows:

7.2c Action statements

(1) That a considerable increase be made funds in the Head Start Program, which, in its fifth year, reaches only 15 percent of poor pre-schoolers.

(2) That an expanded Day Care Program be adopted which provides for health, nutrition, social services, and early education is controlled by the parents of enrolled students; and staffed by community residents.

(3) That public kindergarten be financially underwritten by the Federal Government and immediately incorporated into the public school system.

RELEVANT CURRICULA

Background

The education system is not prepared to present culturally different children with teachers, materials and environments which respect the differences of unique cultural identities and lifestyles. The school system does not present these children with programs which help them deal with the concrete realities of the ghetto, the barrio, the reservation and the "holler" rather than with the reality of far-away suburbia.

It is the conclusion of this Task Force that the educational problems of poor people in this country are not the result of cultural deprivation but, rather, the failure of the educational system in this country at all levels to recognize the right of an individual to possess behavioral and cultural patterns other than those of the dominant middle-class majority. We have come to believe as a result of our hearings and study that the freedom to express openly and with pride one's own unique cultural heritage is as important an issue in addressing the problems of poverty in this country as are the usually cited issues of economic self-sufficiency and the right to good education.

A related deficiency of formal education is the lack of emphasis on cross-cultural experience with the result that the public's understanding of diverse behavior patterns and culture is minimal. What exposure there is to other cultures is passive and is transmitted, in large part, by the mass media.

It is the conclusion of this Task Force that so long as the American educational system at all levels continues to isolate students behind our walls with peers of their own social and economic class while refusing to give students opportunities to live and work within real cross-cultural experiences, racism and discrimination will continue to be pervasive influences in American society.

A. INDIAN EDUCATION

Background

Indian children are forced to attend B.I.A.—run boarding, high schools away from their homes. There are no high schools in Indian communities. Many teachers in Indian schools are not chosen by the community. There are many job training programs, but they do not lead to jobs on the reservation and there are few recreational activities.

7.2d Action Statements

1) High schools should be set up in Indian communities.

2) High schools should have Indian staff.

3) The Indians in each community should choose staff, plan curricula, and select materials for their children.

4) Funds should be provided to establish community colleges.

5) Job-training programs should lead to jobs on the reservation.

6) Recreation programs and facilities should be set up in Indian communities.

B. BI-LINGUAL EDUCATION

Background

This Task Force realizes that Spanish-speaking Americans are handicapped in the educational system and in the job-market.

7.2e Action Statement

We recommend that a comprehensive bilingual education program be created; and that it be available to Spanish-speaking students at an early age, such as Head Start classes; and that where a professional bilingual teacher is not available to teach in schools with Spanish-speaking enrollment, persons from the Spanish speaking community be employed as teacher aides to facilitate communication and understanding with students who are not proficient in English.

C. TESTING STANDARDS

Background

I–Q tests have been widely used across the nation as a basis of the tracking system in elementary and high school education. Performance on these tests is the decisive factor for future jobs and opportunities for higher education. Mentally retarded and slow learning classes are disproportionately filled with children of minority and poverty backgrounds because of the inability of this testing procedure to relate to them. The inherent inequities in this type of culturally biased testing are further perpetuated by the tracking system.

7.2f Action statement

We hold that this type of testing and the accompanying tracking system are an arbitrary and discriminatory means of categorizing poor people. Therefore, the administration of I–Q tests or their equivalents should not be used as a measure of a child's potential and abilities.

D. VOCATIONAL AND HIGHER EDUCATION

Background

This Task Force recognizes and supports the commitment undertaken by the Federal Government to provide truly equal opportunities for *all* citizens. In order to facilitate this goal of proportionate representation of poor and minority persons in 4-year institutions of higher education, vocational and Junior College education, this Task Force recommends the following:

7.2g Action statements

Vocational-Technical Education

a) That the President and the Congress significantly increase the amount of funds available for high-quality vocational-technical education training for poor youth and, equally important, that these schools be located within the communities where poor youth live.

b) That vocational programs be offered in junior high and high schools for students whose talents lie outside the academic sphere so that they may develop these talents and receive the praise and confidence received by academic achievers.

c) That work study programs be expanded in terms of both philosophy and funding. In addition to providing cash income, the high school and college work study programs can be used as training vehicles to prepare students for a vocation or profession either temporary or permanent.

Higher Education

a) That the Educational Opportunities Program (EOP) be not only retained but expanded and that increased funds be made available for the Grant-In-Aid (GIA) portion of this program, until the goal of proportionate minority and poor representation is met.

b) That community junior colleges be within 30 miles of any potential student and that these institutions become open-door colleges serving the needs of poor students.

c) That state legislatures throughout the country re-evaluate their state scholarship programs and immediately begin undertaking the direct aid or the grant approach to assisting students in defraying the cost of their educational expenses.

d) That a Teacher Internship Program be established for residents of poor areas. While they are being trained, all persons would receive an adequate living allowance. They would work with children, not as mimeograph operators or secretaries. Training, which lead to full professional status, would include credits for life experience, work experience, and regular academic courses.

JIM BRANSCOME,
STERLING TUCKER,
Co-chairmen.

Date: April 20, 1971.

HOUSING

Background

Today as a direct result of massive indifference on the part of our government we face a full-scale housing famine in America. In our country where 43 million Americans do not have an adequate income, as determined by the Bureau of Labor Statistics, we find that all poor people, including welfare recipients, the unemployed and even the low wage earners, are unable to buy new homes, renovate old homes or even pay the meager rents in rent-subsidized housing. We see the only method of dealing with this mammoth crisis is in the declaration of a national housing emergency; and that concurrently national economic priorities must be reoriented to focus on the housing needs of the poor.

In 1949 Congress set a national housing goal—to provide "a decent home and a suitable living environment for every American family." Today, 22 years later, we have not come close to achieving that goal. In fact, the housing needs of the nation's poorest families are more acute than ever. The Task Force on Poverty is convinced that the nation's housing programs have not been implemented to serve the poor. Indeed, housing programs for low income urban residents have not reached 10% of their constituency; in rural areas, they have yet to reach 5% of those in need.

7.4 Action statements

a) Every American has a moral and legal right to a "safe, decent and sanitary home." Further, we feel that until such time that a guaranteed adequate income, consistent with the figures of the Bureau of Labor Statistics, is instituted for every American, the government must provide a safe, decent and sanitary dwelling with adequate space for all Americans, whatever the cost.

b) We call upon the President to declare a national state of emergency, and reorient national economic priorities to focus on the housing needs of the poor.

c) To meet this drastic need, we call for the consolidation of all federal, state, and local housing agencies (including the Farmers Home Administration) into one supervisory agency called the *National Agency for Adequate Housing*. Extensions of this agency should be located in all appropriate political subdivisions.

d) The control of this Agency is to be shared equally, on all levels, by the administration and those non-governmental organizations that represent the recipients of federal housing assistance (such as the National Tenants Organization and National Welfare Rights Organization).

(e) This Agency will have a specific mandate to follow closely the resolutions of this report.

f) Included in this Agency will be a special unit for Emergency Rural Home Development to deal with the housing problems of the rural poor.

g) In order to expedite the construction of low-income housing, we recommend that at least 50% of all future housing starts be in the low-income category. Within the next year, a national housing survey should be made. This survey will determine by political subdivision the precise percentage of low-income housing required. Each political subdivision will be responsible for the implementation of the housing survey recommendations. If any subdivision fails to come into compliance within 6 months of publication of the survey, the governor of that state shall be empowered to enforce compliance by any means at his disposal. If there is a continued failure to produce the appropriate housing ratio, the President shall through the Agency for Adequate Housing, produce compliance.

Implementation

An extensive program for implementation is included as an appendix to the Task Force Report on Poverty.

Date: April 20, 1971

JIM BRANSCOME,
STERLING TUCKER,
Co-chairmen.

HEALTH CARE

Background

Six major obstacles prevent the provision of adequate physical and mental health services for the nation's poverty population:

1. The inability of poor Americans to afford health care;

2. A health care delivery system unequipped to serve the poor chiefly because of geographic maldistribution of medical personnel and services;

3. Exclusion of the poor from policy making within the health care system;

4. Lack of accountability of governmental and voluntary agencies;

5. Lack of effective programs for health and family life education;

6. Lack of coordinated planning for the resolution of the nation's health problems;

7. The cost of medicine, particularly when prescribed by brand name, often prohibits the marginally poor from following their medical programs;

The Task Force recommends that adequate health care be an inherent legal right of every American. Fulfillment of this right requires the development of a national health plan that will include the following elements:

7.3 Action statements:

a) Federal Responsibility

1. *Universal coverage for all residents of the United States.* No one shall be denied participation because of income, race, creed, color, geographical location, age, sex, citizenship status, or for any other reason.

2. *Comprehensive health services available to all.* The following types of health and health services should be provided: preven-

tive, diagnostic, therapeutic, rehabilitative, health maintenance, and health related custodial care.

3. *High quality health care must be delivered.* Program support should be restricted to those providers who meet standards of quality, effectiveness, and efficiency determined by regional accrediting bodies composed of health care professionals and consumers of health services.

4. *Equal access to health care delivery system.* Comprehensive and specialized health services should be distributed throughout the nation in accordance with the population as a whole and poverty and rural areas in particular.

5. *Development of additional manpower.* Federal monies should be made available to stimulate the development of educational facilities for the training of health personnel. Federal traineeships, loans, and grants to health care training institutions should be used to stimulate the entry of individuals to the health professions. Supplementary funds should be made available to students from poverty backgrounds and to the institutions that train them. A related program to recruit and train paraprofessional personnel must be implemented and must include built-in opportunities for additional training and upward mobility.

6. *Federal financial incentives to guarantee effective distribution of health care services.* Economic incentives should be used to promote an adequate distribution of personnel and facilities so that rural and ghetto areas may have access to a full range of health services.

7. *Federal support for medical research should receive a high priority.* Special efforts should be made available to support research designed to identify and solve the special health problems of ethnic minority groups, such as sickle cell anemia.

b) State and Local Responsibility

1. *Consumer participation in policy-making.* At each level of service delivery, consumers, representative of the service area of the facility or service, must have the opportunity to participate, along with health care professionals, in the development of policy and the evaluation of the overall impact of the service delivery unit.

2. *Attention to case findings and public education.* Regardless of the quality of health care services, these services will not be comprehensive or adequate for thousands of Americans unless outreach programs are included which provide health education and screening activities, transportation services, rehabilitative, and follow-up care. The system should provide that health personnel reach the consumer at his level of need within the community. Specific efforts must be directed to health and family life education within the community and school system and the maximum development of public health facilities and community resources.

3. *Treatment of minors.* While under normal circumstances it is prudent to involve parents or legal guardians of a minor in his treatment plan, the public welfare will better be served by removing barriers that prevent minors from seeking care. It is therefore important to enable health care personnel to provide treatment and counseling to minors without the involvement of their parents in the following problem areas: drug abuse, birth control, and venereal disease. State and local laws should be changed to facilitate this practice.

4. *Abortion.* It is recommended that the concept of abortion be removed from the legal arena and left to a decision that may be reached between the doctor and his patient.

5. Voluntary sterilization should be made available to those who wish it.

6. We condemn legislation or acts which promote involuntary sterilization because we believe that it is a step toward genocide of poor people.

c) Hunger and Health Care

During the period of phasing out the present welfare system the problem of hunger persists. The Task Force on Poverty recommends that the Administration and Congress address itself to the question of hunger in America immediately. We recommend:

1. That the President declare a national hunger emergency and use the authority he has to assure that no American in need goes without federal food assistance;

2. That the Food Stamp Program be expanded to every appropriate political subdivision in the nation;

3. That the budget request for fiscal year 1972 for the Food Stamp Program be increased to 2.75 billion dollars to accomplish recommendations (1) and (2), and 3.5 billion for fiscal year 1973;

4. That the Department of Agriculture henceforth base due Food Stamp Value of Coupon allotment on the Low-Cost Food Plan ($134 per month for a family of four);

5. The Task Force opposes any "Cash-Out" of Food Stamps in a guaranteed income proposal unless that cash-out is on a dollar for dollar basis.

JIM BRANSCOME,
STERLING TUCKER,
Co-Chairmen.

Date: April 20, 1971.

RECREATION

Background

There is a continuing need for better recreation programs serving poor youth in both urban and rural areas. One of the most immediate needs of poor youth is in recreational facilities in their own neighborhoods to give them "something to do." Adequately funded recreation programs, proposed by poor youth themselves, could yield numerous benefits in areas such as crime, drug abuse, education, and the environment.

Federal aid for youth recreation programs has been severely limited in the past consisting mainly of projects initiated by OEO groups at the local level or through the Mayors' Youth Opportunity projects funded by the President's Council on Youth Opportunity in the Nation's 50 largest cities. These efforts have been wholly inadequate in meeting recreational needs of young people. Most other Federal recreation programs provide funds only for the building of parks, lakes and other large public works in recreation programs which are not accessible to youth in poverty areas.

Because the interest of young people in the country varies so greatly from region to region and community to community, it is difficult to propose Federal legislation to meet this need. With these difficulties in mind, the Task Force has drafted the following recommendation which we think can lay the basic groundwork for improving the Nation's recreation resources for young people.

7.6 *Action statement*

We recommend that there be established in the appropriate Federal agency a national youth recreation program which would receive funds from Congress to fund youth originated recreation proposals from young people across the country. There would only be two limitations on the type of project which this agency would fund: (a) that it would be a recreation project proposed by poor youth for their neighborhoods, and (b) that the programs should not compete with or duplicate existing private effort, unless that effort is not in fact serving poor youth.

Implementation

There would be a number of details which would have to be worked out to insure that maximum utilization was made of the funds available. In most communities Community Action Programs, Local Development Districts or Mayors' Youth Opportunity Offices could be used as clearinghouse offices for youth originated proposals from their areas. The Task Force recommends that $10,000,000 be made available on a demonstration basis, to test the effectiveness of such a program for one year. Six months after the initial funding of such recreation programs, they should be reviewed by the community which they serve to determine whether funding should continue. The level of program funding should automatically increase with a downward shift in the value of the dollar. Persons who are sympathetic to the economically and culturally deprived should be appointed in every state and territory of the U.S. to inform poor youth of the recreational and cultural activities available in their neighborhoods.

In funding recreation programs in accordance with this recommendation, special attention should be given to areas such as Indian reservations where few if any recreational facilities exist.

It is also recommended that the public schools do their part in providing recreational facilities by allowing their gyms and other facilities to be used by youth on week ends, after school hours, and throughout the summer.

Date: April 20, 1971

JIM BRANSCOME,
STERLING TUCKER,
Co-chairmen.

YOUTH SERVICE-LEARNING PROGRAM

Background

Manpower programs in the past have not adequately dealt with the employment problems of poor youth. Poor youth have been trained for irrelevant jobs which do not offer them opportunities for upward mobility. They have not been given the training and education necessary for securing self-satisfying jobs in their own communities. Therefore, we recommend that the following program be implemented.

7.5 *Action statement*

a) A national service learning program should be established to serve all poor youth between the ages of 14 and 24.

b) Participants in such program should receive, in payment for their services, a salary of no less than the minimum wage with provisions for fringe benefits and salary increase on the basis of merit.

c) Participants should be trained for development of specific skills suited to their need for upward mobility. They should receive academic credit and also documentation of their skills which could be used as a job qualification.

d) Adequate supportive services should be provided, including counseling, health services, provision for transportation to work.

e) Length of participation in the program should vary with individual skill and needs.

f) A follow-up program should be established to ensure placement in open job market after participation in such program.

Implementation

A national body, separate from any existing body, should be established and authorized to administer this program and all existing youth manpower programs. It would contract and make grants to local public and private agencies which would conduct service learning programs, and it would develop and encourage greater participation by state and local institutions and agencies.

An Advisory Board, composed of 51% youth, would be established on a national and local level to advise and make recommendations to the national and local administering bodies in the areas of program planning and coordination.

Education and training of youth participants should take priority over administrative costs when determining economic allocations.

In areas where the local economy cannot support this program, such as Indian reservations, Appalachia, migrant camps and

rural areas, funds should be allocated by the Federal government to develop and implement this program.

A special committee, consisting of a youth majority, should be established to ensure the implementation of the afore-listed recommendations.

JIM BRANSCOME,
STERLING TUCKER,
Co-Chairmen.

Date: April 20, 1971.

COAL MINING

Background

In Appalachia, strip mining has caused injury to miners, black lung disease, and the destruction of natural resources. In addition, the natural resources of Appalachia are mined with very little benefit accruing to the people of the region. This leads to only one conclusion: the industry must be nationalized or preferably Appalachianized so that the people will have the power to halt the needless death and human suffering and be able to reclaim the wealth generated from the mining industry which is rightfully theirs.

7.7 Action statements

a) An Appalachian Mountain Authority, similar to the Tennessee Valley Authority should be created to own and operate the mining industry for the people of Appalachia.

b) The wealth accrued from this ownership should be invested in needed public projects for the uplift of the Appalachian Region.

c) Federal legislation should be proposed immediately to abolish strip mining as a legitimate process for the extraction coal from the earth.

Date: April 20, 1971

JIM BRANSCOME,
STERLING TUCKER,
Co-chairmen.

OFFICE OF ECONOMIC OPPORTUNITY

Background

Of all OEO programs CAP comes closest to serving the poor because it comes closest to being a client-oriented program. Under CAP guidelines residents of a poverty community are expected to draw up their short and long-range plans and priorities for a local war on poverty and then wage the battle.

And it is to these recommendations from the low-income residents that the CAP programs must give their first priorities. This procedure insures the adherence to the mandate of 1964 legislation bringing OEO into being. The mandate guarantees that the poor will play a major role in establishing the programmatic priorities that directly effect their lives.

The philosophy of felt need by the poor is only viable and effective when CAP administrators and CAP boards and local officials refuse the temptation of superimposing their values upon the will of the poor.

If some CAP programs have failed to respond to the needs of the poor, the fault lies not in the basic OEO philosophy, but rather in the failure to honor the premise that the people affected must have a powerful voice in determining their destiny.

We strenuously object to the recent arbitrarily imposed across-the-board reduction in funding for all CAP programs.

7.8 Action statement

CAP funding should instead be based upon the degree to which a local CAP program responds to programmatic priorities established by its low-income recipients.

Date: April 20, 1971.

JIM BRANSCOME,
STERLING TUCKER,
Co-chairman.

MINORITY OPINION TASK FORCE ON POVERTY

Coal mining

The coal mining minority group feels that the Poverty Task as a whole was not aware of the true nature of strip mining and mine safety regulation issues. Furthermore specific information was not presented to the task forces. Neither was there adequate discussion upon the recommendation as adopted by the Poverty Task Force. Therefore we wish to offer a minority opinion and alternative recommendations.

1. Severence tax should be placed upon all coal. The revenue from this tax should be distributed to the state and local governments on a 40–60% basis respectively.

2. The minority group recognizes that strip mining is detrimental to both our physical and social environment. They further acknowledge that some strip mining can be accomplished without serious permanent damage to our environment. It is recognized that certain geographical features are conducive to strip mining and others are not. Thus the minority opinion is that a federal mining agency should be established to formulate and execute strict strip mining regulation. A possible implementation of this could be through the establishment of the federal agency along the lines of the Federal Reserve Board no one associated with mining could be on this agency.

3. It is additionally recommended that this agency formulate and enforce mine safety regulation for all mining.

4. It was the concensus of opinion that this agency should formulate and present to the local, state and federal governments any action that would better improve area development of coal mining regions.

(NOTE.—This statement was presented by a minority caucus. The Task Force considered it and voted to include it as part of the record. The Task Force also re-affirmed its support of the Task Force recommendation on coal mining.)

Right to life of the unborn child

The right to life is guaranteed by our constitution, respected by society, and considered by all as a most precious possession. This, if meaningful at all, must apply not only to the strong and affluent, but also to the weak, the poor and the handicapped. It must be defended and protected for all, but especially for those who are least able to defend and protect themselves. This defense must be embodied in the attitudes and actions of everyone in our society. But above all, it must receive the protection of our laws.

Among the weakest and most in need of protection is the unborn child. This child has the right to be born, which right must be respected and protected. Its existence cannot be left to the private determination or whim of other individuals. It cannot protect itself, but deserves the defense and protection of a society which cares for its weakest members. This protection must find expression in laws which prohibit abortion.

Moreover, the ill-effects of illegal abortion must be overcome, not by legalizing abortion, but by educational programs, service and action programs, and by enforcement of those laws which prohibit the killing of the unborn child.

(NOTE.—This statement was presented in response to section (b) 4 of the recommendation on Health of the Task Force on Poverty.)

HOUSING RECOMMENDATION OF THE TASK FORCE ON POVERTY

Appendix I.—Strategies for implementation—committee report on housing

Rural Housing

Two-thirds of the inadequate housing in the United States is found in rural areas. Furthermore, the depressed economic and housing conditions in rural America are the cause of the mass migration of the rural poor into urban ghettos. In light of these facts, the housing workshop makes the following recommendations:

a) The establishment of a 5 year Emergency Rural Home Development Agency, as proposed by the National Rural Housing Alliance. This agency would be charged with the responsibility to fulfill all rural housing needs within 5 years.

b) That until such time as a guaranteed adequate income consistent with the figures of the BLS is available for all Americans, each American that is unable to pay for a dwelling-unit due to low income must be provided with a "safe, decent and sanitary dwelling" at the government's expense.

c) That the institution of a guaranteed adequate income is inseparable from the fulfillment of housing needs. The low-income persons who are unable to provide themselves with other needs are also unable to provide themselves with adequate housing.

d) The establishment of regional rotating funds to supply loans for premortgage costs and the homeowners' share of construction costs.

e) The establishment of regional component housing industries making use of local natural resources as materials for building low-income component housing.

f) The assimilation of Farmer's Home Administration into the National Agency for Adequate Housing.

g) The restructuring of housing efforts for Indians, including:

1) the abolition of the practice that Indians cannot obtain FHA loans because they are wards of the government;

2) the abolition of BIA control over Indian land. It is dehumanizing to the Indian that he has no say over the control and disbursement of his real property;

3) the institution of complete community control over decisions relating to housing on the reservation. This will include free choice to:

a) institute a self-help program whereby the government supplies the materials and employs trained, unemployed Indians at a competitive wage to build their own homes, if they so wish; or

b) reject the self-help program, at which point it would become the responsibility of the National Agency for Adequate Housing to build homes that are judged by the tribal council to be consistent with the lifestyle and culture of the tribe; and

4) full implementation of the 1970 Farm Labor Act.

h) Serving the housing needs of migrant workers, including:

1) providing specific funds for mortgages for those migrant workers who are leaving the migrant stream.

2) centralized camps providing housing and social services for the migrant workers who are forced to leave the migrant cycle.

3) rest stations every 250 miles on the major routes taken by migrant workers.

4) providing mobile homes for those migrant workers who have the desire and capability to use them.

i) We would like to focus attention on the housing needs of Alaska. Because of the distance of Alaska from the continental U.S. and the distance of Alaska's welfare from the minds of people in the continental U.S., only a pittance of federal money ever gets to Alaska.

Financial Mechanisms

Since adequate amounts of low income housing is directly dependent on increased allocations of money; and since the Federal government is the only feasible source for the sums needed, we call for a commitment of massive federal funding in the low-income housing field.

a) The key to home ownership and property maintenance is a financially sound family structure. For this reason we call for the adoption of a Guaranteed Adequate Income based on the Bureau of Labor Statistics' lower standard budget.

b) The administration must apply pressure to the nation's financial institutions to insure that they participate fully in federal

mortgages programs such as section 235 of the Housing Act.

(a) The administration should state pubprestige of his office to inspire in the American people a commitment to fulfill the goal of a "safe, decent and sanitary home for all Americans."

(b) The President must make use of the building codes should be reviewed in order to allow the use of new technological breakthroughs in housing.

(c) No Federal program can successfully gram should be greatly expanded; and a requirement should be instituted that 25 to 50% of the occupants of any Section 23 building be low income.

Urban Neighborhood

We must develop an understanding of the role of the neighborhood. Too often we put a new house into a tormented neighborhood only to be surprised when the house is destroyed.

(a) The administration should state publicly the inseparable relationship between poor housing, poor health, racism and inadequate education. Further, the administration must commit itself to solve all these problems in concert.

(b) The President must make use of the prestige of his office to assure that all Americans accept the necessity for a full social and economic mix in their community. Nothing short of an outright declaration by the President can be effective.

(c) No Federal program can successfully be imposed on a neighborhood without the responsible participation of the community.

(d) A metropolitan housing policy should be devised that can effectively assist in achieving the previous two points. This policy should give more than lip service to these goals, using capital incentives for compliance, and withdrawal of funds for non-compliance.

(e) Metropolitan areas should be compelled to develop neighborhood scale plans for each community. These plans should be created by the community residents with the help of advocate planners assigned to the community by the National Agency for Adequate Housing.

(f) A point of emphasis in these plans should be community determination of allocations for recreational facilities, parking, green spaces, etc.

(g) A commitment of NAAH's resources to supportive services for the vitality of the community, i.e., day care, drug rehabilitation centers, youth centers and community health services. It is further recommended that these services be free to all community people and that community participants manage the projects at all levels.

Maintenance and Rehabilitation of the Community

In order to break the pattern of slum growth, comprehensive community maintenance must be instituted. We must stop the wasteful cycle of allowing communities to deteriorate to the point where the only cure is massive demolition. We call for a commitment to retain every existing neighborhood in America as a viable and healthy social unit. We recommend:

(a) A significant commitment to the rehabilitation of existing housing.

(b) That a firm commitment by NAAH be made to deal with community capital improvements by matching on a 2–1 ratio all monies expended for residential property improvements. Capital improvements could be in the form of playgrounds, paving, etc.

(c) That private landlords and homeowners be offered relief of assessment for improvements made to their properties. In the case of landlords, incentives should be given only with the provision that tenants that live in the dwellings before the improvements will also live in the dwellings after the improvements and that their rent levels will remain constant.

(d) That the unemployed be given on-the-job training in the construction and other vocations related to the building trade on location in their own neighborhood. Further, we recommend that job training wages be set at a minimum of at least $3.00 an hour. Again, we stress maximum community participation and that work is optional, not mandatory.

Legal Rights

We reaffirm our belief that *all* people have a *right* to a safe, decent and sanitary home. In order to facilitate this basic human right, we recommend the following:

a) That *all* tenants in both public and private housing have the right of a fair hearing prior to eviction and that NAAH provide counsel to all tenants.

b) That *all* tenants be given the right not to pay rent to public or private landlords if the dwelling unit does not satisfy the requirement of a "safe, decent and sanitary dwelling."

c) That a national housing code be developed by NAAH and that fines be imposed on landlords that don't comply; funds to go to tenant organizations.

d) That funds for tenant organizations come directly from NAAH upon request from the community in both public and private housing and that all monies are controlled by community people.

e) That tenants are guaranteed the right to bargain collectively with landlords and that a mechanism be set up to deal with tenant grievances.

f) That tenants have the right to withhold portions or whole payments of rent if the tenant chooses to make the necessary improvements to the property.

g) That in public housing on *all* levels the tenants represent 51% of the decision-making body.

h) That HEW cooperate with NAAH to make sure that the housing needs of welfare recipients are not overlooked.

New Technology

a) The President must use the prestige and influence of his office to get from the building trades unions a commitment to a program of production-line low-income component housing. Without this, no significant progress can be made in alleviating the housing emergency.

b) Component housing technology should be developed to make use of the specific natural resources of a given region. This will allow for a myriad of new regional industries and will greatly reduce the shipping costs of the components. In addition, our country will be able to return to indigenous regional styles.

c) Building codes and zoning ordinances must be revised to allow for the use of component and mobile housing.

d) We criticize Operation Breakthrough as a non-commital showpiece to substitute for real action. It's time to stop demonstration projects and get down to work.

New towns

(a) Publicly owned lands should be transferred and used, wherever possible and feasible, for the development of new communities. To help disperse the 40,000,000 new people expected to inhabit our cities in the next ten years, selfcontained new communities with a high percentage of low income housing must be developed.

(b) Throughout the nation there are cities of under 100,000 population. These cities should be aided in efforts to provide jobs and services so that they will grow significantly. This is imperative if we are to hope to minimize the misery involved in the continued mass migration to our nation's megalopolises.

Retooling industry

(a) We call for the President to appoint a blue-ribbon commission to make specific recommendations as to how our country can successfully go from a wartime to a peacetime economy.

(b) Component housing offers many opportunities for retooling existing factories. This is a key element in a successful attack on the housing emergency.

Negative factors

(a) Social regulations controlling the U.S. Bureau of Public Roads must be strengthened at least to the point where BPR must pay for and construct two dwelling units for each one it demolishes.

(b) There must be a significant cutback in funds for BPR. Those funds should be redirected to urban mass rapid transit.

(c) Finally, the greatest single negative factor interfering with progress in the area of housing is the attitude of our present administration. We have an insensitive administration that is wholly and consciously unwilling to respond to a clear crisis.

BALLOTING RESULTS

The key results of delegate balloting at the closing session of the White House Conference on Youth are tabulated below. At the top of each ballot the following statement was printed:

"This ballot in no way indicated priorities of the Conference. Task Forces and Caucuses were given the option to place all, some, or none of their recommendations on the ballot. Task Force and Caucus recommendations not submitted to the Closing Session are of equal priority."

TASK FORCES

1.0 Foreign relations

1.1 Majority report—Indochina

Recommends total and immediate cessation of U.S. ground and naval operations and bombing in Indochina, and total withdrawal of all U.S. military forces and cessation of logistical support by December 31, 1971.

	Yes		No		
	Number	Percent	Number	Percent	Undecided
Youth	361	70.1	121	23.4	33
Adults	82	68.9	33	27.7	4
Unknown	9	.....	3	.....	2
Total	452	69.7	157	24.2	39

1.2 Minority report—Indochina

Supports continued and accelerated withdrawal of U.S. combat troops from Indochina and believes in the Vietnamization process.

	Yes		No		Undecided
	Number	Percent	Number	Percent	
Youth	198	39.8	272	54.6	28
Adults	41	38.3	61	57.0	5
Unknown	4	.....	7	.....	0
Total	243	39.4	340	55.1	33

AMTRAK TRAINS BYPASS ST. PAUL

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. KARTH. Mr. Speaker, I find it necessary to speak today about the failure of Amtrak, the National Rail Passenger Corporation, to serve the citizens of St. Paul, the capital of the State of Minnesota. An Amtrak route from Chicago to Seattle goes directly through the Twin Cities but stops only in Minneapolis. Amtrak trains should stop in both cities. It is unreasonable for train riders to have

to travel all the way to Minneapolis to board a train, especially when many of them, such as college students and elderly persons, are without automobiles.

Amtrak claims that operating the St. Paul terminal is an expensive proposition. I hardly think this is justification for bypassing the city entirely. Until terminal problems are solved, the least Amtrak could do is stop its trains at a designated railroad crossing to service this city of 308,000 people.

Section 301 of Public Law 91–518 which created Amtrak says that the purpose of the Corporation "shall be to provide intercity rail passenger service, employing innovative operating and marketing concepts so as to fully develop the potential of modern rail service in meeting the Nation's intercity passenger transportation requirements.

Where is this "innovation" with regard to St. Paul's terminal? What kind of "marketing" dictates that trains run nonstop through such a large city? Bypassing St. Paul entirely is hardly an "innovative concept."

I wish to insert in the RECORD at this point an excellent article by Joe Rigert of the Minneapolis Tribune which contrasts train service in the United States and Europe:

[From the Minneapolis Tribune, May 2, 1971]

AMTRAK CAN LEARN FROM EUROPEAN RAIL SERVICE

(By Joe Rigert)

Officials of the new National Railroad Passenger Corporation (Amtrak), which will operate America's railway passenger service, say they are looking to the airlines for inspiration on how to attract patronage. They may offer movies, candlelight suppers, stewardesses and even jazz concerts.

Before they get to that, however, they want to restore basic service to its previous levels.

I have ridden trains from Minneapolis to the West Coast and from Minneapolis to Chicago and the East Coast. I have also ridden commuter trains up and down the East Coast. Finally, I recently rode European trains more than 6,000 miles north and south, east and west.

On the basis of that experience, I suggest that the American trains have a long way to go in offering a basic service, let alone in providing any of the luxuries.

The best American rail travel I have found is on the Milwaukee Road between the Twin Cities and Chicago and on the Burlington Northern between the Twin Cities and the West Coast. Dining-car meals are good and not overly expensive. Buffet-car service is convenient. Seats are reasonably comfortable. Vista-dome cars provide a scenic ride. And train personnel are usually helpful even if not always available.

But the cars are sometimes either insufferably hot or unbearably cold—always because of some malfunction that never seems to get fixed. Open coach cars provide no privacy for families and no protection for non-families who want peace and quiet. Travel time is long and wearisome. Stations are old and dirty.

Trains from Chicago to the East Coast, however, are worse. Cars are dirtier. Unexplained delays are interminable. The passenger at times feels as if he has been abandoned to the mercies of unseen forces that may leave him to perish at some lonely siding or take him to some unknown fate.

And the East Coast commuter trains are still worse, if that is possible. It is.

European trains, for all of their reputation, are both good and bad. The worst are in Spain and Eastern Europe—broken windows, stopped-up toilets, no water, filth and stench. The best are the trans-Europe express trains with foam-rubber seats, gourmet meals, cognac on the aisle and soft-voiced announcements for each stop.

The common denominator of the European train system, however, is a basic service aimed at the traveling masses, not the classes.

The rates are low. European rail costs average from less than half to just a little more than half the U.S. rates. The Europeans offer a Eurailpass worth as many as 100,000 miles of first-class travel in 31 days for $140. It can be purchased through the American travel agencies.

The trains are usually comfortable. Instead of open coaches, both first- and second-class cars have compartment for six to eight people. The seats in some of them pull out into almost a bed position—a welcome feature on overnight trips for passengers who cannot afford sleepers. Each compartment has luggage racks and individual heat control. Each compartment also provides privacy. The schedules are usually maintained. If a connection is difficult, there is often another train leaving in a short time.

The food and drink service is extensive. Most depots have one or two good restaurants, along with snack bars where the traveler can eat on the run or buy sandwiches and drinks for the trip. Most trains also offer mobile food and drink service, up and down the aisles, in addition to the more-expensive dining car. One may buy everything from cheese sandwiches to wine on the trains.

And informational services often are outstanding. Arrival and departure times are listed by the tracks and in prominent places in the depots. Information personnel—speaking several languages—are usually on hand to aid confused travelers.

In the United States, where distances admittedly are greater, airlines have captured the biggest share of public-carrier long-distance travel. Automobiles carry most of the commuters. In Europe, most people still ride the trains for commuting and for inter-city travel.

Still, a European trip suggests that if Amtrak really wants to regain inter-city rail patronage, the best way to do so would be not to compete with the airlines on luxuries and amenities, but to offer an inexpensive basic service in the European pattern.

Amtrak planners might consider whether they will attract patrons from the airlines by offering better movies, or by offering a comfortable ride at far less cost. The planners might consider whether they will attract patrons from the buses by charging more for greater luxuries, or by charging the same for greater comfort and fewer stops. Finally, and basic to their strategy, they might consider whether they are going to appeal to the limited class market, or to the broad mass market, with special rates for students, the elderly, families and others who find it difficult to afford air fares.

The Europeans maintain a strong public transportation system because they cater to broad public use.

SOCIETY, ENVIRONMENT, AND SCIENCE COURSE

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. LONG of Maryland. Mr. Speaker, I recently learned of an outstanding project being carried on by the Lansdowne Senior High School, in the Baltimore area. It brings community and environmental problems directly into the classroom. This is the kind of educational program which engrains responsibility in our students. I would like to commend them and their instructors by including the following outline of their course plan in the CONGRESSIONAL RECORD:

SOCIETY, ENVIRONMENT, AND SCIENCE COURSE

Societyt-Environment-Science is a course designed as a one semester course available to 11th and 12th grade students on an elective basis. The project is a team taught by a social studies teacher and a biology teacher. The student prerequisites for the course are the completion of a biology course and World History and that the students have taken or be taking American History. Upon completion of the program, the student receives ½ credit to be applied in either the social studies or science area.

The course is taught at Lawnsdowne Senior High School, 3800 Hollins Ferry Road, Baltimore County, Maryland, 21227 by Thomas S. Fort, Chairman, Social Studies Department and Benjamin F. Pascover, Chairman, Science Department.

The purpose of S–E–S is to create an awareness on the part of the student of the social implications of biological problems through the use of a model illustrating the interrelations of people, number of people, needs of people, expectations of people and action as they relate to the individual's life style.

The class is divided into committees with each committee title corresponding to the following areas of concentration: air, water, population, commercial, survey, and public relations.

While studying the broader aspects of social implications of biological problems within the classroom and laboratory situation, the class has a long range project covering the period of time of the semester. This involves the identification of an experimental community for study. The individual committees take those skills, concepts, directions, etc., developed in the classroom and laboratory and apply them to their experimental community study. The study culminates in the committees reporting their findings, recommendations and action.

The responsibilities of the committees are:

1. To become actively involved with the experimental community.

2. To acquire those skills that will enable the committees to investigate their area of responsibility within the experimental community.

3. To investigate the committee's area of responsibility within the experimental community and present their findings and recommendations to the class.

4. Aside from the community responsibility, to make presentations to the class within the committee's area of responsibility (utilizing speakers, interviews, films, literature reports, panel discussions, etc.).

Aside from the committee responsibilities, each individual of the class is to assume the following responsibilities:

1. To work within the framework of their individual committee.

2. To be responsible for readings of germane books and articles.

3. To construct case studies involving situations within the environment.

Student Assessment is to be by the following means:

1. Peer evaluation by committee members.

2. Individual student evaluation of self based on self-indicated goals that were determined with the aid of the teachers.

3. Teacher evaluation.

Materials developed for the program are:

1. Bibliography of books found within the school, county and city libraries.

2. Bibliography of environmental articles to be found within the school, county and city libraries.

3. List of suggested case study topics.

4. List of related audio-visual materials and sources with methods of presentation

and mechanics of use found within school and county sources.

5. Rationale and method for air study within experimental community.

6. Rationale and method for water study within experimental community.

7. Rationale and method for population study within experimental community.

8. Rationale and method for commercial study within experimental community.

9. Rationale and methodology for survey techniques to be utilized within experimental community.

POST OFFICE DEPARTMENT HONORS ROBERT E. RAINSBERRY OF HAYWARD, CALIF. POST OFFICE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. EDWARDS of California. Mr. Speaker, on May 13 I was privileged to be present at the U.S. Postal Service's Fifth Annual Handicapped Awards Ceremony. This splendid program salutes the achievements of postal employees who do their jobs in an exemplary fashion despite severe physical handicaps. The ceremony is always an inspiration to attend. As Postmaster General Blount said in his congratulatory remarks, the achievements of the winners proves that:

It is good business to hire qualified handicapped persons.

I was especially pleased to be in attendance because the runnerup in the annual competition was Robert E. Rainsberry, accounting clerk at the Hayward, Calif., Post Office. Mr. Rainsberry is not only my constituent, he is also a valued personal friend.

A delightful addition to the awards ceremony was the presence of Bob Rainsberry's charming wife, Cecelia, daughter, Roberta, and son Donald. The proud family too should be congratulated upon this great honor conferred upon Bob.

In 1954, Mr. Rainsberry was stricken with polio and subsequently paralyzed from the waist down. After his convalescence, he returned to work and has since been cited consistently for his demonstrated technical knowledge and high standard of sustained duty performance. He has a total of 25 years of postal service.

Miss Hilda Turner, a New York City mail handler, who is totally deaf and partially blind, was named by Postmaster Blount as the year's "Outstanding Handicapped Postal Employee".

Although Miss Turner is totally deaf, unable to speak with clarity and has a severe vision impairment, she has mastered her own means of communication. Such techniques have enabled her to skillfully perform a variety of mail handling duties during the past 4½ years, including the ability to distinguish special delivery mail from air mail letters.

A total of 15 handicapped employees were awarded certificates by Postmaster Blount for their "exceptional job performances" as career postal employees.

Mr. Blount said:

The progress of the employment of the handicapped program in the Postal Service is a success story. Handicapped workers have proved again and again that they are good workers.

He said:

This annual awards ceremony is particularly appropriate, not only because it salutes the achievements of these fine individual winners, but because it reminds us that it is ability—not disability—that really counts.

Mr. James H. Fuller, postmaster of Torrington, Wyo., joined Mr. Rainsberry as runner-up.

Postmaster Fuller was selected for his general efforts aimed toward providing better mail service to both city and rural customers in his area. A victim of rheumatoid arthritis, he is active in civil and church work. A Sunday School teacher for the past 17 years, he serves as a local scoutmaster and is a member of the national, State and local school board associations.

Others honored were: Edward A. Daly, distribution clerk of Miami, Fla.; James F. Abbott, postmaster of Gales Ferry, Conn.; Pranas Jurjonas, distribution clerk of Chicago, Ill.; Charles E. Morris, mail handler of Indianapolis, Ind..

Joe H. Childs, postmaster of Brownwood, Tex.; Harley J. Knight, postal clerk of Birmingham, Ala.; William R. Gorton, postal maintenance employee of St. Paul, Minn.; Frank Britton, rural letter carrier of Fort Madison, Iowa.

Miss Ruth A. Salisbury, postal clerk of North Bergen, N.J.; Edward J. Larson, letter carrier of Bothell, Wash.; Robert L. Kirby, distribution clerk of Baltimore, Md.; and Calvin A. Borror, distribution clerk of Wichita, Kans.

All regional winners were selected on the basis of their job performance, attitude toward work assignments and fellow workers in addition to civil work or other contributions to their communities.

They were chosen from more than 20,000 handicapped postal employees throughout the United States. The U.S. Postal Service is one of the Nation's leading employers of the handicapped.

Present appointments include some 2,700 persons with hearing and speech deficiencies; approximately 3,600 individuals with impaired vision and 500 persons with adequately controlled epilepsy. Additionally, more than 1,800 mentally retarded individuals have been hired by the Postal Service.

Mr. Speaker, we should pay tribute to the Post Office Department, to the Postmaster General, and to Frank F. Davis, Coordinator for the Employment of the Handicapped. U.S. Postal Service, for their efforts in this vital program. No Government department has a brighter record in hiring the handicapped, nor has any department been more richly rewarded by the dedicated labors of the handicapped workers.

Since 1963, more than 20,000 persons with disabilities have been hired by the Post Office Department. In the past 5 years the number has increased by 108 percent, a growth rate averaging 22 percent annually. The increase in qualified workers with retardation has risen 3,000 percent, from 58 to 1,870 and of persons with speech and hearing handicaps from 71 to 1,069, a jump of 1,400 percent. Last year the Post Office hired more than 2,500 persons with disabilities, including 51 persons with epilepsy, 160 mentally restored and 16 totally blind men and women.

This significant record of achievement is not accidental. It could not have happened without the support of the Postmaster General. It could not have happened if Assistant Postmaster Larry Gale did not have trust and confidence in Frank Davis' ability to back up performance with hiring the handicapped.

SENATE—*Tuesday, May 18, 1971*

The Senate met at 9:30 a.m. and was called to order by Hon. MIKE GRAVEL, a Senator from the State of Alaska.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, our Father, we thank Thee for another day in which to serve Thee.

We thank Thee that Thou hast made us as we are. We thank Thee for eyes to see and ears to hear, for minds to think and voices with which to speak, for memories to remember, and for hearts to love.

We thank Thee for those who today in some way will teach us, for those on whose study, wisdom, and experience we will draw to help us with our work and to assist us in solving our problems.

We thank Thee for the ties of friendship which abide the years and every day give us strength, and for those whose love gives glory to our lives.

Above all else we thank Thee for thyself in whom we trust and by whom we are led in service to this Nation and to all mankind.

We pray in the Redeemer's name. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 18, 1971.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Mike Gravel, a Senator from the State of Alaska, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. GRAVEL thereupon took the chair as Acting President pro tempore.