

complete investigation of all aspects of the energy resources of the United States; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

193. Mr. RYAN presented a concurrent resolution of the Legislature of the State of New York memorializing the Congress of the United States to take all necessary steps to persuade the Government of Turkey to immediately destroy its opium poppyfields before the 1971 harvest in return for reimburse-

ment to its opium poppy farmers of the damages suffered thereby from funds appropriated for that purpose by the State of New York and the U.S. Congress, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEVILL:  
H.R. 8718. A bill for the relief of John R. Poe; to the Committee on the Judiciary.

By Mr. O'NEILL:  
H.R. 8719. A bill for the relief of Ulku Gurkan Silverman; to the Committee on the Judiciary.

By Mr. QUILLEN:  
H.R. 8720. A bill for the relief of Kenneth C. Verran; to the Committee on the Judiciary.

By Mr. TEAGUE of California:  
H.R. 8721. A bill for the relief of Cmdr. Joe R. Lacy; to the Committee on the Judiciary.

By Mr. UDALL:  
H.R. 8722. A bill for the relief of 1st Lt. John P. Dunn, U.S. Army; retired; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CHAPIN, S.C.

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. THURMOND. Mr. President, South Carolina is proud of its "lifestyle" and the people who make it that way.

In a time when the values of our forefathers are under daily attack, I am pleased to place in the CONGRESSIONAL RECORD an article which speaks about the really important things in life. Titled "The Purpose and Pride of Chapin," this article appeared in the May 17, 1971 issue of the Columbia Record, Columbia, S.C.

H. Harrison Jenkins, an associate editor of the Record, is the author of this article. He has written about a sports banquet held at Chapin, S.C., and takes note of the good things a small, rural community has to offer its citizens.

Mr. President, the "lifestyle" at Chapin and the meaningful story related by Presbyterian College Coach Cally Gault, are well presented by Mr. Jenkins. I ask unanimous consent that this article be printed in the Extension of Remarks.

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

THE PURPOSE AND PRIDE AT CHAPIN

(By H. Harrison Jenkins)

No laurel wreaths were there on the head table at Chapin High School last Friday night as the hardy townsmen of Carolina's fall-line community collected to honor young athletes. Instead, there were block C's for those young men and women who'd spent hours on the practice field and additional hours in moral, character-constructing competition.

No laurel wreaths, but the block C's, certificates of academic prowess, Ruritan awards, and big statues and little statues for singular contributions by young people to their school and community.

No laurel wreaths, but the ancient Greek spirit of honoring commitment by young men and women was there; omnipresent, along with the turkey and dressing and strawberry shortcake.

In contemporary Carolina, where it is fashionable to speak of "lifestyle," the lifestyle of the Chapin community is an honored page from the past—in which the intangibles of life still remain meaningful, useful and significant. Part of that heritage is the sense of community which binds people together; which unifies a community and compels each to do his or her part.

The Chapin Garden Club decorated the tables for the annual Athletic Banquet and the Eagle Club handled the organizational

labors. The people of Chapin, like those of other small communities, are rightfully proud of the athletic program at their school, ably led by Athletic Director Cecil Woolbright—a cordial gentleman with a leathery, smiling visage.

It seemed precisely the right thing at the right moment for a quite small young man, Donny Lindler, to receive the biggest trophy of the night, that of Outstanding Athlete. Tailback and a fierce tackler in football, second baseman and leadoff man in baseball, and a guard in basketball, Lindler was the biggest man of the night in desire, spirit, selflessness and pride.

No small wonder was it that the master of ceremonies and the principal speaker turned out to be two of the closest friends in Carolina's coaching clan, Newberry College's Fred Herron and Presbyterian's Cally Gault.

Coach Herron said, "For 364 days and 21-and-one-half hours out of every day, Coach Gault is a friend of mine. But for the other two-and-one-half hours, we don't do much communicating."

The Newberry-Presbyterian contests in athletics are among the warmest, yet most spirited, rivalries in our state's history. The two small, church-related colleges, their alumni and friends have good reason to hold their heads high in the clouds because of on-campus presence of coaches like Herron and Gault.

Three times "Coach of the Year" in this state, Cally Gault told a series of pleasing jokes, as had Fred Herron. And then Coach Gault spoke directly to the young people present about pride and purpose in life.

He told them about an obvious favorite of his, young Dan Eckstein, who'd been a Little All-America at PC and who barely missed being a Green Bay Packer. But the stories were of Dan's pride and purpose in his life.

Coach Gault related the story of a team bus-ride back from a scrimmage in North Carolina, with the weary squad singing songs and discovering that the mike on the bus worked. Calls were made for various athletes to sing: "Hey, sing 'The Wabash Cannon Ball.'" When they called for Dan, he sang, "not in a great voice, but a good one," a familiar hymn—"How Great Thou Art."

A few freshmen in the back who didn't know Eckstein, the son of a Salvation Army worker in Atlanta, sniggered. An upper-classmen curtly shut them up.

"We became a team," said Coach Gault. "On that bus, that night." Dan had a purpose in life, as he has now, and the team became individually and collectively purposeful.

Coach Gault concluded with a story. He said, "If you come back a year from now, ten years from now, you'll hear me telling this same story. An auctioneer is selling his goods and he picks up an old fiddle and asks how much anyone will bid for the old fiddle.

"The bids are small. Five dollars. Ten dollars. Fifteen dollars. He's just about ready

to let it go for \$15 when an old gentleman arises at the rear, comes forward, picks up the fiddle and begins to play—beautiful music. The crowd is hushed.

"When he finished, the auctioneer picked up the fiddle and asks, 'What am I bid for this beautiful instrument?' And the bids go from \$100 to \$110 to \$115.

"The touch of the master's hand is the difference between an old fiddle and a beautiful instrument," said Coach Gault.

There can be pride, self-discipline and purpose in each life, regardless of race, creed or color. That's the message Cally Gault tried to convey; and not once did he mention "cognitive learning" and "affective learning." But the wholeness of man the wholeness of life were there.

Just as they were there, and remain in the lifestyle of the community of Chapin which honored its valued and valuable young men and women on a Friday night in Carolina.

FAIR CREDIT REPORTING ACT AMENDMENT TO EXEMPT JOINT USERS IN MORTGAGE FINANCING TRANSACTIONS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1971

Mr. HANNA. Mr. Speaker, on May 5, I called to the attention of the House certain circumstances which were causing disruptions in the processing of FHA and VA mortgage applications. At that time, I reported that the circumstances involved certain provisions of the Fair Credit Reporting Act which had become operative on April 25.

The vagueness of the language has caused many banks and mortgage bankers to question their own legal position when processing credit information to a public or private mortgage insurer. In order not to violate the act, many of those involved in financing insured mortgages have either frozen, or have created elaborate but shaky procedures which have increased costs and have substantially inhibited the necessary flow of credit information.

In my May 5 speech I pointed out that this problem was created by the Congress. In our rush to put a new consumer statute on the books, a hastily considered measure was tacked onto the Foreign Bank Accounts Act. Today, I am bringing one of the problems created by that bill back to the Congress.

The measure I am introducing would exempt joint user transactions from the

Fair Credit Reporting Act when they involve: first, an existing or contemplated real estate mortgage on a consumer's property; second, an existing or contemplated loan on a consumer's mobile home; third, federally insured or otherwise guaranteed home improvement loan; fourth, applications for the above and verification of information in the application; and fifth, or a consumer report obtained by the user involved in the above transactions.

In effect, what this measure does is to insure the passage of credit information from a mortgage lender to a mortgage insurer. The language of the measure would support this co-user concept both at the origination level as well as in the secondary market. This will allow the Federal National Mortgage Association and the Government run secondary markets to continue to furnish credit information, as a joint user, without fearing a wasteful and needless court suit.

The major purpose of this measure is to guarantee to the perspective home buyer the assurance that his application for financing and insurance will not be bogged down. This happened across the country shortly after the Fair Credit Reporting Act became operational. And while many banks who originally froze applications are now processing them again, the procedures have become cumbersome, lengthy, and costly.

This legislation will not create a loophole in the enforcement of the Fair Credit Reporting Act. In fact, the joint user concept has been accepted by the enforcing agencies and it should, within the next day or two, be published in the Federal Register.

The reason the agencies adopted this approach is that no one in Congress intended these types of co-user transactions to be covered under the act. The measure I am introducing would turn an administrative procedure into a legislative fact.

The reason for doing this is quite clear. While the administrative ruling does provide a short term solution, there is no assurance that it will be upheld in a court of law. I have been unofficially told by some in the various enforcing agencies that they feel a legislative solution is the most appropriate and effective way to resolve this problem.

I am also including in the RECORD today a number of letters which express the same point of view. I do not feel this issue is controversial. It is simply recognizing that Congress must resolve a potential serious problem that it created. After reading the following letters, I am sure that most Members will agree that an administrative solution is not sufficient. I am hopeful that we can hold early hearings so that the enforcing agencies will have an opportunity to tell us the problems and pitfalls they are encountering in enforcing the act.

The letters follow, and also a New York Times article dated today:

FEDERAL NATIONAL  
MORTGAGE ASSOCIATION,  
Washington, D.C., May 21, 1971.

HON. RICHARD HANNA,  
House of Representatives,  
Washington, D.C.

DEAR DICK: We very much appreciate the opportunity you have given us to review and

comment on your proposal to amend the definition of a "consumer reporting agency" in Section 603(f) of the Fair Credit Reporting Act.

After discussing the problem in detail with our General Counsel, and limiting ourselves solely to FNMA matters, we certainly agree with you that it would be most helpful if an amendment were adopted expressly providing that a user of credit information who passes such information on to a co-user, in connection with a primary loan transaction, is not a "consumer reporting agency" for the purposes of the Act.

We also think that it would be equally important and necessary, that the amendment be broadened to include the secondary mortgage market as well. We, of course, are primarily concerned with the secondary market in FHA and VA mortgages, and conventional mortgages as well, in light of the authority granted to us by the Congress in Title II of the Emergency Home Finance Act of 1970.

As you know, officials of the Federal Trade Commission, which has the enforcement authority under the Act, have assured us that the Commission will soon announce its legal interpretation that the term "consumer reporting agency", as defined in the Act, does not include a co-user and furnisher of credit information. While such a ruling will be advantageous, there is no clear assurance that it will be sustained by the courts if the matter is litigated.

It is for this reason that we agree with your May 5 statement in the Congressional Record to the effect that "an administrative solution will not be enough to sufficiently resolve the problem that has been created." As we both know, originators of mortgages, in particular, need assurance on this point.

Our General Counsel feels, however, that your proposal, as now drafted, does not reach the mortgage seller in the secondary market who furnishes credit information to a prospective purchaser. Indeed, he says it is quite possible that your proposed language could place FNMA and its mortgage sellers in a worse position than they would occupy under the statute as enacted.

A court, applying the doctrine of *expressio unius est exclusio alterius*, might well construe the express exemption of co-users of credit information in primary loan transactions from the requirements of the Act as evidencing the clear intent of Congress not to exempt therefrom co-users in the secondary market. It is doubtful, too, that use of the words "in connection with the same transaction" in the sixth and seventh lines of the draft of the proposed amendment can be viewed as relating to a sale of a mortgage after its origination.

We therefore respectfully urge that you consider modifying your present draft to exempt expressly co-users of credit information in the secondary mortgage market from the definition of a "consumer reporting agency" in section 603(f).

The change which we recommend involves some alternation of the proposed language. Language such as the underscored below might be considered, and our General Counsel tells me it would adequately handle our problem:

"... except that a user of information bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living shall not become a consumer reporting agency by the act of passing on to a joint-user, in connection with the same transaction, or in connection with the sale or proposed sale of (i) an existing or contemplated real estate mortgage on a consumer's property, (ii) an existing or contemplated loan on a consumer's mobile home, or (iii) an existing or contemplated Federally insured or guaranteed property improvement loan on a consumer's property, any or all of the following: a consumer's application for (i) a real estate mortgage, (ii) a loan on a

mobile home, or (iii) a Federally insured or guaranteed property improvement loan, verifications of information in that application, or a consumer report obtained by the user from a consumer reporting agency."

Again, we appreciate the opportunity to make these comments.

Sincerely,

OAKLEY HUNTER.

MORTGAGE BANKERS  
ASSOCIATION OF AMERICA,

Washington, D.C., May 24, 1971.

HON. RICHARD T. HANNA,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. HANNA: Your efforts to have the Fair Credit Reporting Act clarified are most commendable. As you indicated in your comments, entered as Extensions of Remarks in the *Congressional Record* of May 5, the Act is deficient in its sweeping definition of "consumer reporting agency." As the language is presently constituted, it can be said, upon a literal reading, to include originators of FHA and VA mortgage loans.

Such an interpretation has the unreasonable result of placing considerable expense and liability upon mortgage lenders who rely upon credit reporting companies and the consumers themselves for their information. A consumer's right of privacy is not violated if he is rejected by the Federal Housing Administration or the Veterans Administration on the basis of information he has submitted. If the consumer wishes to refute information in his credit report, he must go to the company which prepared the report, not to the mortgage lender.

The Fair Credit Reporting Act is obviously intended to regulate companies which are in the business of providing information about consumers. Mortgage lenders are in the business of making real estate mortgage loans, and they rely upon service companies for the information they need, in addition to information they receive from the consumer, to make a determination as to the extension of credit.

The Fair Credit Reporting Act is an important piece of legislation in that it protects the privacy of consumers and gives them the opportunity to refute information which works to their detriment. But if consumer protective legislation is to retain credibility and respect, it must not contain broad sweeping language which places expenses and liabilities upon those not in need of regulation.

We urge you to make efforts to have the definition of "consumer reporting agency" amended so as to make clear that the normal lending operations of real estate mortgage lenders are not activities of consumer reporting agencies. The best interests of all parties involved, including consumers, would be well-served by such an amendment.

Sincerely yours,

OLIVER H. JONES,  
Executive Vice President.

BROWNSTEIN, ZEIDMAN & SCHOMER,  
ATTORNEY AND COUNSELORS,  
Washington, D.C., May 21, 1971.

HON. RICHARD T. HANNA,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN HANNA: This is in line with the discussions which I have had with Mr. Howard Adler concerning your proposed amendment to Section 603 (f) of the Consumer Credit Protection Act.

The question raised was whether the language would exclude FHA, VA and private mortgage insurers from being considered as reporting agencies. Since all are joint users of the credit information being supplied, it would seem clear that the language you have proposed would succeed in having such agencies and companies not considered as reporting agencies within the purview of the Act.

Sincerely,

PHILIP N. BROWNSTEIN.

BANK OF AMERICA,  
San Francisco, Calif., May 7, 1971.

HON. RICHARD T. HANNA,  
House of Representatives,  
Washington, D.C.

DEAR DICK: I am enclosing for your information a copy of our circular C-822 which contains instructions to our branch managers with respect to changes in procedure in processing FHA and VA insured real estate loans required by the Fair Credit Reporting Act. This circular will give you some idea of the nature of the problems created by this legislation. The ultimate impact appears to be delay, increased cost of operation and a general drying up of what used to be a relatively free flow of credit information between lenders.

I think the procedure outlined in this circular constitutes a temporary solution to a problem which we hope will be solved by appropriate amendments to the Fair Credit Reporting Act or its ultimate repeal.

Sincerely,

BOB FABIAN.

PERSONAL FINANCE: MORTGAGE MONEY

(By Robert J. Cole)

Bankers have been predicting for quite some time that mortgage money is going to be much easier to get now.

However, just as the predictions are beginning to come true, a new and completely unforeseen problem has come up, that of threatening to cut off the flow of funds to thousands of qualified home buyers all over the country.

The problem, ironically, is the Fair Credit Reporting Act, which went into effect last month as a new Federal law that guaranteed anyone the right to find out what is on file about him in his local credit bureau and to correct any errors that may be there.

But the way the law is being interpreted, any organization that provides others the same services as a credit bureau—such as a bank, a savings-and-loan association, a credit union and others—is considered a credit bureau, too, and as such must also open its files to consumers.

Many lenders, as a consequence, who have no intentions of opening up their files to consumers, have simply stopped taking applications for mortgages to be insured by the Federal Housing Administration and the Veterans Administration.

Until the new Federal law went into effect, this is how the program worked: you applied for an F.H.A. or V.A. mortgage loan at the lender of your choice. Your credit was checked through normal channels, usually by a local retail credit bureau, and this information was sent to the Government for evaluation. If the Government approved, you got your mortgage loan, it was as simple as that.

The beauty of an F.H.A. or a V.A. mortgage loan, of course, is that you don't have to use as much of your own money as you do with a conventional mortgage loan.

Now, however, lawyers all over the country have taken the position that if lenders continue to operate the same way in providing credit information on you, they automatically become "consumer reporting agencies," and, therefore, subject to the same requirements as credit bureaus.

Representative Richard T. Hanna, Democrat of California, who brought the issue into the open not too long ago, remarked: "We are now in the middle of a bureaucratic morass which is already having a severe and negative impact upon, of all things, mortgage financing."

The Federal Trade Commission, the Federal Reserve Board and other Federal agencies empowered with policing the law have already recognized that the Congress did not intend for mortgage lenders to be placed in such jeopardy but have not given the industry the assurance it needs to grant F.H.A. and V.A. mortgage loans.

The result of all this Government thrashing is that thousands of potential homeowners throughout the nation are finding themselves in limbo, Mr. Hanna said. "Their applications for mortgage loans have been frozen and will stay in that condition until the mess (in Washington) is straightened out."

The picture, however, is not nearly as bleak now as Mr. Hanna has painted it.

For example the Bank of America, the largest in the country, had frozen applications for two weeks before it found a way around the problem and, a bank spokesman said, "No one has been denied a mortgage because of the new law."

The Security Pacific National Bank, the second-largest in California and the ninth-largest in the country, worked out its problem in just three days.

There is evidence, nevertheless, that although many lenders across the country are unwilling to admit to it publicly, thousands of potential homeowners are being told to "be patient." The wait will not be a long one.

The Federal Reserve Board said it hoped to have new guidelines for its member banks by tomorrow. The Federal Trade Commission said it expected to have similar guidelines "sometime this week."

Both Government agencies will tell lenders that they will be considered "joint users" of credit information and, therefore, not subject to the same requirements as credit bureaus when granting mortgage loans.

While these guidelines will give the lenders assurance that the Government would not consider them in violation of the law, it will not protect lenders against suits by consumers.

To correct this problem Representative Hanna will introduce a bill today before the House Banking and Currency Committee, of which he is a member.

He will also ask the committee chairman, Representative Wright Patman of Texas to hold immediate hearings so that lenders can get immediate release and the smooth flow of mortgages can be resumed.

One possible problem: Senator William Proxmire, Democrat of Wisconsin.

Senator Proxmire, who is the chief architect of the Fair Credit Reporting Act, has long had the feeling that bankers want to be exempted from the provisions of the act altogether.

He feels that any measure designed to give banks blanket exemption from the act would be "100 per cent wrong."

At this point, however, what it all means is that if you are having difficulty getting an F.H.A. or V.A. mortgage—even though your credit is good—you have two choices open to you: be patient, because help is rapidly on the way. Or try another lender. One might say, "no," but another might say, "maybe."

SOUTH FREMONT HIGH SCHOOL  
SALUTATORIAN ADDRESS BY  
LYLE SIDDOWNAY, OF ST. ANTHONY, IDAHO

HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. JORDAN of Idaho. Mr. President, the awareness of today's youth often comes to light in the spring of the year—when across our Nation, we pause and turn our attention to the young commencement speakers.

A particular address—given by the South Fremont High School Class Salutatorian, Mr. Lyle Siddoway of St. An-

thony, Idaho—attracted my attention as one of exceptional insight. I, therefore, would like to share Mr. Siddoway's remarks as he reflects on the pertinence to our times of Charles Dickens' "the best of times—the worst of times."

I ask unanimous consent to have his remarks printed in the RECORD.

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

SALUTATORIAN ADDRESS

(By Lyle Siddoway)

It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way—in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only.

With those words Charles Dickens described the setting for his *Tale of Two Cities*. The same description may well be applied to a comparison of our own time and that period of time that was making men pessimists in the early 1950's. When we were born the nation was in the middle of a great time of prosperity, with high wages for laborers and full employment. However, the nation was also involved in a bloody conflict in Korea. It was the best of times, yet it was the worst of times.

Today we have a similar situation. Nearly every home has a color television set, men have stood on the moon, and workers receive some of the highest wages in history. However, we are again involved in a bloody war, this time in Indochina. High wages are offset by inflation—inflation that has cut the value of the dollar in half. Our colleges are being rocked by riots, and our young people's minds are being destroyed by drugs—by the well-known drug that is fed into the body, and the lesser known drug of propaganda that is fed into the mind. It is the best of times, yet it is the worst of times.

This is the world into which we must bring the light of hope. We do indeed have a difficult job ahead of us.

But when we take a close look at the situation, we find that we have no problems that have not been with us for a long time. Our people have been using drugs for centuries, our dollar has been up and down in value more often than Martha Mitchell's jaw, and our colleges have been victims of more kinds of "threats" than even the most imaginative person could have predicted. The world we inherit is no worse than that which our fathers inherited, but with just a little bit of indifference we could make it worse. You see, the major problem plaguing America today is the indifference of its citizens. For many Americans, their patriotic chores are finished when they cast their ballot in an election; after that they can sit back and criticize, without becoming personally involved. Too often today Americans feel that they are worthless, much like the dog described in William Faulkner's short story, "The Bear."

And a little dog, nameless and mongrel and many-fathered, grown, yet weighing less than six pounds, saying as if to itself, "I can't be dangerous, because there's nothing smaller than I am; I can't be fierce, because they would call it just noise; I can't be humble, because I'm too close to the ground to genuflect; I can't be proud, because I wouldn't be near enough to it for anyone to know who was casting the shadow, and I don't even know that I'm going to heaven, because they have already decided that I don't have an immortal soul."

However, this very thoughtful dog ended on a note of hope:

"So all I can be is brave. But it's all right. I can be that, even if they call it just noise."

If that mongrel can be brave with all it has going against it, can't we also be brave? If we are brave enough to work our hardest, we can renew the values of our country.

We have a challenge and a hope. We must do the work to keep our nation strong, and we have the hope that we can build a better world. "This is the hope that beckons us onward in this century of trial. This is the work that awaits us all, to be done with bravery, with charity—and with prayer to Almighty God."

## OIL LESSON—A BITTER SPILL

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1971

Mr. WALDIE. Mr. Speaker, on January 18 of this year two Standard Oil of California tankers collided under the Golden Gate Bridge causing severe damage to one ship and spilling hundreds of thousands of gallons of bunker fuel into San Francisco Bay.

The reaction of residents of the bay area was immediate. Initial outrage turned to profound concern as thousands of volunteers manned the beaches of the bay and the headlands outside of the Golden Gate to rescue oil-covered birds and sweep up the oil that drifted onto the beaches with the incoming tides.

Other volunteers began a 24-hour-a-day effort to save the birds. We now know that those efforts were largely in vain, though a new bird treatment method did result in a recovery rate much above the previous experiences with similar disasters.

The 800,000 gallons of bunker fuel that spilled into the bay has been largely cleaned up and scientists report that the estuarine ecology of the bay system has returned to normal.

Mr. Speaker, though the physical effects of this oil spill are no longer visible, the long-range efforts are much in evidence.

The volunteers who manned the Richmond Bird Treatment Center have drafted an emergency system for rescuing and treating stricken birds.

The volunteers have, also compiled an elaborate call-up system to have treatment centers and beach cleanup crews on the scene of a possible repeat spill within minutes.

Shortly after the January 18 spill, I and several of my colleagues from the bay area requested Secretary of Transportation Volpe's assistance in having environmental groups such as the Sierra Club take an active and official role, as a party in interest, in the investigations of subsequent oil spill incidents.

We made this request because we believe that environmentalists have a unique expertise which would give such marine incident investigations a new, and more complete, dimension.

I am sorry to say that the Secretary, in a recent letter to me, did not agree with our contention.

Mr. Speaker, the San Francisco Bay-

delta system is especially vulnerable to such incidents as the recent oil spill-collision.

There are many petroleum facilities in the bay area which are served by tankers of moderate size, but with a frequency that increases the chance of collision.

The currents and fogs which are typical of San Francisco Bay, also, contribute to the chance of accidents.

There is a profound need to study this problem and to come up with new and improved safety procedures. This need is intensified by the fact that larger tankers are envisioned for use within the bay, tankers with much greater capacity than the tankers which collided on January 18.

The San Francisco Marine Exchange recognizes the need for such a study, but, in a statement similar to that of the Secretary of Transportation, indicated to me that it does not agree that environmental groups have a place in the study. I find this opinion unfortunate.

Mr. Speaker, in order that the Members may have a background look at this situation in San Francisco Bay, I would like at this time to place in the RECORD an excellent account of the recent oil spill written by Gil Bailey of the Long Beach Independent Press-Telegram and copies of my correspondence with Secretary Volpe and the San Francisco Marine Exchange:

#### A BITTER SPILL

(By Gil Bailey)

As midnight passed and Jan. 18, 1971, became alive, the cities around San Francisco Bay were relatively quiet. The fog was in, a heavy, wet blanket, and it added to the silence as Sunday night merged into Monday morning. There were crews at work at the Standard Oil Refinery in Richmond, and its nearby docks from which one tanker had just sailed, and where another was due to arrive shortly.

Two miles away a University of California warehouse sat dark, unheated, empty except for the row on row of stored materials, and at Berkeley the students were quiet, sleeping, studying, or whatever, but quiet.

In a San Francisco U.S. Coast Guard station, Sonarman 2.C. John B. Holcomb monitored a radar set and saw the blips of two tankers, one coming in the Golden Gate and the other leaving, clear on the screen, but hidden in the fog of actuality. In Long Beach a 25-year veteran of the State Department of Fish and Game, a captain, slept as did the oil spill crews of Crosby and Overton, a Long Beach cleanup firm.

Later the sonarman reported, "They (the images) merged and moved east. I was waiting for them to separate, but they went eastward."

Just under the Golden Gate the two tankers, the Oregon Standard, outbound and the Arizona Standard, inbound, had met, merged, collided, and at 1:48 a.m., Jan. 18, 1971, thousands of barrels of oil began spilling into the waters between Marin County and San Francisco.

Later, six weeks later or so, the representatives of Standard Oil, the picture of American businessmen, sat impassive in yet another meeting on oil spills, and heard again and again how "lucky" it had been that both tankers were from Standard and thus the culprit, the company responsible, was immediately identified. Standard has not yet commented publicly on its "luck."

But at that moment of collision, as one ship ripped a 40-foot hole in the other, the chain of events began what has been called the "San Francisco Bay oil spill disaster," a

disaster which didn't happen, except perhaps to Standard Oil.

Big oil has a drill now for oil spills, a drill honed to perfection in the English Channel, off Santa Barbara, and in the far and near parts of the world. Government, state and federal, too has a drill, a practiced if still imperfect response to the moment of impact. Fog that Monday morning hid the damage and that fog would cover the wounds for hours to come, but throughout the Bay Area, and the state, phones were ringing within minutes.

Standard was calling in cleanup crews by the hundreds, and state and federal officials were being called, too.

The U.S. Coast Guard is the responsible agency for oil spill cleanup in navigable waters, the state of California for inland waters. A San Francisco Coast Guard officer was from the moment of collision "the on-scene commander." The state forces were, under the drill, to play a secondary but important role.

At 4:30 a.m. E. C. Fullerton, chief of operations of the State Department of Fish and Game called Long Beach for the home of Fish and Game captain Walter H. Putnam.

"Putnam knows more about oil spills than any man in the state," a California disaster official explained later. The lean, somewhat weatherbeaten officer had helped clean up after 2,500 oil spills since 1945 and this spill was not the biggest, nor the worst.

"It was not a disaster," said Putnam flatly. "It was moderate."

He is right, despite the publicity at the time and as a result Bay Area reporters later called their own oil spill seminar to learn the facts.

Three factors kept the spill from being a disaster:

The oil was one of the least toxic commonly used along the California coast, and one of the easiest to remove;

The amount of oil and the areas contaminated were well within the commercial cleanup capacity of Standard Oil;

Considering the weather conditions and tides, the location of the collision was fortunate, and most of the oil flowed out to sea, instead of into the Bay, and the South Bay where removal would have been all but impossible and much more marine life would have died.

But on that foggy morning in San Francisco these facts were hidden, as they were to remain hidden even after they were discovered because of a Coast Guard news blackout.

The same fog which shrouded the Bay forced Putnam, two suitcases in hand, to use a fish and game plane to fly to the scene. Shortly after noon his twin-engined Cessna came through the fog into breaking sunshine over the Ferry Building in San Francisco.

The plane circled the Bay in its hunt for oil, spotting but 3,000 barrels inside the Bay, lapping at Angel Island.

At 2 p.m. Putnam met with Commander Gordon H. Dickman, U.S. Coast Guard on-scene commander, and with James Braden, Standard Oil's representative at the on-scene command post on Yorba Buena Island. Dickman assigned Putnam the job of aerial observation of the oil.

By night the Coast Guard and Fish and Game knew the extent of the spill. They knew it was but a moderate spill, that Standard Oil had the capacity to clean it up and that the job should not take more than 10 days.

"We knew it would wash up on the beaches south of Seal Rocks and that's where we wanted it," said Putnam, "because it would do the least damage there and would be easier to remove."

The hard facts of oil pollution were not known to the people of the Bay and, to the general public, oil on beaches is a bigger tragedy than oil on rocks, or in tidelands and

marsh where it would kill more, and can't be removed.

No one knew nor could they predict the response of the people of the Bay Area.

San Francisco Bay is, perhaps, the most polluted waterway in California, but few of the 4.5 million people who live around that Bay know this simple fact, nor recognize their daily contribution to that pollution, and even fewer of the proud citizens of the city of San Francisco, actually now but a suburb, a not so important one, of the larger metropolis of the Bay, know their city is the biggest of all the polluters. Yet all of these people see that Bay daily and it is part of the fabric of their lives.

That Monday they did know by the millions that oil was spoiling their Bay, killing birds and darkening their beaches. Unlike people elsewhere, they wanted to do something about this spillage. Their response was unique; it hadn't happened at Santa Barbara, it hadn't happened anywhere else.

By night they were on beaches in the thousands, working under searchlights, pulling birds out of the water, and sometimes reaching with bare hands to grasp the bubbles of oil as they washed ashore.

It was an unbelievable sight, the thousands, long haired, short-haired, old, young, middle class and hippie, not knowing what they should do, but determined to do something.

The people of the Bay have a strange relationship with it. They are organized, organized from the time they stopped the filling of the Bay and at the same time retired some politicians without ceremony. There are hundreds of conservation groups, and they are interconnected, but, to say the least, they were not interconnected with Standard Oil, nor really with the Coast Guard or Fish and Game.

The conservationists had fought Standard, long and hard, and the company and the ecologists looked at each other with deep suspicion. No one knew the oil company drill in time of spill, nor that Standard had accepted its responsibility fully, for it was to cost hundreds of thousands of dollars, to clean up.

No one was ready to direct the volunteer efforts and in those first few hours the efforts were undirected, except by the volunteers themselves, speaking in many voices to the radio and television stations.

The failure to inform the public and the failure to expect and then organize volunteer efforts were the two biggest failures in response to the spill.

Yet, these failures are understandable in the context of what happened within a few hours on that Monday morning.

The professional crews were working with dispatch, including a crew from Long Beach from Crosby and Overton, one brought to the Bay Area by Standard, because of that company's expertise. But sometimes the volunteers, not understanding, hindered the work, and sometimes the crews were used more for show, public relations, than from actual need, as Standard provided crews just to reassure some communities.

And no one had reported that this was a moderate spill, which within the Bay would be cleaned up shortly.

Tragedy resulted.

The major tragedy was the bird rescue effort, which failed painfully with two exceptions.

The past experience was clear. Between 95 and 99 per cent of all birds covered with oil would die despite rescue efforts.

"The kindest thing to do was hit them over the head with sticks," said one state official on the basis of past knowledge, hard words. Santa Barbara and elsewhere. He was right in the vast majority of rescue attempts. Ninety-five per cent was the death ratio at the San Francisco zone, and at most rescue stations.

But the volunteers would not believe and the birds died, painfully and slowly.

But the state and federal officials too were ignorant.

Dr. James Naviaux, a veterinarian living in Pleasanton, a valley city just across the hills from the East Bay Area, had long been interested in bird rescue efforts. He organized a shelter at his home and then offered advice to University of California at Berkeley students.

Monday morning university officials opened their warehouse at Richmond, the one but two miles from the Standard Oil docks, and students by the hundreds joined in the bird rescue efforts. They were led by Dr. John Bodle of the Berkeley campus, Dr. James Harris, Berkeley, and Lawrence L. Schmelzer, Berkeley campus Environmental Health and Safety Officer.

Birds brought to these two centers had the oil removed with mineral oil, which in turn was removed with corn meal. The warehouse shouted with "quiet" signs and a stereo system played surf sounds. Each bird received individual medical help and 24-hour care, care which continued for more than two months. Some are still under care.

It was a complex, technical operation, organized and carried through by the students, and supported financially by Standard, despite the doubts of federal and state officials.

Twenty-five per cent of the birds survived; some have been released back to their natural environment. Two months after the spill, the warehouse emergency center was closed, and 300 birds moved to Tubbs Island, an isolated spot at the north end of the Bay, where they will be cared for until their own natural oils return.

"It is no use to try to clean a bird in a bathtub," said Dr. Naviaux at the oil spill seminar organized by the press. "It would be kinder to put them out of their misery."

Only such an operation as was mounted at the warehouse can expect to succeed and that success will only be partial.

Dr. Naviaux and the students are preparing a handbook for the next oil spill.

The bird center cost Standard \$1,000 a day until it cut off the funds March 30 with some 300 birds still under care. Only 27 birds had been released.

Overall Standard spent an estimated \$4 million in its cleanup efforts, proving that it is easier and cheaper to spill oil than to clean it up. However, an insurance pool, set up by the oil companies, will help with the bills. Big oil recognizes that oil spills, like the common cold, can and will strike anyone.

Over the days, then weeks, and finally months of the spill activity, a grudging respect, if shot through with more than occasional suspicions, grew up between the Standard officials and the conservationists.

"We didn't talk before," said one of Standard's top management, "but we should have, and we will now."

There were many lessons learned from the San Francisco oil spill, and not the least was to prepare for and organize volunteers.

But as review session followed review session other facts were learned.

The oil companies through regional cooperative organizations in the Los Angeles-Long Beach area, the Santa Barbara area, and the San Francisco Bay Area, have plans to meet oil spill emergencies. They are ready and willing to clean up and to clean up with dispatch.

Full and fast disclosure of the extent and damage of the oil spill through newspapers and the media is essential to coordinate the volunteers, a lesson the Coast Guard had drummed into its head once more at the press seminar in a brief but violent explosion of reporters' voices.

But more is needed:

There is no adequate communication or traffic system for ships as they enter and leave crowded West Coast ports. Federal legislation is needed to correct these deficiencies.

More oil will be coming to California by

ship, bigger ships when the Alaskan oil fields are tapped, and oil argues that off-shore drilling should be resumed full scale because that limits the amount needed to come in ships.

Finally, more oil is spilled every day at sea than in the San Francisco spill as ships clean their tanks offshore.

That drip, drip, drip of poisons has polluted the far reaches of our oceans, according to scientists.

Yet as long as Americans demand the energy needed by an affluent society oil will be with us. There will be more oil spills, everyone agreed.

"The best place for an oil spill is a sandy beach," said Putman, the state's expert. "It is the easiest to pick up. The tide works for you."

He pointed out the hard facts of oil spills: "Where the ocean goes, the oil goes. Man isn't going to say to the ocean, 'Don't go there.' You just hope it goes where you can deal with it."

"If there is a storm coming in, you just sit down and pray. Where the wind is going to blow, that's where the oil is going to go."

"Mother Nature is going to do something for you. She is either going to work for you, or against you."

All of the modern devices now being tested at great expense by big oil can't yet do the job, oil company executive Thomas Gaines told yet another oil pollution seminar at Long Beach's Oceans '71 conference.

The skimmers and booms have failed their sea tests.

"Straw worked best in San Francisco Bay, and today that Bay, as with the Santa Barbara Channel, has returned to relatively normal with marine life once more healthy, according to the biologists. In both cases, luck played a role. In other areas where different kinds of oil were spilled, life has not returned.

And more oil, not to mention other poisons, pours out of the sewers into San Francisco Bay daily than was spilled by Standard.

In Sacramento state officials are working on plans for future oil spills, as are the oil companies.

At sea ships still dump their tanks, daily spreading twice as much oil as was lost in the San Francisco spill.

"It is not the so-called big disasters which count," said Jacques Cousteau, world famous oceanographer, speaking of his beloved oceans. "It is the slow drip of poison which is killing them."

FEBRUARY 10, 1971.

HON. JOHN VOLPE,  
Secretary of Transportation,  
Department of Transportation,  
Washington, D.C.

DEAR MR. SECRETARY: Recent accidents involving oil tankers and resulting in damaging spills of oil in San Francisco Bay and Long Island Sound have served to point out the need to give environmental consequences of marine incidents full airing in formal inquiries following such accidents.

The need for revision of present inquiry procedures is quite apparent in the case of the San Francisco collision inquiry being conducted by the Coast Guard.

Environmental groups such as the Sierra Club have not been allowed to be full participants in the inquiry. Sierra Club officials have stated that they wanted to be able to cross-examine witnesses, offer and subpoena witnesses, etc.

We, too, feel that the environmental aspects of this accident should be fully examined so that proper preventive measures can be taken to prevent a recurrence.

Your comments and suggestions in this matter would be most appreciated.

Sincerely yours,

JEROME R. WALDIE,  
ROBERT L. LEGGETT,  
JOHN E. MOSS,  
PHILLIP BURTON,

RONALD V. DELLUMS,  
GLEN M. ANDERSON,  
JAMES C. CORMAN,  
GEORGE C. DANIELSON,  
LIONEL VAN DEERLIN,  
DON EDWARDS,  
AUGUSTUS F. HAWKINS,  
THOMAS M. REES,  
EDWARD R. ROYBAL,  
HAROLD T. JOHNSON,  
*Members of Congress.*

THE SECRETARY OF TRANSPORTATION,  
Washington, D.C., April 14, 1971.  
HON. JEROME R. WALDIE,  
House of Representatives,  
Washington, D.C.

DEAR MR. WALDIE: Thank you for your letter of February 10, 1971 regarding the appearance of environmental protection groups in investigations of marine casualties conducted by the Coast Guard to assure that the environmental consequences of accidents involving oil spills are given a full airing. I completely agree with you that the environmental implications of casualties such as the SS OREGON STANDARD/SS ARIZONA STANDARD collision in San Francisco Bay must be fully examined. Nevertheless, it must be recognized that the immediate goal of the Coast Guard investigation is to develop information so that proper measures can be instituted to prevent similar casualties in the future.

The Coast Guard derives its authority to conduct marine casualty investigations from 46 U.S.C. 239. The statute requires an inquiry to establish the cause of a casualty with a view to instituting remedial measures to prevent the recurrence of a casualty and to minimize the consequences of casualties to vessels, their passengers, crew and cargo. Because the determination of cause frequently involves the legal responsibility of such persons the statute provides that any owner, licensed officer, holder of a certificate of service, other person whose conduct is under investigation, or other party in interest shall be allowed to be represented by counsel, to cross-examine witnesses and to call witnesses on his own behalf. I think it is clear that an environmental protection group is not a "party in interest" in the context of this statute. We believe that according an environmental protection group such status would derogate from the attention which the enabling statute contemplates should be focused on the cause of the casualty.

Yet it is also clear that the environmental consequences of a casualty are a major consideration and that the Board can make valid determinations only if it is fully informed in these matters. Counsel for the Sierra Club requested that the Club be designated a "party in interest" before the Marine Board of Investigation. While the specific request was properly denied inasmuch as the Sierra Club was not a "party in interest" with a right to appear, the Marine Board of Investigation was anxious to utilize all available expertise in conducting its investigation and in arriving at its Findings, Conclusions and Recommendations. It invited the Sierra Club to attend the hearings and suggest appropriate lines of inquiry to develop information on the environmental consequences of the collision. A full review of the transcript of testimony at the investigation has not yet been completed; however, it appears that the Board not only called witnesses specifically for the purpose of developing the facts concerning the environmental consequences of the collision but that a great number of the questions presented to the Board by the Sierra Club were propounded to witnesses subpoenaed to testify as to the cause of the casualty. I think you will find that the investigation dealt adequately with environmental considerations.

The concern of environmental protection groups in casualties of this nature is appre-

ciated and shared by the Department and the Coast Guard. Coast Guard investigating officers and Marine Boards of Investigation will utilize all available assistance and expertise such as that afforded by the Sierra Club in future investigations.

As you know, the Federal Water Pollution Control Act, as amended, charges the Coast Guard with responsibility for prescribing and enforcing regulations to prevent pollution of our waters by oil. We are, therefore, deeply involved in the study of the measures that should be taken to protect the environment from the consequences of accidents involving tankers. At this time the Coast Guard is developing regulations implementing its new authority. It hopes to be ready to hold public hearings on proposed regulations this summer.

In addition, the Coast Guard, in cooperation with the American Petroleum Institute and the Water Quality Office of the Environmental Protection Agency, is jointly sponsoring a three-day symposium in Washington on the prevention of pollution of water by oil from marine related activities which will begin on Tuesday, June 15, 1971.

If I may be of further assistance, please do not hesitate to call.

Sincerely,

JOHN VOLPE.

APRIL 5, 1971.

Mr. ROBERT LANGER,  
Executive Director, Marine Exchange, World  
Trade Center, San Francisco, Calif.

DEAR BOB: I found your press release regarding shipping hazards and pollution dangers resultant of those dangers to be most timely.

I note in the composition of the Task Force that there are no environmentalists in the Force.

Have you given consideration to including representatives of the Sierra Club or other environmental groups to assist the Task Force in assessing the pollution aspects of this matter?

I would think that such assistance would be most helpful.

Sincerely yours,

JEROME R. WALDIE.

MARINE EXCHANGE,  
San Francisco, Calif., April 9, 1971.

HON. JEROME WALDIE,  
Congress of the United States,  
House of Representatives,  
Washington, D.C.

DEAR JERRY: Thank you for your April 5 response to my letter and related press release on Operation Rose, a joint Association of Bay Area Governments and Marine Exchange undertaking.

Your suggestion regarding composition of the task forces—to include environmental interests—is also appreciated.

This was given consideration when the effort was being planned (with a regrettably short time lead—Congressional timetable, not ours!).

As you know, heavy conservationist participation was successfully sought when the "Accent" committee was formed on the Baldwin-Stockton Channel project. Similarly, such expertise was brought in when the Exchange last year formed its own Harbor Environment Protection Committee.

In the current instance, it was agreed that such participation would not be sought. First, while the intent of the effort is to seek navigational improvements (in rules, laws, aids and procedures) to minimize mishaps (as tanker accidents) which adversely affect the environment (the Bay system), the fact of such results was not at issue. Rather, the thrust is to find operational techniques and changes as will reduce accident potentials. This is a technical and highly sophisticated field, where real expertise is obtained usually only with considerable experience and often command responsibility. No environmentalist to my knowledge—regardless of other compe-

tence—has also qualifications as to evaluate the exact siting of a Golden Gate Bridge radar transponder for maximum benefit to pilots, or to comment on the extent and content of VHF information to be given by a shore advisory station to a vessel underway.

Therefore, because of the foreshortened time frame, the need to direct efforts not to the side (and often discursive) aspects of pollution but rather to immediate and pending actions to make navigation safer, our program includes a wide range of public and industry navigation experts and talents, but not ecologists or environmental action group *per se*.

I hope that when you and other members of our Delegation receive the results of this effort, you will find them constructive and helpful.

Sincerely,

ROBERT H. LANGNER,  
Executive Secretary.

#### POSSIBLE ADMISSION OF SPAIN TO NATO

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. BYRD of Virginia. Mr. President, the May 9 edition of the Chicago Tribune included an interesting editorial on the subject of possible admission of Spain to the North Atlantic Treaty Organization.

The editorial correctly notes that a possible invitation to Spain to become a member is primarily opposed by Socialist parties in several European countries. It is my feeling that this opposition is mistaken, and that the time has come to invite Spain to become a member of the alliance.

If NATO is important, and the Senate so voted last week, then should not Spain which has greater military power than any of our NATO partners—except Germany, Turkey, and England—be a part of NATO?

I ask unanimous consent that the text of the editorial, "Spain in NATO?" be included in the Extensions of Remarks.

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

#### SPAIN IN NATO?

The subject was Spain and the arguments of Sen. Harry F. Byrd Jr. were well founded. It is time, the respected Virginia Democrat told the Senate, to forget Spain's wartime past and political ideology and admit that nation to membership in the North Atlantic Treaty Organization.

Fresh from a visit to Spain, North Africa and NATO headquarters in Brussels, Byrd said NATO was never more threatened on its southern flank than now, with a powerful Soviet fleet in the Mediterranean sea and Russia driving to become the dominant power of the entire Mediterranean region. The addition of Spanish forces would make a solid contribution to NATO, Byrd said, and would have the added advantage of reducing the need for the United States to maintain 300,000 servicemen and 200,000 dependents in the NATO area.

Given the present political and strategic situation—with Egypt a virtual dependency of the Soviet Union and only Tunisia and Morocco among North African states friendly to the West—Byrd said it was clear that Spain is "of critical importance to the south flank of the NATO alliance."

No one faulted Sen. Byrd's reasoning. The

logic of his argument was self-evident. The fly in the ointment was whether such arguments would prevail in NATO where Spain has been blackballed by the opposition of powerful Socialist parties in several western European nations—notably Norway, Denmark, the Netherlands, Belgium and, at times, Britain. They can't forget Franco's victory in the civil war.

If it were up to our Senate, there isn't much doubt that Spain would be a member of NATO now. Since 1953 the Senate has ratified treaties which enable the U.S. to maintain two air force bases and a naval base in Spain and provide Spain with military hardware. Unfortunately, it is unlikely that the Socialists in NATO will drop their opposition to Spanish membership.

#### KIWANIS CLUB OF PITMAN, N.J., CONCERNED ABOUT DRUG ABUSE CONTROL EFFORTS

### HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. HUNT. Mr. Speaker, it needs to be said that simply because the Congress has enacted two major drug abuse measures within the past 2 years, the drug abuse problem, especially among our young people, has not disappeared nor is the situation any less urgent. It is evident that the continuing debate over the drug abuse problem as a medical versus a law enforcement problem will have adverse effects, particularly where the courts view their role as the arbiter of the two schools of thought apart from an objective interpretation of the laws as they are written. The Drug Abuse Prevention and Control Act, approved in 1970, attempted to strike a balance of both views, recognizing nonetheless that drug abuse prevention must be preferred to rehabilitation. While this act proceeds necessarily on the theory of deterring drug abuse by way of a rational system of penalties and drug classifications, the Drug Abuse Education Act was also approved in 1970 to approach the problem on the level of reason and information as to the dangers of drug abuse.

Indicative of the continuing concern in our communities as to the rapid spread of drug use and experimentation in our schools is a letter I received from William C. Bingham, president of the Kiwanis Club in my hometown of Pitman, N.J.:

The Kiwanis Club of Pitman, an organization of seventy business and professional men, leaders in our community, is concerned with the growing inability to rehabilitate or convict persons charged with drug abuse, both as persistent users and/or pushers of hard, habit-forming drugs.

Our combination of laws, along with their interpretation and enforcement, appear to protect even chronic offenders to the detriment of the balance of the community. Sometimes our delegates working in law enforcement and the collection of evidence find that flagrant offenders are released on superficial technicalities. Such violators, without surveillance, conviction or rehabilitation, are free to prey again on others, especially the youth of our land.

When we were advised very recently that a high percentage of the students in the Junior and Senior high schools in our community have at least experimented with drugs, one could hardly expect our member-

ship to be disinterested. Particular so when we find our legal and judicial procedures for drug control, evidence collection, law enforcement and rehabilitation of criminals fail to deter pushers and users from continuing their crimes against our children and society in general.

At the regular monthly Board of Directors meeting of the Kiwanis Club of Pitman held on Tuesday evening, April 27, 1971, the following resolution was adopted: "Resolved: That the Kiwanis Club of Pitman abhors the leniency being shown chronic violators of drug control laws. The Club urges all members and leaders in the judicial system, in law-making, evidence collection, trial procedures, legal interpretation and criminal interpretation, to pinpoint and correct the deficiencies which shelter these offenders more than society. The Kiwanis Club of Pitman urges you to protect the rights of children, not yet on drugs, by removing the known pushers from their sphere of operations."

It should be apparent to everyone that at the present rate of increase in drug abuse it is only a matter of a few short years before non-users will be in the minority. We believe that none of us wants to look back on this period in our history and remember that we contributed to our sorry plight.

Mr. Speaker, all too frequently laws are passed in response to public clamor only to find their way to the shelves to collect dust when the emotion has subsided. Let us hope that this pattern will not repeat itself in this vital matter where the very lives of so many of our younger citizens are at stake.

#### INTERVIEWS WITH SIR ROBERT THOMPSON

### HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. BEALL. Mr. President, recently I read two interesting interviews with Sir Robert Thompson, regarding the situation in Southeast Asia. Sir Robert is considered by many people to be one of the leading experts on guerrilla warfare especially in Southeast Asia. Sir Robert directed the British and Malayan counter insurgency efforts during the 12-year long Malayan emergency.

Sir Robert has just returned from a thorough tour of South Vietnam and I think that his observations warrant our careful consideration.

Mr. President, I ask unanimous consent that these interviews which were printed in the February 8, 1971, *Christian Science Monitor*, and the April 12, 1971, *U.S. News & World Report*, be printed in the RECORD.

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

[From the *Christian Science Monitor*,  
Feb. 8, 1971]

AN INTERVIEW WITH SIR ROBERT THOMPSON:  
WATERSHED IN INDOCHINA  
(By John Allan May)

LONDON.—To observers in London, and perhaps also to some in Moscow and Hanoi, Sir Robert Thompson's return to South Vietnam on quite a new mission for the South Vietnamese and United States Governments is highly significant.

"This new mission," Sir Robert told me

in an interview before he left, "is to look at the whole organization of the police force there.

"The situation in South Vietnam now is becoming more of a police problem and less of a military problem," he explained. "The Vietnamization program now is unassailable by the enemy. I don't see what the North Vietnamese can do about it.

"It seems likely to develop into a no-war, no-peace situation where all the free states of Indo-China can hold off the North Vietnamese. We are approaching the point of containment [of the Communist threat in Indo-China].

"It is quite remarkable, I think, how the U.S. administration has been able to get its approach right, in spite of the confusion in America itself."

This is the judgment of a man with no political axe to grind—perhaps the greatest Western expert of all on Communist guerrilla warfare—who early in 1969 published a book entitled "No Exit from Vietnam," expressing the conviction that the strategy being pursued by America up to then was doomed to failure.

#### LONG-TERM LOOK

The United States, he declared then, was trapped. It could never win in Vietnam by military force. Nor could it contain the Communist threat by negotiation. It was fighting the wrong war, with the wrong weapons in the wrong way.

Now, he believes, much—perhaps enough—has changed. With U.S. support in the background, the four countries of free Indo-China—South Vietnam, Cambodia, Laos, and Thailand—will be in a position to stand firm in their own defense.

"Looking at it in the long term," Sir Robert added, "what the United States now is doing is giving time for those who are more naturally interested in the area to play their part too."

By those "more naturally interested in the area," he means in particular Indonesia, Australia, Japan, Malaysia, and Singapore.

He sees the development of regional security pacts—and perhaps also a Pacific security—supporting any of the free governments of Southeast Asia against any threats to their independence.

He is convinced the tide of Communist military advance in Southeast Asia has turned.

Token of this conviction is his return to Saigon in 1971 to review the organization of the police force. When he last went, in 1969, shortly after publication of his book on the Vietnamese war, it was at the invitation of President Nixon to report on the apparently critical military situation.

#### PRESIDENT CALLS HIM

The President had called him on the telephone at his house in the Somerset countryside in England, after having read "No Exit from Vietnam."

Sir Robert, a country-loving man, had just been settling down to write. He is now an author and consultant, no longer what he himself called "a cold-war administrator."

President Nixon told him, "I would like you to return to South Vietnam and give me a firsthand, candid, and completely independent report on the total situation there."

"Right," replied Sir Robert. "I will start at once."

"I wasn't doing anything at the time," he explained. "And I'm a pretty mobile sort of chap. I always keep a bag packed—just in case."

His wife and two children are used to these sudden departures. They are immensely proud of him and his quite remarkable record.

Sir Robert in 1969 already knew plenty about the situation in Vietnam. For prior to researching for his book, he had been for five years—1961 through 1965—head of the British Advisory Mission at Saigon.

In 1961 he had retired, at the age of 45,

from the Malayan civil service, which he had entered as a cadet in 1938 after taking a master's degree at Cambridge.

#### MILITARY CROSS WON

Like so many others, he was instantly engaged in the 1939-45 war. During the Japanese advance through Southeast Asia, Robert Thompson served as an air liaison officer for the British forces, operating behind Japanese lines.

He won the Military Cross and the Distinguished Service Order, two of Britain's highest awards for personal bravery in action. But, far more important as it turned out, he obtained training in jungle fighting and guerrilla warfare.

In 1950, when 34, he found himself staff officer (civil) to the director of operations in the "emergency" in Malaya that broke out when the Malayan Communist Party, renouncing political action, reverted to "the armed struggle" in an effort to gain power there.

In 1955 Robert Thompson became coordinating officer for security, in 1957 deputy secretary for defense in the Federation of Malaya (formed following the return of independence to the countries of the area by Britain), and in 1960 secretary for defense.

#### GUERRILLAS TOOK REFUGE

In July, 1960, the 12-year-long emergency ended. The remnants of the Malayan Communist guerrillas, numbering about 500 by that time, took refuge in the jungle on the frontier with Thailand.

The director of military operations in this successful war was General (Field Marshal) Gerald Templer. Of Robert Thompson he remarked, "He is a man one likes to have around in a tough corner."

Sir Gerald won this guerrilla war in a military sense in 1954. But it took a further six years to win it in a political and civilian sense. Robert Thompson was in this "tough corner" from start to finish in both spheres of action. In 1961, when it was all over and he left the Malayan civil service, he was knighted. He became Sir Robert.

By this time Sir Robert probably had more actual experience of the political-military campaign that has to be waged to defeat an armed Communist insurgency than anyone else in the free world. And he is a man of considerable intellectual attainments.

It was Prime Minister Tunku Abdul Rahman of Malaysia who suggested Sir Robert be chosen to lead a British mission to South Vietnam. Sir Thompson also became a member of the Rand Corporation's "think tank."

In 1966 he put the result of more than 20 years' experience of guerrilla fighting in the defense of freedom into a remarkable book that has probably had less attention than it deserves, "Defeating Communist Insurgency": London, Chatto and Windus.

In this book he set out quite objectively the advantages that Communist insurgents naturally have—and use—in gaining support for a war to establish by the most savage means the dictatorship of the Communist Party.

They promise the removal of all foreign influence. They offer reunification, where a country is torn in two. They offer the immediate and complete removal of corruption.

In a world where, so far, no underdeveloped country has much hope of keeping pace with the material advances of the Western world the Communists also hold out the promise of a rapid and organized dash to modernity.

When they go into action they will issue proclamations "guaranteeing freedom" for all parties and for the press and radio, and television when they win and urging elections to "decide the nature and form of the new regime," although, of course, "freedom" is never defined, and the nature and form of the new regime is decided in full dogmatic detail already.

#### WORDS LEFT OUT

"It should be particularly noted," says Sir Robert, "that the word communism does not appear at all; even the Communists realize it is a dirty word. Nor do they take a chance on socialism."

On the surface the promised program can sound very attractive, even to liberals.

But, backing up this program, the insurgents, ordinary citizens by day, will move in at night not only to wreck communications and raid army posts but to slaughter the leaders of any community who have actively "cooperated with the imperialists."

In such a situation a defending government has to do more than gradually widen the circle of guaranteed security it can offer the people, although that is an essential first step, Sir Robert avers.

He sets out four other "principles of counterinsurgency":

1. The government must have a clear political aim. The insurgency can not be treated in isolation. The country must be made politically and economically viable.

2. The government must function in accordance with law. It can enact tough laws. But these laws must be effectively and fairly applied. Corruption must be eliminated.

3. The government must have an overall plan, keeping a proper balance between the military and civil efforts.

4. The government must give priority to defeating the political subversion, not the guerrillas. "Unless the Communist political organization in the towns and villages is broken," declares Sir Robert, "the insurgent guerrilla units will not be defeated."

Police work in this context, one imagines, has a double purpose. The police must effectively uphold the law. At the same time they must break the communications between the major Communist cells and their supporters, identifying and arresting the leaders of the cells whenever possible.

It is to this area of work that the free world's "guerrilla fighter extraordinary" now turns his attention.

"We are approaching the point of containment," he states. And when Sir Robert says it, he says it with conviction. A watershed may well have been reached in Indo-China.

[From the U.S. News & World Report, Apr. 12, 1971]

#### IF UNITED STATES PULLS OUT OF VIETNAM TOO FAST—INTERVIEW WITH AN ADVISER TO PRESIDENT NIXON

(Sir Robert Thompson, a top British authority on Asian wars, cautions in this exclusive interview against too-rapid a pull-back of combat forces from the war zone. One danger: that Saigon will feel "deserted" at a crucial stage of events.)

AT SAIGON.—Q. Sir Robert, how do recent events affect President Nixon's plans for withdrawing more American troops from Vietnam? Is it now safe for him to go ahead and speed up the withdrawal?

A. When you look back and recall that in a matter of two years he has nearly halved the number of American troops here, the speed of the withdrawal is already quite phenomenal.

No one would have guessed two years ago this could be done, and at the same time the situation here improved out of all recognition.

So when you say "speed up," it is hard to put that in terms of an extra 500 or 1,000 men every month. I think that would be safe enough from the military point of view, but you must recognize another point—the psychological factor.

The speed of withdrawal must not be so great that the South Vietnamese think they are being deserted. After all, Hanoi is still getting massive support from Russia and China, and knows it is going to go on getting

it. South Vietnam must not feel that it is standing completely alone, no matter how capable it may be.

If troops are needed here—and some are—it is mainly for the purpose of demonstrating that the United States is still standing by.

Q. Does that mean some minimum number of American troops will be needed here for many years to come?

A. Yes, there will be a minimum force level needed. Just what that number is, I do not think anyone can predict at the moment.

What is needed is assurance to South Vietnam is it not being abandoned. The more convincing your assurance, the fewer troops needed. At the moment, such an assurance is not too convincing because of opposition to the war in the United States. So you have to demonstrate it to a greater extent by leaving some troops.

Q. Have the South Vietnamese operations in Laos confirmed your opinion that North Vietnam has lost the war, militarily?

A. In a way, yes. The South Vietnamese have now shown they can carry the war beyond their own borders into territory which the North has occupied for years.

This makes a tremendous difference to the posture of both sides. The South Vietnamese are no longer in a defensive situation inside their own country, waiting for the enemy to come in. Now they are in a position to attack the enemy in his base areas.

This means that the enemy now has to adopt a defensive posture in the war instead of a solely offensive posture.

Q. Is it your feeling that this is biggest over-all effect of the campaign in Laos?

A. I think to see over-all effects you have to look at both the short term and the long term.

Short term, the South Vietnamese have been effective in cutting through to the Ho Chi Minh Trail, damaging the enemy's supply organization and destroying a lot of his stocks—and at a time that should have been a peak period for him, when he would be bringing trucks in considerable numbers through Laos.

Even this short-term gain has given us a breathing space of anything between six and 18 months—maybe even right through 1972.

Long term, it means that the enemy now has to deploy forces along the Trail just to defend it. These forces have to be fed and supplied on the Trail, so the trail itself will become more self-consuming. Less trickles out at the bottom end as a surplus for mounting an offensive.

Q. How much has this diminished Hanoi's basic capability of continuing the war, or mounting future major offensives?

A. As I said, there is now a breathing space during which the enemy could not mount and sustain any offensive action into South Vietnam which the South Vietnamese could not handle with perfect ease.

But I think, most important of all, the Laos operation shows that Vietnamization is working. The South Vietnamese were able to go into Laos, right into the enemy heartland, with a comparatively small force of about 20,000 men. Most of the talk has been in terms of their going only 12 or 15 miles into Laos, but one must not forget that the whole thrust of the campaign—in terms of military organization—was all the way from Dong Ha, a distance of more than 60 miles.

The operation has had a great effect on the South Vietnamese Army. Its morale will be high after this. And, most surprising of all, the campaign had an extraordinary good reception in the countryside. Many people have been speaking to Vietnamese peasants about this, and over 90 per cent were in favor of the invasion.

Q. What changes have you noted in Hanoi's combat capabilities over the past two or three years?

A. Oh, that has completely changed. I

think it must be emphasized that two or three years ago—for example, at the time of the big Tet offensive in 1968—the North Vietnamese Army could operate as a guerrilla infiltrating army because it then had enormous support from the Communist Viet Cong within South Vietnam. Viet Cong units were intact and active. They could prestock food and ammunition forward for North Vietnamese regulars.

Now it is completely different. The North Vietnamese are no longer an infiltrating army. They have been forced to turn into a conventional army, bringing their own supplies with them. This is much more expensive for them, and it is much more expensive for their supporters, Russia and China. If the North operates in a conventional way, and they have little choice now, it is much easier for the South to deal with them. The South Vietnamese are now the better equipped, in fact, for dealing with a conventional war.

Q. Can South Vietnam now go it alone in ground fighting, both inside the country and in Cambodia and Laos?

A. I think Americans have got to get out of their minds their ideas about the South Vietnamese Army as it was four or five years ago. This is a new Army. You now have people coming to the top of the military whom I recall as bright, young majors back in the early 1960s. These are first-class professional soldiers, and I think they are going to be capable of handling anything.

Q. What about South Vietnam's Air Force? Will it ever be able to take over from the Americans?

A. Obviously the weakest areas for the South Vietnamese militarily—where Vietnamization has advanced the least—are logistics and air support, both tactical air support and helicopter mobility.

The air problem is particularly difficult. The main reason is that you have this very long, narrow country, threatened from a distance of over 900 miles. The Vietnamese cannot possibly manage to run air operations everywhere in this country simultaneously. They just could not afford the trained manpower for it, even if the United States made all the money and equipment available.

We now have an internal situation here where enormous progress can be made in the administrative, economic and other domestic fields, but you need good men for it. I would rather see a good Vietnamese as a teacher in a school than as a helicopter pilot. For the future, it is much more important.

VITAL: A PORT IN CAMBODIA

Q. Sir Robert, could South Vietnam survive if the Communists take over power in all of Cambodia and Laos?

A. If the Communists had a completely free run down the Laos panhandle and had full control over Cambodia—particularly if they had Kompong Som opened again as a port—then South Vietnam could not stand.

You could not possibly defend a country like this, with long borders and very rugged terrain, without enormous forces. Five hundred thousand Americans could only barely do it—just barely.

Q. What if the situation goes on as it is, with the Communists controlling at least half of both Cambodia and Laos?

A. Cambodia's southern port is the really important point, because in the past it was supplying the whole of southern South Vietnam as well as Cambodia. Without the port, everything has had to come down the Trail—and we come back to the Laos operation.

Laos is mainly important as a safe route for the enemy. If they were allowed to have a safe route again, then I think it would be dangerous. But I see no reason why it should go back to that. The American air attacks on the Trail will presumably go on. And notice has been served on the enemy that he is liable to be attacked again on the ground in Laos at any time.

Q. What major developments did you spot between your inspection trip to South Vietnam for President Nixon in 1970 and the latest one?

A. Except for the cross-border operations, that is a very short time for major changes—but even in those four or five months there has been a tremendous advance in one field: the economy. I think the change in the exchange rate last October and the other measures that went with it have really stabilized the cost of living.

In July of last year there was every indication the cost of living and inflation were just going right through the roof. Now they are being held down to reasonable proportions. I would regard that as perhaps the greatest gain of the past six months.

Another very important thing is that the rice harvest in the Mekong Delta is now in, and there is no question that this year South Vietnam has a substantial rice surplus. If we get the same sort of weather again next year, they will have an even bigger surplus. We have to start asking some different questions here—not how do you feed the country, but what do you do with your rice surplus?

"GREAT SUPPORT" FOR THIEU

Q. Looking back at a longer range, say over the past two or three years, what have the major developments been?

A. What has really changed is the strategy, the approach. Over the past two years the approach has switched to regaining control over the countryside, dealing with this as an internal problem rather than as an invasion problem.

What is coming through very strongly now is that over the past three years the Thieu Government has given this place some stability it did not have during the previous years. More than that, what is developing is great support for the Government.

Really, almost my only political worry now is that Thieu might win the presidential election in October too overwhelmingly. I would like to see him win sort of 55 to 45, but there is a very real chance he will get an overwhelming majority. Then all the skeptics in America will think it was fixed.

Q. Have there been any discouraging changes over the years since you have been coming here?

A. Not really changes that are discouraging. There are naturally still all the problems where action has yet to be taken. But I think if the Thieu Government keeps the stability we now have—and given some prosperity in South Vietnam—we have a chance of tackling some of these very difficult problems: corruption, evasion of taxes, low salaries and all that sort of thing.

These problems have been created mainly by the war, but you cannot just stop there and say that it is the cost of war. I have always put it this way: However many battles you win, if you are eroding the moral fiber of a country, then you are doing more damage than anything you can win on the battlefield.

I think one of the great problems over the next few years is to restore the moral fiber of the country, restore discipline, and that has got to start within the Government itself; particularly in those parts of the Government that come in contact with the people, like the administration and police.

Q. Has there been improvement in South Vietnam's ability to counter Communist subversion in the Government and in the countryside?

A. That has steadily improved all the time. It is really quite remarkable now if you look around Saigon. This is an overcrowded city of 3 million or, possibly, 4 million people, much of it a real maze. It should be an infiltrator's and terrorist's paradise. But here, where you would most expect it, there is no urban guerrilla warfare. They just cannot do it. The Saigon police have it under control.

Q. What about the countryside?

A. There is still some terrorism, but the village situation in most areas is basically very good.

"A GOOD CHANCE OF SUCCESS"

Q. How do you see the next 10 years in Indo-China—a continuing war, peace, or a battlefield stalemate?

A. It all depends on Hanoi's intentions and on the willingness of Russia and China to go on supporting Hanoi in those intentions. In that respect, one can see no change. So I think we are in a position where Secretary Rogers was right—we will get a "no war, no peace" situation.

We are, after all, on a frontier, and it is likely to remain one. There will be periods of standoff and periods of sporadic fighting. But there is now a good chance of a successful outcome, because the frontier has been successfully defended.

It would be foolish to throw that chance away.

STUDENT UPEHAVALS

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. SEBELIUS. Mr. Speaker, the youth of this country have been the subject of much debate and the object of much concern over the past few years.

It is natural that we should be concerned with our Nation's youth, not because of the noise made by a riotous few, but because the future of our country rests in their hands.

Young people bring to us an idealistic point of view which, coupled with their enthusiasm, can contribute much to our lives in this most difficult and complex world.

I believe that most young people love their country and are willing to make such a contribution. But sometimes enthusiasm and idealism are not enough—experience is also needed to make decisions on those matters which concern us.

I have here an article in which Tom E. Cooper, of Great Bend, Kans., describes his feelings toward America's student upheavals and toward the country as a whole. Tom Cooper has been a thoughtful observer of this country for many years, and I believe we can all profit from his impressions and beliefs. The article follows:

PUBLIC FORUM

DEAR EDITOR: Much has been said about the college students who have looted, burned and destroyed other peoples property. The actions of some of them have been disgusting and inexcusable. However, I have lived man's allotted three score and ten. During those seventy years I have seen drought, dust storms, grasshopper invasions, peg top pants, hobble skirts, the Ku Klux Klan, the I.W.W. and the Plum Plan League. Gone with the wind and I sincerely believe that even this will pass away. I have not lost faith in the young people of today. I firmly believe that at least eighty percent of them are good, level headed youngsters who are earnestly searching for a cure for the ills that curse the world today. The other twenty percent are the hell raisers who would burn down the establishment to get rid of a few rats in the basement. If they succeed let them be careful of the kind of an establishment they create to replace the old one for it will be the one that they and their children will have

to live with for some time to come. These dissenters quote freely from the Constitution and the Bill of Rights as the authority for their freedom to carry on. The Constitution and the Bill of Rights does guarantee our Liberty and Freedom, but Liberty and Freedom carries with them grave responsibilities. The right to peaceful dissent is conceded by all, but the right to loot, burn and destroy other people's property, never!

Was the Constitution framed and protected down through the years by a bunch of weaklings who had no love of Country? Of course not. The Constitution was framed by men of wisdom and it contains provisions that forever protect us from tyrants. It has been preserved down through the years by men who had the courage to pick up their guns to quell the enemy from within and to demand that the foreign enemy stay away from our shores.

For the few young people who feel that the older generation are a bunch of know nothings, I must remind them that the people of my generation are the ones who went from the horse and buggy days to putting a man on the moon. We are also the generation who gave them the automobile, airplanes, radio, television and every modern convenience that we have today. If the young people of today wish to beat that record, I would suggest that they settle down and get to doing their thing, for it is going to take a lot of doing to even tie that record let alone to beat it.

Many marches have been held to protest our participation in the Vietnam war. I served in World War One, had two sons in World War Two and my youngest son spent eighteen months in the Korean conflict. I hate war in all of its aspects, but I prefer war to wearing the chains of slavery and I would much rather die in an atomic holocaust than to wear the yoke of Godless communism. I feel that many of our campus disorders are communistic inspired, but I also feel that the vast majority of our young people are too smart to be taken in by a bunch of red hogwash.

The best advice that I have to offer to any citizen of this great Nation is to worship your God, honor your Country and its flag, guard well your Liberty and Freedom and be proud of your heritage. Our system may not be perfect but it still represents human liberty in the truest form ever devised.

TOM E. COOPER.

## MAY DAY DEMONSTRATIONS

### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. THURMOND. Mr. President, there appeared in the Charleston Evening Post, which is published in Charleston, S.C., an excellent editorial which put the recent May Day demonstrations in the proper perspective.

The writing gave proper credit where credit is due—to President Nixon, who permitted the exercise of constitutionally guaranteed dissent when carried out in a lawful manner, but refused to allow such a group to violate the law and the rights of others.

Mr. President, as this editorial points out there is no substantive logic behind the demands of those who attempted to coerce our Government into yielding to their demands. President Nixon is successfully bringing the war in Asia to an end, and he is doing so with reasonable speed.

Mr. President, I recommend this fine editorial to my colleagues and ask unanimous consent that it be printed in the Extensions of Remarks.

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

#### BACKFIRE IN WASHINGTON

A threat to take over the nation's capital and paralyze government business is no laughing matter even when it is posed by a rag-tag army like that led on Washington yesterday by Rennie Davis. We make no jokes about Mr. Davis himself, even. He is an insufferable young man, but also a genuine revolutionary. He must be approached with caution, like a ticking bomb.

The explosion that Rennie Davis planned for the Washington scene this week seems to have backfired, we are pleased to note. Scenes of his followers fleeing down the streets of the capital ahead of angry cops have been viewed with equanimity elsewhere in the country. Mr. Davis himself has been arrested. Thousands of his followers are penned up in a football stadium or behind wire fences at an Army camp. Traffic, at last reports, was flowing smoothly.

Much of the credit for restoring things to normal goes naturally to President Nixon. He gave the marchers a decent chance to make their protest peacefully. Then he moved in with force and determination to keep them from harassing innocent people. Unlike some of his predecessors, Mr. Nixon has not given the impression of being either frightened or uncertain.

To be fair, though, it should be noted that he enjoys the assurance that most of the country is behind him in giving unruly demonstrators what they ask for. In numerous trials by fire imposed upon it by people like Rennie Davis, public opinion seems to have matured. Sometimes, anyway, it can distinguish between causes which are worth protesting for and those which are not. It has arrived at some judgments as to how far those protests should be allowed to go. Even Vietnam veterans, as earlier developments showed, do not have a blank check on public sympathy when they hit the streets to pound home a point.

As most people have duly noted, there is no substance behind the so-called peace marches in Washington. The machinery of withdrawal from Vietnam is turning with reasonable speed and efficiency. Little can be done to speed it up without risking a breakdown.

While sympathizing with young people who go to Washington to get their heads broken and suffer the indignities of prison pens, we have little respect for their common sense.

## THE REVENUE-SHARING CAMPAIGN

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. RARICK. Mr. Speaker, many Members are barraged by letters from elected officials in support of the so-called revenue-sharing program.

The usual appeal is that our cities are overextended financially and unable to raise their own financial revenue to foot the bill for the many promises and programs that people today consider a right rather than a privilege.

Perhaps the recent report from the New York Times that nearly one-half of the Nation's black population is now

concentrated in 50 cities with one-third of the black population in just 15 cities is the best explanation of the desperation moves for revenue sharing and suggests who will be the largest benefactors.

Why the Times chose to become so racial and to inform the American people that their cities are captured is debatable. It could be to inform the people—or to intimidate the white politicians of the big cities into supporting more taxpayer bonanzas for the cities.

I insert a newsclipping at this point:

[From the Evening Star, May 20, 1971]

#### SIX U.S. CITIES MOSTLY BLACK

Nearly half the nation's black population now is concentrated in 50 cities—and one-third of the total is now in just 15 cities, according to a new Census Bureau compilation.

As a result of both migration and natural growth, six cities are now majority black and the population of eight others is 40 percent or more black.

The highest proportion of blacks of all cities was in Washington, D.C., and Compton, Calif., each with about 71 percent. East St. Louis, Ill.; Newark, N.J.; Gary, Ind., and Atlanta also have more than 50 percent black populations.

The cities with 40 percent or more blacks are Baltimore; New Orleans; Savannah, Ga.; Detroit; Birmingham; Richmond, Va.; St. Louis, Mo., and Jackson, Miss.

The new compilation, on minority groups, also showed that the two largest such groups—blacks and persons of Spanish origin—now total 31.5 million people, or 16 percent of the total population.

Blacks constitute about 11 percent of the population, a slight increase over 1960. Persons of Spanish origin are about 5 percent of the population, but no comparable figures were tabulated for 1960.

The Spanish-origin population totals about 9.2 million. The black population is now about 22.3 million, of which 10.5 million live in 50 cities, and 7.6 million live in 15 cities.

New York City has by far the largest black population, almost 1.7 million, an increase of 579,000 over 1960. This increase raised the black proportion of the city's population from 14 to 21 percent.

## EFFECT OF U.S. GOVERNMENT FINANCIAL POLICIES UPON INTEREST RATES AND INFLATION

### HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. BYRD of Virginia. Mr. President, a newspaper column by the economist, Eliot Janeway, has once again focused attention on the effect of U.S. Government financial policies upon interest rates and inflation.

This column, published in the May 3 edition of the Birmingham News, notes that the downward trend in interest rates seems to have halted and a new trend is being established.

Last February, on the floor of the Senate, and again in an interview with Mr. Janeway, I warned that heavy government borrowing would force an increase in interest rates. I believe we are now seeing that prediction come true.

Mr. Janeway's analysis shows a relationship between government borrowing

and the trend in interest rates, and it deserves careful study.

I ask unanimous consent that the text of the column, "No Mystery About Hike in Interest," be included in the Extensions of Remarks.

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

NO MYSTERY ABOUT HIKE IN INTEREST  
(By Elliot Janeway)

NEW YORK.—"Disappointing" was the word Treasury Secretary John Connally used to characterize the action taken late last month by New York City's No. 1 bank, the Chase Manhattan, in raising the interest rate it charges borrowers with prime credit standings. Ominous would have been a more precise word.

Connally is much too shrewd and successful an old pro at the political game to be conventional in his thinking.

Quite the contrary. I can testify that he is realistic; and in this day of old rules increasingly breached or reversed by new conditions, conventional expectations are more likely than not to be at variance with realistic calculations.

In expressing his disappointment with the Chase Manhattan's rate-raising move, however, Connally was cast in the role of public spokesman rather than strategic calculator.

On this occasion, it was the conventional wisdom of the economic advisers to the Treasury and the White House that he recited. As the baseball writers say of batters in a slump, "they're overdue."

Connally's supporting comment expressed the narrow and impractical knee-jerk thinking characteristic of the administration's economic experts. Connally explained that he was not aware of any appreciable rise in business loan demand to justify this increase in the price of commercial credit.

The briefing given him was right, so far as it went. No rise in business loan demand is in evidence; although April and May are the months when better business calls for bigger borrowings—provided, that is, better business really is around the corner.

In this year of advertised recovery, the absence of a spring surge in business borrowing is particularly conspicuous. For the economy has been buoyed by two sources of calculated overproduction that are normally supported by bigger borrowings. The first has refilled the gap left in the auto-selling pipeline by last autumn's General Motors strike. The second is still stockpiling the steel, aluminum and copper pipelines in anticipation of next summer's strikes.

The failure of business borrowing to rise has admittedly been disappointing to the administration's economic advisers. They have been trying to reassure both the government and business with their blue-sky guesstimates of a runaway recovery for the economy. The slack demand for credit has been bringing them back to earth. But it has offered a consolation prize in the form of a forecast of continued cheap money.

If the briefing given Connally was right so far as it went, the question is, how far didn't it go? Certainly not so far as to charge or even to imply, that the good, gray, friendly Chase Manhattan—characteristically exuding public responsibility—was turning up in the profiteering, price-fixing role caricatured by John Kenneth Galbraith, Harvard economist.

No government economist could have dared go so far against this particular price increase—a rise in the rate of interest is just that. For the Chase Manhattan, far from leading the money market toward higher interest rates, was merely following a new uptrend already established.

What's more, this new rate uptrend was established, not because the banks selling

money were reaching for a higher price but because the biggest and most busted borrower reaching for it—the U.S. Treasury itself—was reduced to signaling its distress and therefore, its need to pay a higher price.

The expert briefing given to Connally neglected to mention a simple fact. The fact suffices to clarify the feigned mystery of a higher price for money despite no increase in demand for it. Business borrowing is not the only source of loan demand able to push interest rates up. Government borrowing can be at least as instrumental.

In the case of this latest portent of a new resurgence of interest rates, the scheduled increase in government borrowing has more than offset the stagnation in business borrowing.

Not that the credit market distress which set the stage for the Chase Manhattan's move was as surprising as it was upsetting.

Last February, Sen. Harry Byrd Jr. of Virginia warned on the Senate floor, and again in an interview in this column, that the scheduled inflation of government borrowing would force a disastrous new inflation of interest rates. It has begun to do so.

Of course, the government economists are still pointing with pride to the resurgent stock market. It did surge in response to the drop Washington engineered in interest rates and to the promised rise in business activity. But now, while interest rates are rising, business activity is still dragging.

Ominous is the word for any such state of affairs.

DETROIT NAACP ANNUAL FIGHT  
FOR FREEDOM DINNER

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DIGGS. Mr. Speaker, on Sunday, April 25, 1971, the Detroit branch of the NAACP sponsored its 16th annual Fight for Freedom Dinner. This is not simply an annual observance or celebration; it is a time when citizens of all walks of life and color, religion and race come together in a mass demonstration of their personal determination to make real the commitment of democracy of freedom for all men.

Annually, Detroit's Fight for Freedom dinner raises over 100,000 in behalf of this cause. This year's dinner, as usual, was held in the city's Cobo Convention Hall, but in a time of presumed consumer retrenchment in spending, it was necessary to open an additional exhibit hall to accommodate the additional throngs of people who felt compelled to make their expression against the racism which pervades our world and in behalf of the freedom which can only save world civilization. These citizens made it once more the largest fund-raising affair of its kind in the United States, raising \$180,000 to carry forward the work of the National Association for the Advancement of Colored People.

The speaker for the 1971 dinner was Clarence Mitchell, director of the NAACP's Washington Legislative Bureau. His familiar face in the Halls of Congress is the personalized embodiment of the Fight for Freedom. Indefatigable, pragmatic in the highest, most inspiring sense of never losing sight of the interrelation of political action to the goal—

freedom—unwasteful of words, energies or talents which do not march to this end. To those who share in this dream and the fight there is no more honored person in the civil rights movement than he. For those who, to paraphrase the words of New York Times columnist, C. L. Sulzberger, "who have not learned to forget their atavistic prejudice against the pigmentation of skin," I dare to say there is no more respected person than he.

I want to share with you Mr. Mitchell's speech on the occasion of Detroit's annual dinner. His words concern all of the Members of this U.S. Congress and politicians everywhere who perpetuate or fight against the cancer of racism upon the world:

FIGHT FOR FREEDOM

For more than three hundred years the Americans who were brought to this country from Africa have been engaged in a mighty struggle to be free. Others of many races and religions share in that struggle.

There have been hundreds of martyrs. There have been and are thousands of heroes; some well known, some obscure and many known only to a few. We cannot measure the lives and the properties that have been lost by those who have dared to take a stand for justice and fair play.

In your own state the honor roll of those who have taken a stand for justice includes such names as Justice Frank Murphy of the United States Supreme Court, Senator Philip Hart, Walter Reuther, Dr. James McClendon, Gloster Current and William Oliver. Outstanding Americans such as our President Kivie Kaplan and our board Chairman, Bishop Stephen Spottswood, serve with total dedication and at great personal sacrifice.

Fortunately, the men and women who carry on the struggle for freedom, day after day and year after year, continue their labors. Some measure of the effectiveness of their work can be obtained from the Annual Report of Roy Wilkins, executive director of the NAACP, made at the organization's January meeting.

From an organization which operated on a pitiful budget of less than \$50,000 in the early years of its existence, now in our 62nd year of existence we are able to show an income of \$1,540,196 and expenditures of \$1,472,050. From a handful of highminded individuals dedicated to making the brotherhood of man a reality, we have grown into a national organization that touches the lives and well being of millions of Americans. We are a free and effective organization because people like you, who are present tonight, raise the money for our operation.

The Wilkins report told of accomplishments in the fields of housing, labor relations, in our local programs and, of course, in our legislative work and our work with the executive agencies of government in Washington.

Among the new and significant items was one stating that an NAACP sponsored group called the National Afro-American Builders, Inc., had obtained \$28 million in surety bonds for black builders who are working on construction projects valued at \$378 million. Mr. Wilkins also reported that the Association is continuing its legal fight against discriminatory zoning regulations. It should be noted that on March 24 the first suit to implement our programs of ending discriminatory zoning was filed against the town of Oyster Bay, New York, where zoning ordinances require most single family housing to be constructed on one or two acre lots—thereby excluding the poor and the black.

He also reported that the General Counsel of the Association and other staff members were going to Germany for the purpose of giving assistance to servicemen who are the

victims of discrimination. That mission is now completed and we are taking action on the findings. Just as a reminder of the NAACP's consistency I mention that in World War II, Walter White, who was then our national executive secretary, went to the war theater on the NAACP mission. Mr. Justice Marshall, when he was our counsel, went to Korea to assure our men in uniform that we were behind them. Now in 1971, through our general counsel, Nathaniel Jones, and our Veterans secretary, Julius Williams, the NAACP reaches across the miles between continents to tell our sons, our daughters, our brothers and our sisters, that we have not forgotten them.

As we review the record of the 91st Congress we can feel pleased about the defeat of pro-segregation nominees to the United States Supreme Court, the extension of the 1965 Voting Rights Act's prohibition against discrimination and the granting of the right to vote to persons in the ages between 18 and 21.

What I have said is not in the spirit of over optimism, but in the spirit of realism. It has always been my opinion that victories cannot be won by those who expect to be defeated before they begin to fight. I also believe that the forces of freedom and progress cannot be held together if we fail to show the gains as well as the losses in our struggle for the rights of man.

We know that our society can provide full employment for all of our citizens. We know that that employment can be fair so that men and women will not be barred from jobs on the basis of race, religion, national origin or sex. That is why we are fighting for enforcement powers for the Equal Employment Opportunity Commission and to extend its jurisdiction so that it may reach discrimination in Federal, state and local government. Just before Congress began the Easter recess, H.R. 1746, the Hawkins bill which will give enforcement powers to the Equal Employment Opportunity Commission itself, was reported favorably by a subcommittee of the House Labor Committee.

Enforcement is needed to speed up and broaden the effective application of this law, but even without the amendments we are now seeking, the value of the equal employment statute was dramatically illustrated on March 8, 1971, when the United States Supreme Court handed down the decision in *Griggs v. Duke Power Company*.

In this case the United States District Court had found that: "Prior to July 2, 1965, the effective date of the Civil Rights Act of 1964, the Company openly discriminated on the basis of race in the hiring and assigning of employees at its Dan River plant. The plant was organized into five operating departments: (1) labor, (2) coal handling, (3) operations, (4) maintenance, and (5) laboratory and test. Negroes were employed only in the labor department where the highest paying jobs paid less than the lowest paying jobs in the other four 'operating' departments in which only whites were employed."

When it became necessary to halt discrimination by assignment, the company began giving tests and demanding certain educational requirements as a condition for assignment to any department except the labor department. The Supreme Court's decision struck down these new impediments because it found that the law requires employment tests to be job related and in this instance the tests were not job related.

On the matter of fair employment I am keenly aware of the fact that Congress, itself, has not given a fair share of jobs to black Americans. But I think you who have not been to Washington should know that your two Senators are trying to set the right example. Senator Hart's policies are well known. Also in Senator Griffin's office in the Capitol building, a young lady who greets you is a living example of fair hiring.

In this country we have come some distance from that point when President Franklin Roosevelt talked about a third of the nation being ill housed. Nevertheless, we know that we have not yet met the housing needs of the poor and even the needs of persons in the average income bracket. We are determined to make existing legislation work so that it will be possible for all who desire to be home owners to acquire property and also make it possible for all who are renters to get decent living conditions at reasonable prices. What we cannot do under existing law, we shall accomplish by additional legislation.

We have new weapons with which to fight against discrimination in the sale and rental of housing. These are the Fair Housing Act of 1968 and the court decisions implementing the language of the Civil Rights Act of 1866. Recently we met with Secretary George Romney of the Housing and Urban Development Agency to urge that the pace of attacking discrimination in the sale and rental of housing be stepped up. This same plea was made by the Black Caucus when it met with the President on March 25, 1971.

At this point I would like to commend the people of Detroit for sending two great Congressmen, Charles Diggs and John Conyers, to Washington. As you know, they are prime movers in what is popularly called the Black Caucus, and Mr. Diggs is the chairman. But I want you to know that long before there was a Caucus they were working for the best interests of all people who are deprived or mistreated because of race, religion or national origin.

We have scored major successes in attacking discrimination in the admission policies of hospitals. We have extended medical care to many who would have died or become invalids for life without such care. Yet, it is a fact that we have only scratched the surface in this area. As we look at the misery caused by preventable diseases and the financial crises that arise whenever there is a major illness or the need for hospital care among our citizens, we become more certain than ever that we must have a program of health care that benefits all parts of our society.

In addition to the privations that all citizens face, many of the minority groups of this country must bear an additional burden of being excluded from or segregated in the offices of doctors who are the only available medical resource in some communities. We must find a way to make certain that a man who holds a license to practice medicine cannot arbitrarily refuse assistance to one who is in pain simply because that person is black or cannot speak English. We must make certain that any institution which holds itself out to be a hospital, a clinic or convalescent home does not raise the no admittance sign when there is a black or brown patient seeking entrance.

As we contemplate the wonders of our scientific age, we know that education is no longer a luxury. It is now imperative that our people be enlightened through the classrooms of our schools and colleges. We know also that the local communities and even the states cannot meet the need. We are determined that this need will be met with Federal funds and that these funds shall be spent for all of the children without any restrictions based on race or any other irrelevant factor.

Although there are many other items on which one could dwell, I shall conclude with a brief reference to the so-called revenue sharing plans that are before the Congress at this time.

"Our cities face decay, our public services are in shambles, and the tax burden of the average cities seems even greater with less to show in return for what he pays. It has been suggested that one way to meet these problems is to give our state and local governments monies from the Federal treasury and at the same time permit the ex-

penditures of these monies in whatever way the state and local governments see fit. This kind of program can be an invitation to monumental waste.

Some of the need for Federal help at this time is traceable to the unjust and wasteful expenditures of public money by callous state and local officials. Such officials have paved streets in white neighborhoods, while leaving dusty paths as the only means that colored citizens could have to reach their homes, their schools and their places of worship. We have seen notorious examples of water and sewer facilities by-passing certain sections of states, counties and cities because the residents in those areas happened to be black. We have seen the razing of homes of the poor in order to build offices, luxury apartments and super highways with no thought of what should be done for the persons who are displaced by these projects. All of this should be a warning that we cannot put money collected from all the taxpayers into the hands of state and local officials who, on the record, have shown that they will not be fair in the expenditure of such funds. We must increase the flow of money to our states and cities, but it must be done in a way that will assure that all of those in need will benefit and not just a few.

I appreciate this opportunity to speak to you and on behalf of the people we serve I thank you for being present and for giving your support to this great cause.

#### WASTE IN CERTAIN SOCIAL WELFARE PROGRAMS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. BYRD of Virginia. Mr. President, the May 4 edition of the Nashville Banner included a thoughtful editorial on the subject of waste in certain social welfare programs.

The editorial notes that the State of New York has ordered a limit on the rent and the length of stay for welfare recipients in hotels. I recently called attention to the fact that welfare families were being housed in New York hotels at an average rent of \$763 per month, or \$9,156 per year, per family.

I ask unanimous consent that the text of the editorial, "Yes, Fed Up," be included in the Extensions of Remarks.

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

#### YES FED UP

"If officials charged with direction of social welfare programs continue to fund ski trips and suites at the Waldorf-Astoria, then these programs are going to lose the support of the Congress and the people."

So concludes the argument of Virginia Sen. Harry F. Byrd Jr., presented in a speech on the subject—an enlightening discussion bearing on the case for genuine REFORM of the program mentioned. What Senator Byrd said further was that taxpayers outside New York—where the matters criticized have occurred—are concerned, for the Federal Government bears approximately half the load, and that involves every U.S. taxpayer.

Now note: The State of New York now has ordered a limit on both the rent and the length of stay for welfare recipients in hotels. An estimated 1,300 welfare families consisting of 5,713 persons at one time were found living at these hotels at welfare expense—

in New York City alone, that is; and the welfare rent cost for one of these families was \$1,215 a week.

Said Senator Byrd: "I think the American people are getting fed up with this kind of abuse of trust by public officials—for it is an abuse of trust when officials permit the waste of tax dollars."

It is time, too, for the genuine welfare reform that has been promised.

FUNDING OF VA HOSPITALS—A CONTINUING PROBLEM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, my colleagues in the Congress are aware of the serious staffing and funding deficiencies which have plagued the Veterans' Administration hospital system over the last few years. This situation reached an alarming crisis last year and the Congress appropriated \$105 million more than the President requested in his budget for veterans medical care in an effort to meet some of the more pressing needs of the VA medical program. The budget proposal which has been presented to Congress for fiscal 1972 calls for almost 7,000 hospital beds to be mothballed in an effort to save over \$100 million. During fiscal 1972 it appears that the Veterans' Administration will need about \$120 million more for medical care to prevent this reduction and maintain a proper level of care for America's veterans.

Mr. Speaker, I have contended all along that the Veterans' Administration gives the best medical care possible with the resources that are made available to them. I have received countless letters from veterans and members of their families about the quality of care given in our VA hospitals. I received one a few days ago which I believe so well pinpoints the compassion and dedication of our VA medical personnel and yet so vividly reminds us of what needs to be done to better staff and maintain our VA hospital system. I want to share this letter with my colleagues.

The letter follows:

SPRING GREEN, WIS., May 17, 1971.

HON. OLIN E. TEAGUE,  
Chairman, Committee on Veterans' Affairs,  
Washington, D.C.

DEAR MR. TEAGUE: I have completed and returned the card addressed to my brother asking for answers to a few questions on hospital care for veterans. The card arrived only a day or two after he passed away in the V.A. Hospital at Madison, Wisconsin. I want you and your committee to know that the treatment he received in the hospital was excellent, that he had been in and out of the V.A. Hospital many times in the past five years since his condition was diagnosed and that the doctors and nurses there were almost without exception efficient and sympathetic, and I do not believe that General Eisenhower received any better treatment or care than my brother did and their ailment was very, very similar.

In the five years that I have been visiting him in the hospital I have noticed some things that do distress me. Especially in the last two years since funds have been curtailed, the day rooms are likely to be neglected, there is less maintenance and ward help and during the last two weeks when we were at the hospital a great deal, we noticed that the doctors and the nurses were many times greatly over-worked and fatigued. I realize that this is due to a lack of funds and I feel that the administrator is right in using the funds available for the more essential things. However, with all the money that is being spent on less essential things (like the SST) I feel that anything that can be done to get more funds for the V.A. should be done.

My brother had medical and hospital insurance but his confidence in the doctors and in the V.A. Hospital at Madison were such that he much preferred to go there. I wish I were in a position to do something to help the Veterans' Affairs Committee for I feel that the staff at the V.A. Hospital in Madison gave my brother five years of life for which I am greatly appreciative.

Sincerely yours,

VERA A. SCHWARTZ.

THE U.S. SAVINGS BOND DRIVE OF THE WORKERS OF THE SIMPLICITY MANUFACTURING PLANT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. THURMOND. Mr. President, the worthy contribution of the workers of the Simplicity Manufacturing Plant in Lexington, S.C., has been brought to my attention by the plant manager, Mr. R. J. Kronschnabel. During the 2-week annual U.S. savings bond drive 100 percent of the workers of this subsidiary of Allis Chalmers signed up to purchase U.S. Savings Bonds. It is heartening in these times of demonstration and looting to see such patriotism and support for our Nation. This unselfish effort deserves the consideration of the Congress.

Mr. President, I ask unanimous consent that Mr. Kronschnabel's letter to President Nixon be printed in the Extensions of Remarks.

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

SIMPLICITY,

Lexington, S.C., May 7, 1971.

MR. RICHARD M. NIXON,  
The President, The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: During the weeks of April 19 to May 7, 1971 the Simplicity Manufacturing Company Plant, subsidiary of Allis Chalmers, in Lexington, South Carolina conducted its annual U.S. Savings Bond Drive.

During this two-week period we were able to contact and sign up all 184 of our employees to reach our goal of 100% U.S. Savings Bond participation.

Realizing the difficulties facing our Country and in particular those which you face and deal with each day I thought you would be happy to hear good news of this sort.

Sincerely,

R. J. KRONSCHNABEL,  
General Plant Manager.

STAR HERALD BEST AT GENERAL NEWS COVERAGE

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. HATHAWAY. Mr. Speaker, at the beginning of this month, a weekly newspaper that serves many of my constituents in Maine's Second Congressional District was named the Maine newspaper with the best general news coverage by the Maine Press Association.

The paper is the Presque Isle Star Herald, published by Carl Hall and the Northeast Publishing Co. of Presque Isle and edited by Frank S. Knight. In a May 5 editorial the Star Herald recognized that it "was cited for doing exactly what a newspaper is supposed to do—print the news. This includes exposing those things in society which are wrong and about which something should be done.

In addition to the best in general news coverage, the Star Herald also received two other Maine Press Association awards: Second place in the best editorial page category and third place in the best use of photographs and graphics.

I would now like to bring to the attention of my colleagues some samples of the journalism practiced by the Star Herald. In the May 5 edition, they initiated a continuing series called Potato Perspective, a straight-shooting, objective look at the problems facing the potato industry in Maine. The series is an attempt to tell it like it is—the problems are grave ones and only courageous new initiatives can overcome them—and to tell it to the only people who can solve them, the potato farmers of Maine, many of whom reside in the Presque Isle area.

The first three articles in the Potato Perspective series follow, the first authored by V. Paul Reynolds and the second and third by Star Herald editor Frank S. Knight.

THE POTATO CRISIS CONTINUES

(By V. Paul Reynolds)

The potato farmer is in big trouble.

In fact, the Maine spud industry, of which the grower is a vital part, is in the midst of a mess that is unprecedented in its 150th year history.

Most of America's 200 million people eat potatoes in one form or another. Last year, according to the U.S. Agriculture Department, each American consumed an average of 118 pounds of potatoes. That's a lot of spuds.

Housewives haven't stopped buying potatoes, yet the industry particularly in Aroostock County is facing a test of survival. Why?

That is the purpose of this perspective. To examine the present problems of the potato business in Aroostock in the context of the past and with an eye to the future. Certainly, nobody has all the answers, regardless of his expertise in any given area of the potato industry. If there were a panacea, the headaches of the growers would not be increasing.

One thing is certain. The financial mechanics of the total industry are as complex and many-sided as are the causes of the current industry crisis. However, just as there are reasons for the problems that exist today, there has to be solutions.

Assuming that the farmer obtains a good quality yield from his crop, his problems really begin after digging. He must sell his potatoes at a price that will give him a decent return.

It is at this point that a farmer must stop being a farmer and assume the role of a businessman if he is to survive. Over the years, prices on a barrel of potatoes have fluctuated from a dollar to ten dollars a barrel. Sometime, somewhere in this ever-changing price range the grower must sell. For the farmer, it is a time of decision. He fights time and market changes and although his product is perishable, he desperately holds out for the best price. Sometimes he is right. But the current plight of the Aroostook grower suggests that more often he is wrong.

Enter the New York Mercantile Exchange and the battle of the futures-trading board. This commodity exchange presents the farmer, as well as the dealer and the processor, with numerous buying and selling options throughout the year. It is felt by many that the exchange is a partial cause of the industry's problems. (The Mercantile Exchange is a timely and complex topic which will be dealt with next week in detailed examination of the workings of the exchange. The pro and con of the Mercantile system will be discussed in Potato Perspective Part II)

Aside from the Mercantile Exchange, however, there are many other aspects of the potato industries problems. Let's look at them.

Historically, the Aroostook potato farmers have enjoyed some very prosperous years. For example, most farmers recall the decade from 1941 to 1951 when federal action in the form of subsidies and controls made potato farming a highly lucrative business. Some say this period "spoiled" the farmers. In those days spuds were gold and every piece of land that wasn't a graveyard was plowed and planted. Nobody gave a damn about intelligent agriculture. They forgot, in the spud-rush, about such things as crop rotation, early plowing, soil replenishment, and the growing of staple crops, dairy cows, and other aspects of farming.

It is very possible that this period of prosperity has had a latent impact which is being felt by the potato grower today.

There are other considerations. Farmers in other parts of the country heard about the Maine spud-rush of the forties and jumped on the potato planting band-wagon. Western states were given federal land supplemented by huge water supplies and irrigation systems. They planted potatoes which grew well. Idaho surpassed Maine in total production and this year Washington produced the best quality and yield crop in their history. Now they have a surplus and the government has refused Washington's request for a diversion program. Washington's superyield compounds the national potato surplus which also hurts the Aroostook grower.

Those in the know have ideas and suggestions for getting county growers out of hot water. There are many schools of thought on this subject, most of which have merit. We present some of these thoughts.

The marketing system for potatoes is outmoded. It must be replaced by an equitable system that gives the farmer a continual acceptable margin of profit for his product.

Oddly enough, the farmer is about the only unorganized class that exists in a completely organized society. Hundreds of attempts at creating an effective national organization have been made. None have been that effective. Perhaps, one day a successful entity will be born. The farmer, most of all, should take steps in this regard before it's too late.

A central marketing agency in Aroostook may well be a partial solution to the farmers

marketing headaches. A central agency would be capable of controlling quality and price competition.

A worthwhile supplement to a central marketing agency would be a storage and packing center located in Southern New England. This would place the potatoes much closer to the markets and would also contribute to better quality control and cheaper transportation costs.

Other important considerations for the Aroostook potato growers are in areas of quality products and future planning.

Aroostook cultural production practices need to be reevaluated and up-graded. Fall plowing, crop rotation, and better seed are needed to enhance the quality of the Aroostook potato.

Research must be done by fertilizer people to determine residual effects on trace elements on the soil.

More experimentation is needed with a variety of seed types which will provide a shorter growing time.

Perhaps more irrigations systems are needed for better control of water.

The list of changes and new ideas which need implementing by the potato farmers is endless. It is true that a farmer can't improve his farming techniques if the potato business is bad.

But sometimes a crisis is necessary to effect change. It is clear that the crisis is here and is the result of much more than farming techniques and the quality of the product.

The producer of any product is in trouble when there is a national surplus of that product. It may also be that the speculative nature of potato futures trading has hurt the farmer. And perhaps potato futures are only undesirable in that the farmer doesn't understand them.

Aside from these problem areas, it is abundantly clear that first and foremost, a major marketing effort is needed soon if the problem is to be solved. But Aroostook potato farmers have been enduring and surviving crisis for over 150 years. It is my bet that they will continue to do so-one way or another.

#### USE OF THE MERCANTILE EXCHANGE (By Frank S. Knight)

(This is part two of a continuing series on the potato industry as seen from the standpoint of those most closely involved. Editor.)

Judicious use of the New York Mercantile Exchange to trade Maine potato future and good management practices on the farm must be combined, according to Merle Johnston, manager of the New York Mercantile Exchange Office in Presque Isle.

Johnston, who looks back on a quarter century of working with potatoes, contends that the Mercantile Exchange offers several uses for the farmer. (1) He believes that the Exchange gives the farmer a hedge for credit as well as for financing of future crops. He further contends that the major reason that Maine potato growers have voted for abolition of Maine futures trading on the Exchange is that they do not understand the operation of the Exchange and, furthermore, that they make no effort to do so.

Speaking in a rapid-fire manner, Johnston delineates the several ways in which the Mercantile Exchange can be used by the farmer. First, he says, the farmer must, as any good businessman, decide what his investment is. When he has reached a decision as to his investment in a given year's crop, says Johnston, he should then hedge a portion of his crop, enough to cover his expenses, on the fall board. Johnston suggests an example of the grower with 90 acres of potatoes who might place a third of his potatoes in futures at a price which could return his investment in that year's crop. He then ad-

vises systematic and, what he terms, judicious appraisal of both the open market and the Exchange to complete a cycle which gives him the desired return on his investment.

What many farmers fail to realize, according to Johnston, is that the potato business is just that, a business, and it must be run like one. He abhors the operator who, with great relish, gets his potato seed into the ground and then in many instances fails to follow up with good practices which will guarantee: first, a robust crop; and second, an investment return. He cites the example of the grower who, once his potatoes are growing with tops waving in the mid-summer breezes of Aroostook, decides to go to camp for a week or sometimes more. Although he admits that this is not a practice which is followed by the majority of farmers he says that this all too often is the case with those who are, what he termed, marginal producers.

On the other side of the scales are the many Aroostook growers who voted for the abolition of Maine potato futures on the Mercantile Exchange. These growers, through the Maine Potato Council, voted 1,267 to 1,700 in favor of abolition. The Council contends that this heavy vote in favor of abolition is indicative of the wish of all growers to rid themselves of futures trading on the Exchange. Johnston, on the other hand, and others who favor continued futures trading of Maine potatoes contend that this is not a really representative vote of those who understand the Exchange. They further contend that to abolish, by legislation, an instrument which could be used to their advantage would act as a detriment to the entire industry.

Those who have favored abolition of Maine futures have expressed the belief that the fluctuation of prices of the Exchange has been a detriment to the street price of potatoes. They say that the street price drops as the board changes, whereas changes on the board do not. In many instances, represent an actual change in either the supply or demand picture. They further claim that the long-term effect of the Mercantile Exchange on overall prices has been to hold them down.

Johnston and other adherents of continued futures trading of Maine potatoes point to this past season's activity on the board and in the market place as a prime example. They claim that this past season's activities prove that board prices actually improve market prices and to substantiate this claim, they point to the increased activity and price of May futures and at the same time the increased prices paid in the market place.

Summing up his case for continued trading of Maine potato futures, Merle Johnston points out that the New York Mercantile Exchange, just as all commodity exchanges, comes under the control of the Commodities Exchange Authority (CEA) of the United States Department of Agriculture. The CEA, he says, checks all activities of the Exchange and any inequities are punished quickly and forcefully. He admits that in any dealings involving large sums of money there is a possibility of some person or persons, as has been the case with the Mercantile Exchange, trying to take advantage of a quick and sometimes off color deal. These attempts are met, according to Johnston, with vigorous preventive efforts on the part of Exchange officers and the CEA.

Whether or not the United Department of Agriculture, on direction of the Congress, decides to stop the trading of Maine potato futures on the Exchange appears to be almost a moot point at this time. The industry is in a bind. Credit for many is short. Growing, marketing and promotion methods have not kept up with the times. Other areas of the

country have forged ahead of the State of Maine in both production and marketing of potatoes. A national promotion effort, which was authorized by the past Congress, is given little chance of achieving a great deal by many industry sources. The Economic Research Service of the USDA reports that most farmer-sponsored promotion campaigns fail poorly. The study which includes observations from food stores cites several weaknesses in such promotional campaigns. First, it says they are poorly planned, often too many campaigns are being run at the same time, that there is poor or in many cases no existent liaison and field representation, and that it just costs too much in store personnel time. But the great criticism is the poor quality of the products included for promotion. The report goes on that stimulating consumer interest is of little value as far as sales are concerned if the products are not available in good supply and in good quality.

Potato experts from the Cooperative Extension Service of the University of Maine have long emphasized the need for quality control of Maine potatoes. They also point out the need of individual acreage control in all areas of the country based on USDA crop production advice. This year's report advises that the Maine planting quota be reduced by six percent. The acreage guide asks for reductions of up to 15 percent in Idaho, Washington State, Oregon and South Dakota.

Most industry sources questioned in the State of Maine said that they felt Maine growers might comply with the acreage reduction suggested. These same sources, however, as well as industry sources in other sections of the country are doubtful that the large acreage reductions suggested for the western states will be followed. They point to a longer growing season, an abundance of water for irrigation and greater access to processing as reasons for continued increased production in the western areas.

The Maine potato producer then must come to the decision that he faces two major problems: heavy competition from fall growing areas in the west and a lack of marketing and promotion knowhow or "business acumen" for his own crop.

Many industry sources are advocating strong marketing order, central packing facilities and increased promotional activities in the major markets, as well as continued trading of Maine futures on the New York Mercantile Exchange as the way out for the Maine farmer. Whether this system has merit or not can only be decided by those who realize that all business in Aroostook County needs a strong market for the county's major crop. Perhaps the present crisis in the industry will serve to unite all business factions in a major effort to save not only the potato industry but the economy of "The County."

#### PLANTING PRACTICES

(By Frank S. Knight)

This is Part III of a continuing series about the potato industry, seen from the standpoint of those most closely involved. (Editor.)

"Proper potato planting practices have gone by the wayside with the land being strained to the breaking point to produce a crop that is smaller per acre each year." The foregoing statement comes from a man who has produced consistently good crops of potatoes for over a quarter century. He and farmers like him abhor the way in which Aroostook land is being used by many potato producers.

A quick check with specialists in the field of potato planting practices from the Cooperative Extension Service of the University of Maine would seem to uphold this potato producer's contention. The Extension Service reports that Aroostook growers, by and large,

are trying to develop a specific market for their potatoes, and a specific potato for the market. They cite examples of farmers who are becoming strictly process growers, seed growers or a combination of seed and table-stock producers.

Potato acreage generally has increased during the past decade. Production per acre, however, has not kept pace with the increase. Although yields have increased some four percent in Aroostook County in the past 10 years on the average, general production per acre increases have been nil. Compared to the situation in Aroostook County, competing areas in the fall producing states have done much better in increasing their production per acre, they also, it is true in most cases, have increased their total acreage.

Comparisons between Aroostook County and other fall-producing areas show an increase of only nine cwt. per acre production in the past decade, from 229 cwt. in 1960 to 238 cwt. in 1970. In the Red River Valley meanwhile, yields were increasing from 124 to 140 cwt. per acre; in Idaho, from 182 to 215 cwt. per acre; and in Washington, from 284 to 410 cwt. per acre during the decade. The major comparison then is between a 44 percent increase in yields in Washington State and the four percent increase in yields per acre in the State of Maine from 1960 to 1970.

One of the reasons cited for Maine's lack of acreage increase in production is the lack of rotation on our best potato lands. Many farmers, it seems, have felt that with the large machinery which they were operating, the six- and seven-bottom plows, large two-row harvesters, four-row planters and other such machinery, that they had to stay on the better lands work them over a longer period of time. This has resulted in a serious reduction of nutrients in the soil. It has also been shown that proper rotation improves the tilt of the soil and tends to reduce compaction and clotting, and improve aeration. Cracking and crusting of the soil is also reduced through the use of rotation. Rotation also increases the water-holding capacity of the soil, making more water available to the plants and improving the nutrient-holding capacity of the soil.

Through their continued use of the same land over and over again, Aroostook farmers have not only reduced the productive quality of the land but have increased their cost of production because of the necessity of adding more nutrients to replace those drained from the soil. Even the removal of stones from a field has an effect on the ability of that land to produce in a continued manner. No one expects, particularly with today's advanced use of machinery, that rocks can be left in the field; however, extensive removal of stones has a direct effect on the tilt of the soil, intensifying the problem of compaction with the use of heavy equipment.

Rotating of crops, any crops, has been shown to be beneficial to the soil. This is particularly true of a crop such as potatoes which has the effect of removing soil nutrients very quickly. Rotation with some other crop which returns nutrient materials to the soil is imperative in order to increase crop yield. Plowing under such green manure crops as millet, buckwheat and oats have reportedly increased yields sufficiently to pay for the cost of the rotation.

Other planting practices, including preparation of seed, apparently have a good deal to do with production. Mechanical seed cutters, according to surveys conducted in recent years, have been found to be less than completely accurate and it is advised that great care be taken with their use.

A comparison of present-day farming in Aroostook with the past does bring forth one major point; farmers have become specialists in their production. The dual purpose farm which necessitated the rotation of

land to grow crops to feed farm animals, as well as people, proved most beneficial to the land. Our machinery was lighter, thus reducing compaction of the soil. Most land was expected to produce crops of potatoes only every second or third year, thus improving the moisture capacity and tilt of the soil. Seed was cut by hand and great care was taken that the seed piece had sufficient eyes to insure a good uniform plant stand at harvest time. The only disadvantage then of farming ten, twenty or fifty years ago was the lack of effective fungicides and insecticides which are available today.

A summation then would appear in order to this effect: In order for Aroostook potato producers to become once again competitive in the potato market, they must combine some of the hard-learned lessons of the past with the modern-day effectiveness of technology. They must be willing to add that small extra labor to their land, that small extra labor which will save their industry.

#### CRASH CRUSADE A QUESTIONABLE QUEST?

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. HUNGATE. Mr. Speaker, I would like to bring to the attention of my colleagues the following article from the Christian Science Monitor which provides a balanced and serious view on cancer research programs:

CRASH CRUSADE A QUESTIONABLE QUEST?

(By Robert C. Cowen)

WASHINGTON.—President Nixon is promoting his "crusade" against cancer with trumpet calls for battle. But to many biologists they sound more like a lure that could lead their research into a quagmire.

They feel such a program would distort the whole biological research pattern, draining badly needed scientists from many fundamental areas.

They foresee growing public, and congressional, disillusionment when expected "practical" results don't mature for perhaps a generation.

They are concerned that, once again, a crash-program response to a narrowly defined national goal is being substituted for balanced support of basic science in general.

As outlined by the President in his May 11 statement, his plan would mobilize bio-medical research through a special project organized within the National Institutes of Health. He proposes adding \$100 million for fiscal 1972 to the \$227 million 1971 budget of the N.I.H.-National Cancer Institute, adding more money later as needed. He envisions the director of the anti-cancer crusade as reporting directly to the President, bypassing both the N.I.H. director and the Secretary of Health, Education, and Welfare.

The plan gives Mr. Nixon a closely parallel program to that proposed by Sen. Edward M. Kennedy (D) of Mass. in this politically attractive field. Senator Kennedy's bill would set up a national cancer authority with \$200 million to spend in fiscal 1972.

Both proposals embody the illusion that mobilizing bio-medical talent in a single-minded national effort can lick cancer just as it put men on the moon. But the space program succeeded largely because it developed upon a base of preexisting basic scientific knowledge. The knowledge needed to launch a meaningful "space program" to develop a medical cure for cancer still is largely lacking.

One of the most distinguished research biologists and academic administrators in America emphasized this in outlining what he called widespread scientific opposition to any crash cancer cure project. In a discussion not for direct attribution, he told The Christian Science Monitor that many leading scientists have tried hard to dissuade both the Nixon administration and Senator Kennedy's group from the "space-program" concept.

"No one," he said, "knows how to profitably invest \$100 million in cancer cure research today. What would they do? There aren't enough good researchers to tackle such an effort. Many kinds of other research would be put on the cancer cure wagon. Or they would try to turn some of the effort over to industry, as in the case of space. And industry is almost totally unequipped for such a task."

He further explained, as knowledgeable biologists have many times explained, that the road to a medically valid cancer cure must be built through the wilderness of the unknown. In spite of the great strides molecular biology has made in understanding the basic machinery of living cells, in spite of the discovery that some viruses seem to play a medically significant role in cancer, biologists have only vague clues as to where to build that road.

Even President Nixon's own science adviser Edward David has urged this logic on his boss.

He lost that argument. Apparently he has lost also in resisting the concept of a special anti-cancer agency.

Thus, in spite of the President's statement that he has discussed his plan widely with the experts, there is substantial scientific opposition to his cancer cure program.

Mr. Cowen is the Monitor's natural science editor.

#### DISPOSAL OF CERTAIN EXCESS GOVERNMENT PROPERTY AT NORTHEAST CAPE, ST. LAWRENCE ISLAND

### HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. BEGICH. Mr. Speaker, there are certain federally owned lands at Northeast Cape on St. Lawrence Island in Alaska that are of particular interest to the people of the island. In 1969, the aircraft control and warning function at Northeast Cape on St. Lawrence Island was terminated. The Federal Government has since vacated these buildings and other property. If these facilities would be declared excess by the Federal Government, they could be beneficially used by the people of Gambell and Savoonga, Alaska. The Department of the Air Force has indicated this could be accomplished if the Bureau of Indian Affairs would certify the villages' need for these facilities.

The Alaska State Legislature has requested that the Bureau of Indian Affairs prepare and send to the Department of the Air Force certification of the villages' need for this property. I am including in the RECORD the legislature's joint resolution regarding this matter: SENATE JOINT RESOLUTION No. 40: RELATING TO THE DISPOSAL OF CERTAIN EXCESS GOVERNMENT PROPERTY AT NORTHEAST CAPE, ST. LAWRENCE ISLAND

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

Whereas in 1969 the aircraft control and warning function at Northeast Cape, St. Lawrence Island was terminated; and

Whereas located at Northeast Cape are numerous vacated buildings and other property belonging to the federal government; and

Whereas, if these facilities could be declared excess, they could be used beneficially by the people of Gambell and Savoonga; and

Whereas the Department of the Air Force has indicated this could be accomplished if the Bureau of Indian Affairs would certify the villagers' need for the facilities and property and identify the facilities and property required by the people of Gambell and Savoonga for described projects;

Be it resolved by the Alaska Legislature that the Bureau of Indian Affairs is urgently requested to aid the village councils of Gambell and Savoonga in their efforts to obtain the abandoned facilities and property at Northeast Cape, St. Lawrence Island, in the most expeditious manner possible.

#### THE EMANCIPATION PROCLAMATION

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. RARICK. Mr. Speaker, many Americans continue under the misapprehension that by signing the Emancipation Proclamation President Lincoln freed all of the slaves.

Such a conclusion is false, as best determined by reading the Emancipation Proclamation itself. Delaware and Maryland were both slave States and fought with the Union during the Civil War. The slaves were not affected in Delaware, Maryland, nor in the District of Columbia, which was then as now, our Nation's Capital. In fact, as the proclamation states, "48 counties designated as West Virginia," seven other counties in Virginia, as well as 13 counties in Louisiana, including the city of New Orleans, were expressly exempt from the proclamation.

The history of our country as reported in its documents rather than the novels now passing as history books is most important if the American people are to appreciate and understand the tyranny being foisted upon them under the guise of law by those members presently serving on the Supreme Court of the United States.

The latest smoke screen thrown out by the judicial oligarchy to cover up their dual standard in the application of one set of laws to Southern States and a separate set of laws to the Northern and Western States is the criterion of de facto and de jure. Forced compliance laws are held applicable only to areas said to be de jure; namely, where racial segregation had been by force of law as opposed to the non-Southern areas where segregation is explained as de facto; namely, the result of a natural separation by individuals using their freedom of choice.

In essence this play in words is but an extension through semantics of the "conquered province" theory of force. To the victors go the spoils.

Considering that as late as 1950, 36 of the 48 States still exercised legal sep-

aration of the races—"de jure" segregation—in one form or the other—the Supreme Court's attempt to distinguish citizens of one area from citizens of another area, because of past State action comes as a shallow joke.

The so-called landmark case of Brown against Topeka Board of Education, involved a racial segregation suit against a school board in the State of Kansas. Kansas was not a slave State nor a Southern State; yet as late as 1954 its citizens exercised "de jure" segregation at the discretion of its people for law and order. It must be difficult to exempt Kansas from the fury of the recent Supreme Court edicts, because of a determination of de facto segregation.

I insert the text of the Emancipation Proclamation at this point in the RECORD:

222. THE EMANCIPATION PROCLAMATION, JANUARY 1, 1863

(U.S. Statutes at Large, Vol. XII, p. 1268-9)

As early as July 22, 1862, Lincoln had read to his Cabinet a preliminary draft of an emancipation proclamation. At this time Secretary Seward suggested that the proclamation should not be issued until a military victory had been won. The battle of Antietam gave Lincoln his desired opportunity; on the 22 of September he read to his Cabinet a second draft of the proclamation. After some modifications this was issued as a preliminary proclamation; the formal and definite proclamation came January 1, 1863. The Diaries of Welles, Chase, and Bates give interesting records of the Cabinet meetings. This proclamation was particularly important in its effect upon European, especially English, public opinion. See E. D. Adams, *Great Britain and the American Civil War*, 2 Vols.; D. Jordan and E. J. Pratt, *Europe and the American Civil War*; W. R. West, *Contemporary French Opinion on the American Civil War*. On the constitutionality of emancipation, see J. G. Randall, *Constitutional Problems Under Lincoln*, chs. xv-xvi.

By the President of the United States of America, A Proclamation:

Whereas on the 22d day of September, A.D. 1862, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the 1st day of January, A.D. 1863, all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the executive will on the 1st day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State or the people thereof shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such States shall have participated shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State and the people thereof are not then in rebellion against the United States."

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and government of the United

States, and as a fit and necessary war measure for suppressing said rebellion, do, on this 1st day of January, A.D. 1863, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the first day above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States the following, to wit:

Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Acomoc, Northampton, Elizabeth City, York, Princess Anne, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

MARK BITTICK, OF IDAHO, AMATEUR WRESTLING CHAMPION

### HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, May 25, 1971

Mr. JORDAN of Idaho. Mr. President, it is indeed a pleasure to call to the attention of my colleagues—who are prone to think of Idaho only in terms of potatoes—the outstanding accomplishment of one of my constituents.

Mark Bittick of Middleton, Idaho, garnered the lone U.S. victory in the World Amateur Junior Free-Style Wrestling Championships held in Tokyo, Japan, earlier this month. The 380-pound Middleton High School senior gained decisions over Bulgarian and Russian opponents in his final two matches, the Bulgarians placing first in the overall competition with the highest number of team points.

We of Idaho are proud to claim this world champion as a native of our State and I know Americans across the Nation join me saluting his victory.

### CAMPAIGN EXPENSES

#### HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. MAILLIARD. Mr. Speaker, the subject of controlling campaign expenses has been of great concern to me for many years. Once again, my constituents have reminded me that they are also concerned. An overwhelming 91.4 percent of those who responded to my annual questionnaire felt there should be a law to limit the amount of money spent on political campaigns. I have initiated action in the form of four bills aimed directly at controlling these runaway expenses. Of course, my action is not enough. I believe the Congress has a duty to act before the next election. Action is essential if the electorate is to maintain any semblance of confidence in the American electoral process. I commend to your attention a recent article from the San Francisco Examiner of May 16, 1971, by columnist Dick Nolan which not only addresses campaign reform, but gives a very good insight into the nature of congressional questionnaires.

#### 91.4 PERCENT IGNORED

In Congressman Bill Mailliard's essentially conservative district there is almost unanimous agreement on one proposition—there should be legal restraints on the amount of money spent on political campaigns.

In Mailliard's latest poll of the constituency no fewer than 91.4 percent of the respondents voted for spending limits. An ultra-Tory 5.4 percent said "no limits," and 3.1 percent didn't know what to say.

What makes this bagatelle interesting is that it is a bagatelle. Who's paying attention to all these solemn little polls the Congressmen take? Not the Congressmen.

In this salty town it is almost impossible to get 91.4 percent agreement on anything you can name. Yet in regard to this campaign expenditure thing, so clear has the evil become that almost everyone calls for an end to it.

However it appears that participatory democracy, modern style, is all wind-up and no pitch. More's the pity.

Polling facilities are just some of the prerequisites our legislators have voted themselves in recent years. With modern computer methods, punch cards, and almost unlimited access to the United States mails, Congressmen can test the political winds with ease in the old home districts.

Bill Mailliard does it regularly, and it's a good idea, or would be if anything ever came of it.

But it is my question that these polls are read more attentively in the negative than in the positive. I believe Bill and his confreres are sharply more interested in what the hometowners are against than what they are for.

The "for" vote can be interpreted as a kind of upper limit, indicating what a Congressman can favor on rollcall without drawing fire from the constituency. It is not in the nature of a mandate.

But the "against" vote shows where the heat will rise in a given issue.

In Mailliard's current sounding, for example, 66.6 percent of his people said they favored a national health insurance program. But 22.7 percent said they opposed such a plan, while 10.6 indicated they didn't give a damn.

If Mailliard were to break his neck making the A effort for a national health plan, would all 66.6 percent be in there backing him all the way? Nope, that's not the nature of a general approval. But that 22.7 percent—they'd be around with hobnail boots to stomp all over the Congressman. That's what "against" means.

Thus it is interesting, but probably not productive, that Mailliard's conservative district is overwhelmingly in favor of a Golden Gate National Recreation Area, transfer of Federal land to state and local governments for public use, Federal enforcement of anti-pollution laws, and an increase in Social Security benefits.

About the only things Mailliard's people voted against were proposals for a minimum guaranteed income, and higher tariffs on imports.

In these matters, with a clear majority in opposition, Mailliard's course is abundantly clear. He can vote "no" to the satisfaction of most, without giving much offense to those who are "for," because the "for" people are the lukewarm ones—it is a rule of nature, I guess.

Still, when 91.4 percent of your people are in favor of something—as they are for campaign spending limits—even the most cautious of Congressmen would be justified to taking at least a tentative step.

I rather imagine that Mailliard's poll could be duplicated in every district in the United States, with much the same result. Everybody has become aware of the enormous amounts being spent on political link-up between money and corruption. By and large, whenever possible, Americans tend to prefer a reasonably uncorrupt political system.

Nothing is done. Nothing is done about campaign costs or campaign accountability. Nothing is done, either, about reforming the Congressional seniority system. Since it happens that these are areas of personal profit for Congressmen, what are we to think? And if we said so in a poll, would it make a difference?

### PUBLIC WORKS AND THE ENVIRONMENT

#### HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. EDWARDS of Louisiana. Mr. Speaker, recently I was privileged to be the master of ceremonies at the 14th annual meeting of the Louisiana Intracoastal Seaway Association in Houma, La. The principal speaker at the meeting was Mr. Kenneth Bousquet of the Senate Public Works Subcommittee on Appropriations. Everyone in this Congress who has public works projects in his district has a great deal of respect for Mr. Bousquet as I do.

In these days of extreme positions and statements on the environment, ecology, and related issues, Mr. Bousquet's views are most relevant.

So that all of the Members of this body will have an opportunity to read this presentation, I include Mr. Bousquet's talk in the Record at this time:

#### PUBLIC WORKS AND THE ENVIRONMENT

(Remarks of Kenneth J. Bousquet, professional staff, Senate Committee on Appropriations, Houma, La., Apr. 30, 1971)

Members of the Louisiana Intracoastal Seaway Association, distinguished guests. I was

very pleased when your Executive Vice President asked me to share a few of my thoughts with you today. He was kind enough to let me choose the subject. I have selected Public Works and the Environment.

The development and conservation of the vast water and land resources of this great State is of primary concern not only to our present generation but also to all the generations yet to come.

Our society as a whole is in a constant state of change, and we are, therefore, in a continuous process of adaptation. A generation or so ago, change was slower and frequently unnoticed within a single life-span. Today, with the tremendous power resulting from the Industrial Revolution, dramatic changes can be observed within the span of a few years. Even so, some segments of our society either do not observe the changes which are taking place, or are indifferent to them. Others are so alarmed as to oppose all change, and they cry out, "Quit doing whatever you are doing that is affecting our environment."

Today, if a speaker wants to gain the support of his audience, he is for the environment and for improving the quality of life. Immediately his listeners are with him with applause, or shouts of "Right on!" He has instant communications—he has closed the generation gap.

But has he, really?

Perhaps he and I have different sets of values—perhaps I have a different concept of what will improve my quality of life.

Those of you here today who are of my generation recall the great floods of the past, including the 1927 flood on the Mississippi. I am certain that there is no question in your minds as to the improvement in your quality of life here in Louisiana as a result of the water resource improvements which have been made in the entire Mississippi River System. This system funnels the runoff of 41 percent of the drainage area of the United States and portions of two provinces of Canada.

These improvements could not have been made without affecting the ecology and the environment. In our example, the speaker who was going to improve the quality of your life may have had in mind a system of wild and scenic rivers that he and his family could occasionally visit and enjoy.

Any consideration of environmental factors naturally embraces air and water pollution controls. One source of air pollution results from the burning of fossil fuels to produce electricity which has relieved all of us of hard and boring tasks.

I think it might be interesting if, when the gentlemen here return home, they greet their wives something like this. "Honey, I am going to improve your quality of living. I have a device which will reduce air and water pollution." No doubt such an announcement would be welcome—until you presented her with an old-fashioned washboard and a cake of Fels Naptha soap. The reply would probably be—"You are out of your ever-loving mind."

A somewhat similar reaction could be obtained by telling your teen-age son that he has convinced you of the need to protect the environment and improve his quality of living. With such an announcement, the son reacts with the thought—"Gosh, the old man is really with it, he digs what's happening today." So he says, "What are you going to do, Pop?" Obviously, your reply is—"Give me the keys to the car."

In our headlong dash for materialistic gain, we have ignored many values which today we must pause and consider. Our problems are enormous—they have been growing at an ever-increasing rate since man first drew breath on this earth, and we are not going to correct them overnight.

I believe we have to determine which of our problems are the most pressing, and what

the economic limit is to which we are willing to go to abate them.

It is frequently stated or suggested that except for man's indiscrete actions our environment would remain essentially unchanged. This, of course, is far from the truth. Our ecology and environment underwent great changes before man set foot on this earth, and drastic changes had taken place before the time of recorded history.

Technology is blamed for many of our woes today. Yet, archaeological explorations in some areas of this country show that as many as three civilizations have developed, flourished, and disappeared. In dealing with environmentalists an important distinction must be made between the *preservationist* and the *conservationist*.

The conservationist, for instance, will encourage the construction of fire lanes in our forests in order to preserve and protect them from fires of natural or man-made causes. The preservationist, on the other hand, will oppose the construction of fire lanes and is content to let the forest be destroyed if the fire is from natural causes.

Each species of animal has its own natural means of protection. Some have poison venom; others claws, fangs, speed. Man, having none of these, must depend on his intellect for protection and preservation.

Some of the actions we have taken have been shortsighted and have resulted in seriously damaging our environment. Others have been beneficial to man and harmful to other species. For example, by destroying the mosquito we have practically eliminated malaria and yellow fever. By that act, we changed our environment, and I, for one, consider it an improvement.

Today, there are those in this country who act as though, until now, no one has been concerned about the natural environment, and no effort has been made to manage and protect our natural resources. Nothing is further from the truth. For about 70 years we have had an active conservation program in this country. Today, we have large game preserves; the population of certain endangered species is increasing; we have more parks and national recreation areas; and historic shrines are owned and managed and preserved for the benefit of the public and for the future.

A great deal has been done and, admittedly, much more remains to be accomplished.

Air pollution is a serious problem, particularly in the large metropolitan areas. Drastic and costly steps must be taken to control the emissions from the smokestacks of industry and residences using fossil fuel. But, those standards must be within our technological and financial ability to meet.

For instance, to reduce air pollution in New York City to a level required by a Municipal ordinance, the fuel bill would be increased by \$500 million a year. On the other hand, 80 percent of the reduction in air pollution could be accomplished for ten percent of that cost. I am certain that more could be accomplished if that saving of 90 percent was applied to sewage treatment works for the City of New York.

If the same standards adopted by New York were applied to Chicago, Detroit, and Pittsburgh, there would not be enough low sulphur coal in this country to meet those standards. We would have to import the coal and that would add to our unfavorable balance of payments.

I believe that I should pause for a moment to be sure that I am not misunderstood. I am for anti-pollution control; it is going to be costly. I am not saying we cannot afford it. Quite the contrary. We cannot afford not to do it. My point is, the job is so vast and so costly that at this particular juncture we must obtain the greatest possible reduction in air and water pollution for

every dollar that can be poured into these programs.

A few years ago, I was talking to a representative from the League of Women Voters. She was urging an increased appropriation of funds for Federal Grants for Waste Treatment Works. She wound up by saying, "The taxpayer is willing to pay the cost." But, that cost will be reflected not only in our tax bills, but, literally, in every commodity we purchase. If we are willing to have one martini before dinner instead of two; if we are willing to play golf once a week instead of twice; if we are willing to return beverage bottles instead of having no-return containers; if we are willing to use a low-phosphate detergent instead of the one with the high-phosphate content which gets our clothes whiter; if we are willing to drive cars which will go forty miles an hour instead of eighty; if we are willing to endure summer heat instead of having air-conditioning—then we are willing to pay the price. But if, when our costs go up, we ask for a pay raise, then we are not willing to pay the price; we are not willing to make the sacrifices required to do the job which must be done.

To give you some idea of the magnitude of the increases I am talking about—last year as a result of the increase in fuel costs, principally for the lower sulphur coals, TVA had to increase their power rates by 25 percent. They are currently upgrading their facilities for abating fly ash at their coal-burning plants by investing \$100 million in air cleaning equipment. In addition, an experimental sulphur dioxide scrubber to be installed at one plant will cost at least \$10 million.

New York City, as well as many other areas of the country, will probably be faced with a power shortage this summer—a brownout or a blackout. It is inevitable since there are more people using more power for more purposes. The logical answer is increased generating capacity, but we find groups effectively preventing the construction of fossil fuel plants because of air pollution, and nuclear plants because of alleged effects of radiation. Believe me, many people are really up-tight on the possible danger of radiation from a nuclear plant. A professor of Environmental Medicine at any well-known university can be very scary when he talks about radionuclides in the atmosphere and cites a particular dosage without giving any frame of reference.

So, two years ago, the Senate Committee on Appropriations asked the doctors at AEC about this, and they said: "Well, if a man lived next to a nuclear power plant for 30 years, the total radiation would be about 150 millirems, while the total radiation from a single chest X-ray is about 200." Now, the professor of Environmental Medicine replied, "Yes, that's right, but I am against chest X-rays." At this point, our fears become less irrational when we have a comparison with something with which we are familiar.

A few years ago there was general support for land and water resource development projects. Today, vocal segments of the population in every section of the country oppose all types of projects on environmental grounds regardless of the real reason for their opposition to a particular project.

In some cases, there are valid ecological and environmental reasons for not building a project which, a few years ago, would have had enthusiastic local support.

The National Environmental Policy Act of 1969 requires the filing of a detailed 5-point impact statement with the Council on Environmental Quality for construction projects. These reports are very comprehensive in scope and must be submitted in preliminary form to various agencies and conservation groups for review and comment prior to preparation in final form for submittal to the Council on Environmental Quality. It is expected, on an average, that these reports

will delay actual construction of projects by about one year, and will involve substantial costs. On the plus side, I believe we will end up building better projects. It is forcing the constructing agencies to examine all of the possible alternative means of accomplishing the project purposes. This is going to take some time to work out. I think it is becoming clearly evident that the planners, both Federal and Non-Federal, must find the best, and the most constructive, ways of keeping the economy moving. We must seek an accommodation. It is not a question of shall we have either industrial and economic development or shall we have a quality environment. We can have, and we must have, both. I submit that the wise application of technology will make it possible to have both.

In closing, I would like to urge all of you to become involved—not just superficially, and not just in the particular items which affect your life or your pocketbook. You have to become knowledgeable concerning the various aspects of the major public issues and proposals. For example, when Mr. Justice Douglas writes in *Playboy*, our Appropriations Committee can expect to receive many letters from indignant citizens throughout the country protesting the activities of the Army Corps of Engineers and reiterating the Justice's charge that the Corps is Public Enemy No. 1. We may receive one or two letters from residents of the particular area cited in the article pointing out the factual errors, but no general public response.

Unless we seek the facts and become involved, a small very vocal faction will speak for all of us, not only on environmental matters but on many other problems facing the country.

#### THE ORBITING SPACE PLATFORM PROGRAM

**HON. DAVID W. DENNIS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DENNIS. Mr. Speaker, a short excerpt which recently appeared in *National Review*, and which I include with these remarks, points up the vital importance to essential national defense of congressional interest in, and adequate appropriation for, the orbiting space platform program, whereby military dominance of "inner space," and hence quite probably of global affairs, may well be decisively achieved within the next few years.

I claim no expertise in this field, and the recent Soviet Salyut venture may not have been as successful as was at first anticipated; but, clearly, here is a potentially decisive area which, I submit, must be given a high priority in our national endeavor.

The excerpt from *National Review* is as follows:

The launching of Salyut, which it is expected will join with a subsequently launched manned craft to make up the prototype of an orbiting space platform, confirms that the Soviet Union has drawn ahead of the United States in the contest for superiority in "inner space," which most strategists believe will be militarily decisive in the decade of the Eighties. The earliest target date for orbiting the American space platform is 1973, and its achievement by that date depends on congressional appropriations which are by no means assured.

#### MAY IS SENIOR CITIZENS MONTH

**HON. FRED SCHWENGEL**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. SCHWENGEL. Mr. Speaker, it is with great pleasure that I noted the proclamation issued by President Nixon with respect to the designation of May as Senior Citizens Month. The proclamation also establishes an appropriate theme for the month "Toward a National Policy on Aging." Even more important, is the fact that the proclamation so clearly recognizes the plight which our senior citizens face. It is for this reason, that I want to insert the President's proclamation in the RECORD.

The proclamation follows:

SENIOR CITIZENS MONTH, 1971, BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

From its beginnings, the American Nation has been dedicated to the constant pursuit of better tomorrows. Yet, for many of our 20 million older Americans the "tomorrows" that arrive with their later years have not been better. Rather than days of reward, happiness, and opportunity, they have too often been days of disappointment, loneliness, and anxiety. It is imperative that the situation be changed.

Some of the problems of older Americans have their roots in economic causes. For example, the incidence of poverty is more than twice as great among older Americans as among those under 65. This is especially tragic because many of these people did not become poor until they reached their later years. Moreover, the economic gap between the age groups has been accompanied in recent years by a growing sense of social and psychological separation, so that too often our older citizens are regarded as an unwanted generation.

The generation of Americans over 65 have lived through a particularly challenging time in world history. The fact that our country has come through the first two-thirds of the twentieth century as a strong and growing Nation is the direct result of their devotion and their resourcefulness. We owe them a great deal—not only for what they have done in the past but also for what they are continuing to do today. Perhaps the greatest error which younger Americans make in dealing with the elderly is to underestimate the energy and skill which they can still contribute to their country.

During the last year, several hundred thousand older people wrote to officials of the Federal Government and told us in their own words—some sad, some hopeful—about what they need and what they desire. We learned once again that what they seek most of all is a continuing role in shaping the destiny of their society. We must find new ways for helping them play such a role—an undertaking which will require a basic change in the attitudes of many Americans who are not yet elderly.

As a part of our effort to achieve such changes, our Nation each year observes the month of May as Senior Citizens Month. This is a time when we make a special effort to thank our older citizens for all they have contributed to America's progress. It is also a time for asking with special force whether they are now sharing in that progress as fully as they deserve and desire and for renewing our efforts to help them live proud and fulfilling lives.

Senior Citizens Month, 1971, will be a particularly important time for such endeavors.

for this is the year of the White House Conference on Aging. The Governor of every State has issued a call for a State Conference on Aging to be held during May. From these State conferences will come policy recommendations which will be submitted to the White House Conference in Washington next November.

I know that the work of these State conferences during Senior Citizens Month—like the work of the White House Conference next autumn—will be undertaken with a high sense of discipline, commitment, and imagination. The Nation owes no less to those who have given so much to its development.

Now therefore, I, Richard Nixon, President of the United States of America, do hereby designate May, 1971, as Senior Citizens Month. The theme for this month will be Toward a National Policy on Aging.

I am deeply grateful to the Governors for their concern and participation in this observance. I urge officials of government at all levels—national, State, and local—and of voluntary organizations and private groups to give special attention to the problems of older Americans during this period.

I also call upon individual citizens of all ages to take full advantage of this opportunity to share in designing a better future—for those who are now numbered among our older citizens and for all who will be among that number someday.

In witness whereof, I have hereunto set my hand this twentieth day of April, in the year of our Lord nineteen hundred seventy-one, and of the Independence of the United States of America the one hundred ninety-fifth.

Mr. Speaker, it has been a great concern of mine that through the years we have neglected the plight of Federal employees on retirement. I have recently sponsored 10 bills dealing with a number of inequities which have developed over the years in our retirement system for Federal employees. Three other bills which I have introduced will affect almost all retired people. These bills constitute a legislative program designed to end these inequities and aid our senior citizens. Some of these bills are bills which I have sponsored in prior sessions, and some are new. One of my prime goals in introducing some of these bills in the past, and in particular this year, is to insure that our civil service retirees at least receive a fair hearing on their proposals. This past session, no hearings whatsoever were held on this type of legislation. This is a pretty poor record for the Congress in view of the obvious inequities which exist in so many areas of civil service retirement law. This field is reserving of the most careful and complete study by the Congress.

Another phase of this problem bothers me a great deal. That is the problem of inflation. It is not just the inequities in the retirement laws which hurt our retired personnel, but the inequities compounded by inflation. It is the racing inflation which makes reform in this area particularly urgent.

While there has been an increase in the standard of living, and a rise in the general economy during the past several years, the standard of living for our Federal retirees and their survivors has remained almost stationary and in many cases has been lowered due to the tremendous effect the inflationary trend has had on living costs.

Of an approximate 900,000 retired civil

employees and their survivors, more than 279,000 receive a monthly annuity of less than \$100 and 513,000 receive less than \$200 per month. Using a poverty level income of \$3,000 per year, 611,000 plus former employees and their survivors are now living in poverty. Of the 900,000 retired civil employees and their survivors, only 220,000 of them have a yearly annuity income of over \$3,000. The only way we can correct this great injustice is to grant these former Federal employees a substantial annuity increase and provide a minimum annuity for them.

During the past 45 years there have been many changes in our civil service retirement system. For many years, most of the changes were retroactive to provide benefits for those previously retired commensurate with the benefits granted to those who would retire in the future. However, during the 1950's and 1960's, the liberalizations of retirement benefits have not been made retroactive, with the result that many inequities have arisen. There must be some measure of correlation between the benefits awarded prospectively during the past 15 years and the benefits now paid to those who retired prior to the effective dates of such prospective legislation. Otherwise, how can present Federal employees have any assurance that they, too, will not be forgotten as soon as they leave the active working force? How long can the morale of the present active working force be sustained under such conditions?

While the 91st Congress was not what one would call a bright spot insofar as legislation for retired Federal employees is concerned, we did at last succeed in getting the second spouse bill passed. And, of course, the Tax Reform Act of 1969 did provide some relief to our senior citizens with their severely restricted income. Hopefully, this Congress will deal more effectively with the problems facing our senior citizens, and especially our retired Federal employees.

During the current session of the 92d Congress I have introduced several bills which would deal with the problems facing our senior citizens and our retired Federal employees. The first group of bills would provide assistance to most of our senior citizens, and include the following: Very early in this session I introduced H.R. 454 to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in benefits. That legislation has now been enacted and signed by the President. In addition, I am supporting still further benefits in social security benefits. H.R. 850 would extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns. H.R. 3144 would amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes. This bill, commonly referred to as the Hosmer bill, corrects an obvious misinterpretation of earlier legislation on the subject of food supplements. H.R. 4983 amends the Internal Revenue Code of 1954 to allow a

deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords. Housing is one of the most serious problems facing our senior citizens. H.R. 5021 amends the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training, and education programs, opportunity for social contacts, and for other purposes. This bill also meets one of the more pressing needs of our senior citizens. It is my firm belief that a significant portion of the health problems experienced by senior citizens stem from poor nutrition.

H.R. 7437 would amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer—including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness. Clearly personal expense has increased drastically in recent years. The increase, due primarily to inflation, would probably justify an even larger personal exemption. H.R. 7836 would amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing. This bill would also help to solve the problem of finding adequate housing for all Americans. H.R. 7924 amends the Internal Revenue Code of 1954 to provide that the personal exemption allowed for a taxpayer for a dependent shall be available without regard to the dependent's income in the case of a dependent who is over 65—the same as in the case of a dependent who is a child under 19. This bill gives more incentive to children who attempt to care for their parents.

The next group of bills primarily affects our retired Federal employees. This group of dedicated former employees of the Federal Government has continually been ignored as the Congress has sought to deal with the impact of inflation and other problems on the various retirement programs.

Specifically, my bills provide:

H.R. 4442 would change the rate of reduction in Government group life insurance at age 65 or date of retirement, whichever is later, from 2 percent a month to 1 percent a month, and halt the reduction at 50 percent, and finally would restore to 50-percent all insurance now reduced below that amount.

H.R. 4439 provides for increased annuities under the Civil Service Retirement Act. The biggest increase would go to those receiving less than \$3,600 per year. The amount of the increase would be less for those receiving the largest annuities at the present time. Those now receiving less than \$3,600 per year would receive a 13-percent increase, those receiving between \$3,600 and \$4,800 per year would receive a 9-percent increase, those receiving between \$4,800 and \$6,000 per year would receive a 7-percent in-

crease, those receiving more than \$6,000 per year would receive a 5-percent increase.

H.R. 4441 provides for minimum annuities for employee annuitants and spouse survivor annuitants. Two hundred and seventy-nine thousand annuitants received a monthly income of less than \$100, and in this minimum annuity bill a single person would receive an annuity of no less than \$100 a month, and it provides that a retiree with a family would receive an annuity of no less than \$200 a month. The bill which I introduced has for its purpose a guaranteed annuity for all of our Federal employee annuitants and survivors of at least \$100 per month and \$200 a month for an annuitant with a spouse or dependent. I am sure that my colleagues all agree that it is impossible for a single person to exist on less than \$100 a month, and for a family to live on less than \$200 a month in today's economy. It is embarrassing not only to Members of Congress but to American citizens, and this type of legislation has wide support. I trust that my colleagues will support me in this legislation to at least give a substance of this world's goods to those who have served this Government.

H.R. 4751 would equalize civil service retirement annuities in several respects.

H.R. 4443 provides that any reduction in annuity because of survivor benefits would be restored to a retired employee during any period of nonmarriage which occurs after retirement. Under present law a survivor annuity means a reduction in retirement payments. This reduction is not lifted if the survivor expires before the retiree.

H.R. 4445 would amend the Social Security Act to include in the supplementary medical insurance program all prescribed drugs. The drugs would have to be prescribed by a physician participating in the medicare program before payment could be made for the drugs.

H.R. 4446 is an amendment to the Internal Revenue Code and would restore to individuals who have attained the age of 65 the right to deduct all expenses for medical care.

H.R. 7436 would amend the Social Security Act to eliminate the requirement that extended care services follow hospitalization in order to qualify for payment under the medicare program.

H.R. 4444, H.R. 7864, and H.R. 7920 all deal with the problem of excluding retirement income from taxation. H.R. 4444 excludes the first \$5,000 received as civil service retirement annuity from the Federal Government, from Federal income tax. H.R. 7920 excludes from Federal income tax the first \$5,000 of retirement income from any public retirement system, providing the taxpayer is at least 65 years old. H.R. 7864 excludes from state inheritance taxes, and Federal estate tax all income received by means of a Federal Civil Service survivor annuity.

Finally, Mr. Speaker, I would like to insert in the RECORD a timely article from the May 24 issue of U.S. News & World Report, entitled: "Senior Power—A Growing Force in Politics."

The article follows:

[From U.S. News & World Report, May 24, 1971]

### "SENIOR POWER"—A GROWING FORCE IN POLITICS

RISING AMONG AMERICA'S OLDER PEOPLE IS A MOOD OF REBELLION. MANY ARE TRAPPED IN POVERTY. OTHERS WORRY OVER INFLATION. NOW THE ELDERLY ARE BEGINNING TO RAISE THEIR VOICES—AT THE POLLS

Now it is "senior power" that is surfacing across the U.S. as 20 million older Americans seek a better place for themselves in the nation's life.

Nearly all of these Americans are getting Social Security benefits and medicare from the Government.

More than half own their homes debt-free. Increasing numbers are covered by pension plans developed in government, business and industry.

Yet for many, the fruits of old age are turning bitter.

Almost 5 million aged are officially described as living in poverty. Millions of others fear the same fate, as the inflationary squeeze tightens on fixed incomes.

#### ECONOMIC CASTOFFS?

Beyond that, many—perhaps most—of America's elderly are beginning to see themselves as social and economic castoffs from the community at large.

Today, possibly more than at any time since the Townsend movement of the 1930s, older Americans are beginning to organize and act on their own behalf.

In New York, Governor Nelson A. Rockefeller is getting a sample of senior militancy following his decision to cut social programs, some of them affecting old persons.

At a May 7 conference on aging, elderly hecklers interrupted his speech several times. One aged man tried to engage him in debate. Protesters waved placards warning the Governor: "You can't ignore our vote."

Senior citizens flocked to the polls in California last year to help oust from office one of their own—68-year-old Senator George Murphy—who had voted against medicare and increases in Social Security benefits.

In Florida elections, they played an important part in the defeat of the president of that State's upper house, a man they deemed hostile to legislation for the elderly.

In dozens of States they have pushed successfully in the last two or three years for such programs as hot lunches for shut-ins, low-cost housing for the elderly poor, and tax allowances. In 26 cities, they have put across reductions in bus fares for the aged.

#### PLANS TO HELP

Congress this year is considering more than 190 major proposals for helping older Americans.

Already passed by both houses is a 10 per cent increase in Social Security payments—the second round of increases in 16 months. Other bills propose improvements in health insurance, employment opportunities for the aged, low-income housing and nursing homes.

Also on the agenda is a White House conference on aging, to be held in November, bringing together top authorities in this field to aid their ideas on easing the problems of the aged.

What is giving the older people in America much of their political clout is the fact that as many as 70 per cent of them will turn out on Election Day to vote.

#### GROWING IN NUMBERS

Older Americans are gaining strength in sheer numbers, too.

Today there are 20 million Americans aged 65 or more and an additional 8.6 million aged 60 to 64. The 1970s are expected to bring a 20 per cent increase in these groups, at a time when declining birth rates hold U.S. growth as a whole to less than 15 per cent.

Because life spans are lengthening, Americans aged 75 or more are increasing at a

faster rate than those aged 65 to 74, a situation that points to increases in medical problems of the aged.

Still, an estimated 81 per cent of the U.S. elderly get around without help. Another 8 per cent manage with mechanical aids, and 6 per cent get by with the assistance of another person. Only 5 per cent are housebound because of physical ailments.

#### MANY IMPROVEMENTS

In other ways, too, the situation of older Americans shows marked improvement over what it was 30 to 40 years ago.

About two thirds of elderly householders own their homes, and 80 percent of these senior citizens have paid off their mortgages.

While median family income for older people was estimated at \$5,500 a year in 1970—compared with \$10,500 for younger families—these figures do not tell the entire story.

A recent study by Dr. Hale N. Tongren, chairman-designate of the department of business administration at George Mason College in Fairfax, Va., asserted this:

An aged family with a cash income of \$5,500 would actually be doing as well as a younger couple earning \$7,200 a year, or even more—assuming that its sources of income approximate the pattern found in a Government analysis of income in 1963.

Reasons: Older people benefit from U.S. income tax allowances, the elimination of the Social Security tax, ownership of a home in many cases, and a differential in medical costs as a result of medicare.

#### FLOW OF "NEW PRODUCTS"?

Dr. Tongren concluded:

"The recognition that aged persons may have more discretionary cash than would be expected from their incomes may prompt market researchers to develop new products suitable to older persons. As birth rates decline, the over-65 age group will become an even larger segment of the population than it is today, and the market does not ignore a potentially profitable group for very long."

Militant spokesmen for the elderly might question the dollar value assigned by Dr. Tongren to these fringe benefits.

Even so, a 1968 survey of savings and loan companies in California—where assets of the elderly admittedly are believed to be higher than in most States—showed that 52.8 per cent of savings accounts came from persons aged 60 and more.

Some growth in affluence among the aged also is reflected in rather expensive "retirement communities" springing up across the U.S.—not only in California and Florida but in Oregon, New York, Maryland and elsewhere.

#### "SUN CITY" AND LUXURIES

There are complete towns like "Sun City" near Phoenix, Ariz., as well as condominium-type apartment houses for older people located in downtown or busy suburbs.

There are those that offer luxury—and find plenty of customers.

One example is the "Leisure World" establishment at Laguna Hills south of Los Angeles, where 14,000 persons aged 52 and over pay anywhere from \$20,000 to \$50,000 plus maintenance charges for apartments.

At their disposal are tennis courts, bowling greens, an 18-hole golf course, a swimming pool, scores of "hobby" clubs, a restaurant, classrooms, libraries, medical clinic, closed-circuit television and free bus transportation to Los Angeles. Six-foot walls and guards who patrol grounds and buildings around the clock provide physical security—a major preoccupation of the elderly.

About one third of Laguna Hills' inhabitants work part time or full time. A few become disenchanted with living among their own kind exclusively, and move out. But most stay on, if only to use "Leisure World" as a home base for travels in the U.S. and abroad.

#### THE AGED POOR

For about one quarter of all Americans over 65, classified as living in poverty, "Leisure World" might as well be located in another galaxy.

Such Americans, drawing a cash income of less than \$2,194 a year for a couple, fight a daily battle against increasing costs of food, clothing, medical care, utilities, rentals and—if they own a home—property taxes.

Medicare benefits are partially offset by rising medical costs—including a near-doubling of premiums for supplementary medical insurance paid by the recipients in recent years.

Liberalizing of Social Security benefits and eligibility is expected to reduce for a time the number of older Americans living in or near poverty.

Social Security for most of America's elderly, however, is becoming not just the base of retirement income but the bulk of it.

Despite the growth of pension systems, 93 per cent of single persons over 65 and 81 per cent of elderly couples are not covered by such plans. A Government study in 1968 showed that 41 per cent of older couples and 58 per cent of elderly "singles" had no established income of \$300 a year or more, other than Social Security.

Result: Even with the latest raises in benefits, half or more of older Americans will be subsisting entirely—or nearly so—on Social Security payments averaging out to \$1,560 a year for individuals and \$2,340 a year for couples.

Income from part-time work is limited by Social Security rules under which 50 per cent of earnings above \$1,680 a year and 100 per cent above \$2,880 are deducted from benefits.

#### RETIRING TOO EARLY?

As economists see it, many elderly persons—and many not so elderly—are being swept into retirement before they are ready for it.

About 50 per cent of all men claiming Social Security in recent years accepted a reduced benefit at the age of 62. About 1 in 5 of these had not worked for the prior 12 months.

Result, for many older Americans, is that the gilt on the "golden years" is wearing thin.

Recently a 76-year-old woman in Swarthmore, Pa., told a U.S. Senate special committee on aging:

"I am one of those elderly people, living alone, who has become poor since becoming old. Unable to work any longer, I am trying to get along on my Social Security of \$64 per month income, besides drawing a few dollars from a fast-dwindling nest egg in the bank and an occasional fee from private French teaching and some baby-sitting.

Similarly, a 76-year-old man in Alhambra, Calif., said:

"I retired 10 years ago with my home paid for, and no debts.

"After 10 years my property taxes have doubled. Every service and general living costs have skyrocketed and medical, doctor and hospital costs are as near to robbery as a cost can get—\$600 for removing a cataract from one eye, almost \$400 for the hospital."

As younger Americans moved from the city to the suburbs in the last 25 years, the elderly poor have stayed behind, for the most part. Many cling stubbornly to their homes, often located in deteriorating neighborhoods. Others move into low-cost hotels and rooming houses—the "retirement community" of the poor.

Such older persons, even more than the affluent elderly, feel increasingly their isolation from the mainstream of American life.

#### LIKE "SOLITARY CONFINEMENT"

Said John B. Martin, U.S. Commissioner on Aging:

"About 5 million older Americans are living in a type of solitary confinement. No one

cares about them. Although many are physically and mentally able to participate effectively in community affairs, they live in rooms like prisoners, rarely venturing out."

Fear of muggings keeps many old people off the streets, especially in big cities. A New York City study indicated that of 137 elderly persons interviewed, each had been assaulted at least once.

Also contributing to isolation of the elderly is the scarcity and rising cost of public transport for those unable to drive.

#### TRANSPORTATION PROBLEMS

In outlying areas, this problem becomes acute. One study for the National Council on Aging found that one third of the elderly poor and one fifth of the near poor had transportation problems. At a hearing conducted by the West Virginia Commission on Aging, an aged man from a rural area reported this:

Since neither bus or taxi was available, he paid for an early morning appointment with his doctor. But the doctor didn't see him until early afternoon, so he had to give the driver \$1 for lunch. The doctor's examination, plus laboratory test and two pharmaceutical prescriptions brought his total outlay to \$31.03—one third of his monthly Social Security check. This man said it would be a long time before he would feel able to make another such trip—although the physician had told him to return in two weeks.

Among such older persons, nutrition becomes an increasing cause of poor health. Many are anxious to keep food bills to a minimum. Other causes of improper diets are lack of mobility, emotional stress and loneliness.

In an Iowa survey of 695 persons aged 65 years and over, only 1 person in 20 was choosing a nutritionally desirable diet. In America's big cities social workers have found instances of elderly poor virtually starving to death rather than accepting welfare.

It is against this background of want, insecurity and isolation that "senior power" is becoming a battle cry of elderly militants. Aged homeowners are in the forefront of rebellion against property tax increases that in some places have raised levies to \$1,500 a year or more on relatively modest homes.

Governor Ronald Reagan's push for a reduction in welfare and medical-insurance payments in California brought picketing from elderly demonstrators, and a protest rally of 1,300 persons.

In Florida, which has 1.1 million retirees, "senior citizen" organizations are joining forces on behalf of legislation to liberalize the State's Homestead Exemption Law which forgives local and county property taxes on the first \$5,000 of assessed value of home property purchased by newcomers.

#### MASSACHUSETTS' EXPERIENCE

Nowhere are older Americans exerting pressure more busily than in Massachusetts.

There a former Congress of Industrial Organizations leader, Frank Manning, heads up a Statewide Massachusetts Legislative Council for Older Americans that pushes aid for the elderly.

In 1968 it was able to activate a dormant housing plan for older persons of low and moderate income. Result, to date, is the building of 14,000 units—"just a start," said Mr. Manning.

In 1969, the Massachusetts legislature made senior citizens eligible for half fares on public transit in the Boston area—24 hours a day, not just in nonrush hours as in other cities.

More recently, the Council persuaded legislators to broaden the State's hot-lunch program for poor or shut-in elderly. At present a drive is under way to get State help in solving the transportation problems of older persons living in isolated areas.

The growing "senior power" of older Americans brought the Council at least 70 requests for endorsement in last year's election. En-

dorsements finally were given to six. All won. Mr. Manning added this cautionary note:

"It's a good record, but this is something we have to use carefully—not as a scourge against any politicians who may disagree with us from time to time."

#### A WARNING

Also heard is the warning that older Americans should not "ghettoize" themselves further by concentrating on issues that affect older people only. Said Walter Newburgher, president of the Congress of Senior Citizens of Greater New York:

"We're fighting for universal national health care—not just for the old but for everybody. We want to show the young people we're with them, not on the fringes of society. Our people don't want to be shoved aside and isolated."

Nationally, problems of the elderly are becoming an important political issue.

Such organizations as the National Council of Senior Citizens and the American Association of Retired Persons are pushing for bigger Social Security payments and a wider variety of aids to older persons. Some Congressmen are suggesting a minimum income of \$1,800 for all individuals of 65 and over, and \$2,400 for a married couple. Others would like a formula adjusting benefits periodically to rises in cost of living, and a liberalization of present rules which, in effect, discourage Social Security recipients from earning more than \$1,680 a year.

As many authorities see it, what is needed now is more emphasis on keeping elderly people active and independent rather than becoming early candidates for nursing homes.

#### NEEDED: TAX BREAKS

Suggested is legislation providing elderly homeowners with bigger exemptions in property taxes and other aids to an independent life in their own homes. Also being promoted are "home worker" programs providing elderly persons in need with daily visits and hot meals, as well as periodic help in housecleaning and transportation.

Observed Dr. James E. Birren, director of the Institute of Gerontology at the University of Southern California:

"Older people need a variety of small aids to keep them going. But this requires somebody to put it all together. The cost of not doing something like this will become greater as more and more older people enter institutions of one kind or another."

Few authorities would care to predict what solutions to the problems of the elderly will emerge in times ahead.

There is wide agreement, however, that "senior power" is on the move in a drive to recapture for older Americans a worthwhile place for themselves in the day-to-day life of the nation.

#### SOME SURPRISING FACTS ABOUT AMERICA'S ELDERLY CITIZENS

In today's "youth culture," 1 American in every 10 is 65 years of age or older, and the proportion is growing steadily.

Older Americans carry considerable political heft. Those 65 or older comprise nearly 1 of every 7 people of voting age and, since they go to the polls in heavier proportion than the rest of the electorate, they are an even larger share of votes actually cast.

Nearly 1 out of 5 is still working or looking for a job.

Their buying power—now 60 billion dollars a year—makes older Americans a big and growing market for clothing, health aids, retirement homes, travel, recreation and a host of other goods and services.

Nearly a third of those over 65 live in just four States—California, New York, Pennsylvania and Illinois. Many States have an unusually high proportion of older persons, including Florida, Iowa, Nebraska, Arkansas, South Dakota and Missouri.

Among these older people, women are far more numerous than men—7 women for every 5 men. Most of the women are widows, most of the men still married.

Source: U.S. Census Bureau; U.S. Dept. of Health, Education and Welfare.

#### ED REINECKE: A NEW KIND OF LIEUTENANT GOVERNOR

#### HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. GOLDWATER. Mr. Speaker, in many States across this Nation, the Lieutenant Governor's duties are restricted, by State constitutions, to serving in the absence of the Governor, assuming the governorship upon his death, serving as a nonvoting member of the State senate, and other housekeeping duties.

Generally, in other States, he is a most underutilized elected public official. Often the executive branch, headed by the Governor, looks at him as a part of the legislature. The legislature considers him an adjunct of the Governor.

In California we are fortunate to have a Lieutenant Governor who not only carries great responsibilities but who also functions as an important part of State government. Governor Reagan describes him as "the executive vice president of our firm."

He has often been given the difficult task of providing the high level leadership needed to develop workable solutions to the problems facing the State.

Examples, during the past 2 years, of that leadership are illustrated by what has been accomplished when he was asked to:

First, act as the Governor's liaison to the Federal, State, and local governments.

Second, coordinate the development of California's crusade to protect our environment.

Third, make Californians, especially our youth, aware of the dangers of drug abuse.

Fourth, put the State's electronic data processing system in order.

Fifth, find summer jobs for our youth.

In addition to these problem solving tasks, the Lieutenant Governor serves as an active member of numerous boards and commissions. The most important of these are: Member of the University of California Board of Regents; member of the California State College Board of Trustees; and member of the State lands commission.

With 2 years of extensive activity under his belt, the Lieutenant Governor will concentrate his efforts in the following areas: First, a scientific and technological approach to meeting the problems of our environment. He accomplishes this as chairman of the State Environmental Policy Committee; second, higher education, and especially the youth it serves. He expects to devote considerable time to this area as a member of the board of regents and the board of

trustees; third, as the State's chief executive officer for intergovernmental relations, he will bring together all levels of government to concentrate on major issues such as revenue sharing, model cities, and the reallocation of public services; and, finally, fourth, attract new business and industry to the State, with resulting employment for our citizens. This is his newest thrust now that responsibility for the State department of commerce has been assigned to his office.

Lieutenant Governor Reinecke is an engineer by profession, a Cal-Tech graduate. I had the honor to succeed him in the U.S. Congress. I present the following speech of our former colleague delivered last week here in Washington:

REMARKS BY LT. GOV. ED REINECKE, NATIONAL FEDERATION OF INDEPENDENT BUSINESS, WASHINGTON, D.C., MAY 19, 1971

SOCIAL WELFARE AND THE WORK ETHIC INTRODUCTORY REMARKS—ACKNOWLEDGEMENTS

We hear a great deal these days about how our society is systematically destroying its environment and it's true. Our air, land, and water have, during recent years, been subjected to unprecedented abuse. It has taken us a long time to come to our senses, but finally, we are starting to do something about pollution. Yet as serious as pollution is, I am not here to talk about it, but about what I consider to be a more potentially disastrous problem.

Our country may be faced with a form of pollution, governmental pollution—more insidious, more destructive, and in many respects, more dangerous to the future of our society than all of the abuses committed on our natural resources. Too many people would just as soon ignore the fact that our society is rapidly becoming a welfare state—a society in which the dole replaces the paycheck: where food stamps substitute for employment; and where those working for a living are supporting an ever increasing governmental burden.

Welfare in this nation seems to have no goal—no direction—and more important, no foreseeable end—only an expanding future. In my years in Washington, I was very much aware of the tendency to raise the ante on every welfare type program. That tendency is still continuing. I read recently that an investigation by Senator Carl Curtis of Nebraska showed that if all the welfare bills introduced in the present Congress were put in effect, the cost for the new bills alone would far exceed the national budget. It is too easy for organized pressure groups to secure continuing increases in programs which emanate from a single source; that is, from Washington. The best protection for true welfare reform is to see to it that the welfare needs of each state are set by the state legislatures and not by the United States Congress.

Welfare is, in my opinion, the single most important factor in the destruction of the work ethic in this country, as well as causing the financial crises facing all levels of government. How serious is the welfare problem? I think a few figures will give you an idea.

In 1960 there were about 180 million people in this country. The total expenditures for public assistance were just over \$4 billion. A little arithmetic tells us that this equates to roughly \$20 per man, woman, and child living in the United States. Now let's take a look at 1969. The population had grown to 202 million. Welfare expenditures had also grown.

In 1969 this country spent \$12 billion to support its public assistance programs. The population had increased about 10 percent, but the cost of welfare had increased 300 percent.

We are watching carefully the proposals which are coming out of the House Ways and Means Committee. We do not know all of the full details, but we are concerned by some of the things we hear. According to newspaper accounts, the State of California would "save" \$166 million under this proposal. However, the overall Federal program is estimated to cost another \$5 billion per year within two years. Since California pays approximately 10 percent of all Federal taxes, it appears that a \$166 million saving may cost California taxpayers 10 percent of the \$5 billion national increase—or save \$166 million to spend \$500 million. News accounts also indicate that present eligibility of 15.8 million persons will increase to about 26 million—the naive must assume that these costs will be pulled back from other Federal programs. My experience here in Washington does not indicate that we can realistically find reductions of this magnitude, in other programs.

As all of you businessmen know, our society has had a traditional work ethic. I think you will agree that this work ethic has been a key element in this Nation's development and prosperity. The fact that this country is the most highly developed industrial nation in the world suggests rather strongly to me that we didn't get to this point by looking for handouts from anyone.

This very development that we have been able to support the growth of welfare. We have taken more and more from those who work so that we could support more and more of those who do not or cannot. We have created a system that not only fails to help people to help themselves, but has damaged their spirit and has removed the incentives to work. Why are so many people apparently willing to accept welfare rather than employment?

Some would have us believe that the dramatic increases in caseload are the result of inflation. Others tell us that unemployment is the cause. Some social scientists tell us that the concept of the family unit has eroded. The acceptability of rising divorce rates, the increase in the number of illegitimate children, and unmarried households suggest that the family as we know it today may not long exist. I am convinced that all of these factors contribute to the welfare problem. I am not convinced, however, that they account for all of the increases in welfare rolls. Abuse is in most cases legal use. Reform must be aimed at the system—not the recipient.

Let me give you my theory. Over the years this nation has prospered and living standards have risen commensurate with our rapid growth. At the same time that men and women like yourselves have been building this nation, there has been a less productive element that has nonetheless asked that the system support them. These nonproductive individuals have exerted continuous and increasing pressure on the system in an effort to close the rapidly expanding gap between the working taxpayers' standard of living and their own. As all levels of government yield to the increasing militancy of recipients and their pressure groups, the last vestiges of meaningful standards of eligibility and control of welfare expenditures are being destroyed.

This continued agitation of the so-called "welfare rights organization" and other self-appointed lobbies for the poor have set as their present objective to achieve a \$6,500 a year minimum income for a family of four from public funds. As a result of such agitation, the feeling is developing in certain areas of society that welfare is really a permanent form of national income redistribution. Even by their own propaganda, the welfare rights groups calmly expect at least 25 percent of the population nationally to be supported by the government without working. Naturally they don't say how long

they expect such a situation to continue before national bankruptcy sets in.

Closely allied to the welfare rights lobby has been problems created by the legal services program. As a result of suits filed on behalf of their clients, these so-called poverty lawyers have struck down many of the reasonable restrictions and eligibility requirements. The key case was the supreme court decision which said that duration of residency in a locality cannot be a welfare requirement—despite the clear intention of Congress to allow a residency requirement to be instituted. It is the height of folly for one agency of government to employ lawyers to attack the policies of another agency, or even of the state governments. In the State of California alone, seven court cases already resolved will cost state, county and federal governments \$112.2 million. There are four more cases still pending which, if decided adversely, will cost the three levels of government \$732.8 million, for a total of \$845 million. In other words, this kind of activity against the welfare system will cost the taxpayers nearly a billion dollars alone.

I am deeply disturbed when I see proposals before the Congress which would not only legitimize such activity but would institutionalize it and insulate it from effective control. I am referring particularly to the proposal to set up the legal services program as an independent corporation.

Creating the public service corporation, financed by federal dollars, of course, gives to these legal services attorneys what they have sought since the beginning of the program, namely, a permanent home.

Legal services attorneys would no longer be responsible to the President, and the veto power which governors presently have over programs active in their states would be eliminated by all of the proposals currently being discussed in Washington.

Without Congress, the President or state governors to oversee the work of the legal services corporation, the kind of activity we are presently witnessing in some areas, where taxpayers are in effect helping to finance their own destruction, would become the rule of the day.

Be protected from scrutiny: Even the one element which has been built into the public service corporation proposals supposedly to protect the government—the audit by the Government Accounting Office (GAO)—will be subject to the so-called "attorney-client privilege" of non disclosure of details even for normal auditing procedures.

This kind of shield for ethical attorneys as well as radicals and revolutionaries of all kinds is what is provided for in the legislation now under consideration.

When a doctor applies for a medicare or medicaid payment, he must supply every detail of the care he provided the patient. He must include, of course, the patient's name, address, etc. But in addition, he must describe at great length the services performed.

Certainly, the doctor-patient relationship is of equal importance with the client-attorney relationship. Yet nobody has suggested that by filling out medicare forms, the doctor is violating his relationship with his patient who must seek Federal assistance to meet his doctor bill. Why then cannot the same rules apply to those who must depend on Federal dollars for their legal assistance, especially when there is a good cause for investigation?

We have seen how strongly forged the chair has become, and the difficulties we face in trying to break the cycle.

Many members of Congress take the same attitude. They feel that the best way they can serve their own states is to help out their friends who are administrators in the State governments by turning the problem over to H.E.W. and to the Congress. They throw up their hands and say that welfare is a

national problem and therefore the Federal Government should handle it.

But welfare is not a national problem. Welfare is a local problem that occurs in every one of the 50 States. And unless we think of welfare recipients as individuals who have real problems and personal difficulties which must be overcome, we will end up with a spiritless army of national dependents. We will have a corps of people existing on Federal handouts, people who are no longer considered to be local responsibilities. I can think of no more inhuman and callous method of handling the very deep social and personal difficulties which afflict our welfare clients.

Been wary of schemes which promote increased federalization of the welfare system. The governor, when he transmitted his welfare reform program to the state legislature, laid this down as a fundamental principle. He said:

"The idea of simply surrendering our authority and administrative machinery to the same huge Federal system that created the crisis in the first place is simply unacceptable to me."

Very few people fully understand the degree and extent to which the Federal Government is responsible for this mess. There is little comprehension of the problems which Federal regulations have caused us. As you know, for a state to participate in the Federal programs, it must adhere to the regulations handed down by the Secretary of Health Education and Welfare. Over the years the interpretation of these regulations has become consistently more extreme. To put it bluntly, the State of California and other states have had practically no control over the kind of program which they want to administer in their own States. Under the H.E.W. regulations, the State either does it Washington's way or there will be no money to do it at all. The H.E.W. position has been simply to force the States into ever increasing caseloads and widening eligibility requirements. As a result, the State itself has no control over the level of State funds which must be poured into these programs. The single most important factor in the threatened bankruptcy in many of our State treasuries has been the unreasonable regulations of H.E.W.

In California, we are attempting to redirect welfare and to give it a purpose of moral as well as financial reform. Our basic reforms are:

Increase assistance to the truly needy.

Require recipients who are able to work to seek employment; train for a job or serve the community if asked as a condition for receiving welfare.

Make medical benefits comparable to the health coverage available to most working men and women.

I think the explanation was very clearly given by the governor when he said:

"The working men and women in California who pay for this program are providing a level of health care for others, that they can't possibly afford for themselves. Most health care plans or industrial and union programs offer no more than eight services with the individual paying part of the cost for each of those. Medi-cal offers 20 totally free services with no restrictions whatsoever on utilization. . . . The per capita health costs per year for the average citizen is \$312. The average cost per medical recipient was \$517 last year."

Strengthen family responsibility as the basic element in our society.

Develop an automated pension type system of paying grants to the aged, totally and permanently disabled and the blind who cannot work.

We are trying to break the welfare cycle by providing a system with the specific goal of employment and job training required for all able-bodied welfare recipients. Untrained recipients will be provided public service jobs to develop their employment skills.

This will not be another WPA program, for it will have as its goal the development of skills and eventual employment in the private sector.

California has already identified thousands of temporary jobs in its state government that need being done and that will provide job training for recipients. In addition, we are asking local governments to inventory their needs so that we may provide even more opportunities for recipient training. It should be understood at this juncture that we will not be requiring recipients to "work off their grants"—this, the Federal Government says, is against the law—rather we are going to provide temporary on-the-job work-training.

California does not intend to be swallowed up by the welfare monster. We are, in spite of the promised coming of the Federal Family Assistance Plan, moving ahead with a number of welfare reforms in an attempt to slow the growth of the welfare rolls and to provide increased assistance to the truly needy. Left unchecked, the welfare bill for California for fiscal year 1971-72 will reach nearly \$3 billion. Where will these billions come from? I know you have the answer—the working taxpayers and businessmen. Whether it is tax from local property, retail sales, business inventories, withholding, or income tax, it is the same people who pay. Let me make one more point concerning taxes—it doesn't make one iota of difference as to who distributes this money—Federal, State or local governments—it still remains tax monies paid in by you. I am convinced that no amount of reform will solve all of the problems of welfare, but I do believe we can make a significant impact on many of the more glaring problems confronting us. We are moving ahead in California: New York has a similar program and other States are watching to see how we fare. We have a massive job—No, a massive opportunity ahead of us not only in California, but in the Nation as a whole. We must give welfare a meaningful goal and we must resist the easy answer of raising taxes. I call on each of you to join with me in seeking a meaningful and lasting solution to the welfare problem. I ask each of you to express your opinions and concerns to your State and Federal legislators—finally, I ask you to help rebuild the attitudes toward the dignity of work that has been the cornerstone of our country. Thank you.

THE LATE HONORABLE ROBERT  
J. CORBETT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, I want to take this opportunity to express my deep regret over the passing of my good friend and colleague on the Post Office and Civil Service Committee, the Honorable Robert J. Corbett, of Pennsylvania.

I served with Bob Corbett for 10 years in the committee and can attest to his deep regard for and dedication to public service.

He justifiably called himself the little man's Congressman. He represented the interests of common men of all the country, not only of his own district in Pennsylvania. With Bob Corbett's passing, a great voice of the people has been stilled.

I know I speak for all my colleagues in saying that we share the great loss with his family to whom we express our deep and sincere sympathy.

## THE TECHNOLOGICAL WAR

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. SCHMITZ. Mr. Speaker, at this point in the RECORD I would like to insert chapter 1 from a new book entitled, "The Strategy of Technology: Winning The Decisive War," written by Dr. Stefan Possony and Dr. Jerry Pournelle.

This chapter gives a basic introduction to some of the factors which must be considered in what the authors term the technological war. Technological warfare is defined as—

The direct and purposeful application of the national technological base and of specific advances generated by that base to attain strategic and tactical objectives. It is employed in concert with other forms of national power. The aims of this kind of warfare, as of all forms of warfare, are to enforce the national will on enemy powers; to cause them to modify their goals, strategies, tactics, and operations; to attain a position of security or dominance which assists or supports other forms of conflict techniques; to promote and capitalize on advances in technology to reach superior military power; to prevent open warfare; and to allow the arts of peace to flourish in order to satisfy the constructive objectives of society.

To prevent Soviet victory at the crucial technological level of warfare we must understand this form of conflict. The following article sets forth some of the essential elements which determine the outcome of the struggle for technological superiority:

### THE TECHNOLOGICAL WAR

The United States is at war. Whether we consider this to be the Protracted Conflict initiated in 1917 by the Bolsheviks or something new brought about by the march of technology in this century, the war is taking place and it cannot be escaped. The field of engagement is not everywhere bloody. Except for financial sacrifices, many citizens of the West and subjects of Communism may be unaware that the conflict has been going on until the decisive moment, if it ever comes, is upon them. For all that, the Technological War is most real, and we must understand its nature. Our very survival depends upon not losing in the technical arena.

The nature of the enemy and the nature of technology both dictate this state of warfare. The U.S.S.R. is a power-oriented dictatorship, whose official doctrine is Communism: that is, a chiliastic movement which seeks to liberate—we would say enslave—the entire earth. It is not necessary for all of the individual leaders of the U.S.S.R. to be true believers in this doctrine. Since the Soviet Union is a dictatorship, the usual dynamics of dictatorship apply. One of the fundamental facts about dictatorship is that losing factions within its ruling structure forever lose their positions and power. They may retain their lives, but they retain little else, and often they do not survive. Thus, such rulers, whether sincere or cynical, have a powerful incentive to conform to the official ideology or line of the top man or group. Moreover, they compete with each other for power. If the most powerful faction counsels aggressive expansion—whether out of sincere belief in the ideology, because expansion creates more opportunities for advancement, or because it expects aggression to prop up a tottering regime—failure is the only way through which its influence in the governing structure will be reduced. Every success-

ful aggressive action increases the influence of those who counsel aggression.

If aggressive moves encounter stern opposition, so that the ruling faction is not only not rewarded for its expansionist policies but finds its national power decreased, changes in the official policy may take place. Such failures, consequent punishment, and resultant troubles for the dictatorship may serve to place in power a more cautious group dedicated to defense of the empire and the status quo; but it is obvious that this turn to pure defense has not yet happened in the U.S.S.R. We do not mean that Communist aggression will necessarily be decided by the C.P.S.U. government in the Kremlin. Other Communist states may play a role, and at this writing there is growing danger of conflict between the U.S.S.R. and Maoist China which could easily spill over and involve the United States. Aggressive actions may occur because of internal pressures, especially in a period when the Communist system will decline, and it is possible, although unlikely, that aggressive initiatives will be taken by non-Communist states. Despite all those complications the U.S.S.R. is the single most important and strongest opponent of the United States. Consequently, American strategists must primarily be concerned with Soviet strategy and the threat posed by the U.S.S.R.

The nature of technology also dictates that there will be conflict. Technology flows on without regard for human intentions, and each technological breakthrough offers the possibility for decisive advantages to the side that first exploits it. Such advantages will be fleeting, for although the weaker side does not have weapons based on the new technology yet, it is certain that it will have them in the near future. In such circumstances, failure to exploit the capability advantage is treason to the Communist cause. There are no ideological reasons for not exploiting the advantage, only operational ones. Capability combines with ideology to produce a powerful effect on intentions, which, be they ever so pure before the advantage was obtained, cannot fail to change with the increasing capabilities: If capabilities grow, intentions become more ambitious.

Thus, it is futile and dangerous to base modern strategy on an analysis of the intentions of the enemy. The modern strategist must be concerned with the present and future capabilities of his opponent, not with hopes and dreams about his goals. The dynamics of dictatorship provide a continuing source of ambitious advisors who will counsel the rulers of the Soviet Union toward aggressive action, and only through continuous engagement in the Technological War can the United States ensure peace and survival.

Because the goals of the United States and the U.S.S.R. are asymmetric, the strategies each employ in the Technological War will be different. The United States is dedicated to a strategy of stability, of being a stabilizing rather than a disturbing power; of preserving the status quo and the balance of power rather than seeking conquest and the final solution to the problems of international conflict through occupation or extermination of all opponents. The U.S.S.R. is expansionist; aggressive; a disturber power which officially states that the only true peace is that of world Communism. The United States has conceded the initiative in the Protracted Conflict, and is to a great extent bound to a policy of reacting to Communist advances, rather than seeking the initiative in undermining Communist power.

Because we have conceded the initiative in the phase of the Protracted Conflict which deals with control of territory and people,<sup>1</sup> we must not abandon the initiative in the Technological War. We are engaged in war, not a race, although it may appear to be a

race to many of us. But it is a race in which we must stay ahead, because if we ever fall behind, the opponent will blow up the bridges before our runners can cross them. They will deny access to the tools of the Technological War exactly as they have denied access to their territory, which they call the "peace zone" in distinction to the rest of the world, which is the "war zone." If we are to be on the defensive in the Protracted Conflict, survival demands that we retain the initiative and advantage in the Technological War. We know that U.S. supremacy does not bring on global war, let alone a war of conquest; we held an absolute mastery during our nuclear monopoly. We can be certain that the Soviets would not be as passive were they to gain supremacy.

The Technological War is the decisive struggle in the Protracted Conflict. Victory in the Technological War gives supremacy in all other phases of the conflict, to be exploited either by thermonuclear annihilation of the opponent or simply demanding and obtaining his surrender. The Technological War creates the resources to be employed in all other parts of the Protracted Conflict. It governs the range of strategies that can be adopted in actual or hot war. Without the proper and superior technology our strategy of deterrence would be meaningless. Without technological advantages, we could never fight and win a small war thousands of miles from our homeland, or prevent the occupation of Europe and Japan.

Up to the present moment technological warfare has largely been confined to pre-hot war conflict. It has been a silent and apparently peaceful war, and engagement in the Technological War is generally compatible with the strong desires of most of our people for "peace." The winner of the Technological War can, if he chooses, preserve peace and order, act as a stabilizer of international affairs, and prevent shooting wars. The loser has no choice but to accept the conditions of the victor, or to engage in a shooting war which he has already lost.

Technological War can be carried on simultaneously with any other forms of military conflict, diplomatic maneuvers, peace offensives, trade agreements, detente, and debacle. It is the source of the advanced weapons and equipment for use in all forms of warfare. It renders cold war activities credible and effective. Technological warfare combined with psychosocial operations can lead to a position of strategic dominance.

This new form of warfare has its roots in the past, but it is a product of the current environment. World War II was the last war of industrial power and mobilization, but it was also the first war of applied science. The new war is one of the directed use of science. The manner of its use is shown by the changing nature of warfare. Wars of the past were wars of attrition of the military power which was a shield to the civilian population and the will to resist. The new technology has created weapons to be applied directly and suddenly to the national will.

#### Definition of Technological Warfare

Technological warfare is the direct and purposeful application of the national technological base<sup>2</sup> and of specific advances generated by that base to attain strategic and tactical objectives. It is employed in concert with other forms of national power. The aims of this kind of warfare, as of all forms of warfare, are to enforce the national will on enemy powers; to cause them to modify their goals, strategies, tactics, and operations; to attain a position of security or dominance which assists or supports other forms of conflict techniques; to promote and capitalize on advances in technology to reach superior military power; to prevent open warfare; and to allow the arts of peace to flourish in order to satisfy the constructive objectives of society.

The emergence of this new form of war

is a direct consequence of the dynamic and rapidly advancing character of the technologies of the two superpowers and of certain of the U.S. allies. Its most startling application to date has been the Soviet and American penetration of space and the highly sophisticated articulation of specific technical achievements in other aspects of modern conflict—psychological, political, and military.

Its foremost characteristics are dynamism and flexibility, while surprise is its main strategic utility. The superpowers can expand their technologies and employ them unhindered by actions short of all-out war. The nature of the technological process reinforces the uncertainty of war and of the enemy's courses of action. The indicators of success in maintaining a position of dominance are vague and inconclusive because of dynamism, variability, and uncertainty; thus, unless this form of warfare is fully understood, it is possible to lose it while maintaining to the last the illusion of winning.

The importance of this new form of conflict lies in the challenge it poses to the continued national existence of the participants. Just as the Romans deliberately increased their national power by adding seapower to landpower, and just as the major nations of the world increased their power by adding airpower to their surface power, the U.S.S.R. is adding technological power to its existing capabilities.

Technological advances can produce a small number of weapons with a decisive capability, as illustrated by the atomic bomb. Since some technological changes can occur unobtrusively and yet be decisive, the real power situations are never transparent and never fully understood, so that the power of the opponent, as well as one's own power, remains partially unknown. This unavoidable ignorance is the source of direct challenge to the security and existence of the participants in the Technological War. Technology itself does not automatically confer military advantages, and a blind faith in technology uncoupled with strategic analysis and deliberate participation in the Technological War can lead to disaster. Like all wars, the Technological War requires a deliberate strategy, and it must be conducted by commanders who understand fully the objectives they have been instructed to reach.

The Technological War is not synonymous with technological research. The instruments of technological research and development are required for successful participation in the Technological War, but their existence does not ensure their proper use. Research itself does not create technology but is merely one of technology's major prerequisites; and technology by itself cannot bring victory or guarantee national survival.

#### FOUNDATIONS OF THE TECHNOLOGICAL WAR

##### *Fundamentals of technological strategy*

There are three overall aspects to technological strategy. Enumerating them does not constitute a strategy but merely sets forth certain criteria with which to judge the conduct of the conflict. These are shown on Chart 1.

#### CHART 1.—Aspects of technological strategy

##### Superior Forces In Being

##### Modernization of Weapons.

##### Modernization of the Technological Base.

Superiority must be constantly maintained and modernization must be continuous by a power that is determined not to end the Technological War by destroying the enemy. At all times, the defending nation in the Protracted Conflict must maintain sufficient forces in being to assure that the enemy does not end the conflict by *coup de main*, or an overwhelming surprise blow. This is a dynamic process, requiring careful judgment. What is certain is that we can no longer depend on a strategy of mobilization, relying on overseas allies to bear the initial

<sup>1</sup>Footnotes at end of article.

brunt of the war while we convert from a peace to a war economy. We must have a force in being which cannot be destroyed by the enemy.

Secondly, this must be a modern force. It is unimportant if we surpass the enemy in capability to conduct horse-cavalry conflict, or even guerrilla war, if we do not have a force that can fight successfully with modern high-energy weapons. The situation is not symmetrical; if we possess superiority or supremacy, we need not end the conflict by destroying the enemy, and will not do so because of our essentially defensive grand strategy. However, we cannot afford to allow the enemy superiority or supremacy, because he could use it to force so many concessions—particularly from our then-unprotected allies—that the contest would be decided in his favor.

Finally, we must assure that the technological base from which our forces in being are derived is truly modern and creative. We must be certain that we have missed no decisive bets in the Technological War, that we have abandoned no leads which the enemy could exploit for a decisive advantage over us. For every weapons system he has, we must have a counter, either through defending against the weapon or through riposte against him if he uses it. More important, we must keep a sufficient technological base to allow us to generate the counter-systems to any new weapons he constructs or may suddenly invent.

#### *Dimensions of the technological war*

The dimensions of the Technological War range farther than any conflict previously known in human history. They include the aerospace, from ground level to trans-lunar space; the ground and the underground deep within the earth; and the surface of the seas and the underwater world we call inner space. The battlegrounds of the Technological War could include every conceivable area in which military conflict can occur. Yet, this is merely the final aspect of the Technological War. Actual military battle may never take place. The dimensions of the war also include the nonmilitary struggles, psychopolitical warfare, ideological warfare, economics and trade, and the educational process. A college campus with students shrilly screaming obscenities at the police, and a quiet laboratory populated with soft-spoken men armed with chalk and blackboards are equally important battlegrounds. Technological Warfare in its decisive phase will aim at bypassing the other forms of military conflict and striking directly at the will to resist. Military power may be used, and thermonuclear war may be necessary to consolidate the victory, but the true aim of the Technological War is the denial, paralysis, and negation of all forms of hostile military power and of hostile psycho-political pressure through tactics of demonstration, terror, despair, and surprise, conducted in concert perhaps with other forms of warfare. Specifically, genuine Technological War aims at reducing the use of firepower in all forms to a minimum.

#### *An overview of the nature of technology*

Before we examine the strategy of Technological War, it is necessary to understand the nature of technology. Contrary to what people have often been encouraged to believe, it is not necessary to be a scientist or technologist to comprehend the general nature of technology, or to employ technology in a strategic contest. Indeed, sometimes specialization on one aspect of technology prevents understanding of technology in its broader sense. The following discussion is a nontechnical introduction to the general nature of technology and strategy. Later sections of this book will develop each of these themes more fully, but because of the interdependence of strategy and technology in modern warfare, it is not possible to orga-

nize this book in discrete sections and chapters. Modern Technological Warfare is a mixture of strategy and technology, and their interrelationships.

The primary fact about technology in the twentieth century is that it has a momentum of its own. The stream of technology flows on endlessly, and it is impossible to dam it. There remain only four choices. You may swim with the stream, exploiting every aspect of technology to its fullest; you may attempt to say where you are relative to the competition by swimming in spurts; you can attempt to crawl out on the bank and watch the rest of the world go past; or you can attempt to swim against the stream and "put the genie back in the bottle." Since nearly every nation, and certainly both superpowers, swim in more or less the same technological stream, only the first course of action makes sense. To continue the analogy for a moment, there is a fog over the surface of the water, so that you cannot know exactly what and how your opponents in the race are doing. An opponent may tell you he has crawled out on the bank and is enjoying the view, while in fact he is either treading water or racing away from you. If you do not intend to lose, you have little choice but to swim with the current as long and as hard as you can.

The impersonal nature of technology makes meaningless the gunpowder era phrase arms race. It is fashionable at present to speak of the action-reaction arms race, in which each power constructs weapons for fear that the other has done so. According to this theory,<sup>3</sup> the primary reason nations arm themselves is that they react to others. In fact, in the Technological War, opposing powers essentially react to the impersonal stream which carries them along. They really have no choice and never will have so long as the current flows and there is asymmetry of information between them. The fog of war is made denser by confusion caused partly by deliberate deception and partly by self-deceptions. Only when the Communist states have transformed themselves into open societies and there is a complete exchange of information—that is, when the fog has lifted from the stream of technology—can meaningful efforts to arrange the contest on a more economical and less risky basis be successful. Until that time we must engage in the Technological War. It is fairly obvious that rationalization of the conflict will not come in our lifetimes. We would do well to expect that even if the U.S.S.R. were to change its character, other threats might arise in its stead.

Arms races in the nuclear era differ from those in the gunpowder era in one fundamental way: they are qualitative rather than quantitative. In the gunpowder era, numbers of divisions, tanks, battleships, and aircraft gave rough estimates of the strength of the possessor and his capability to defend himself. It was possible to overcome an enemy by sheer numbers of weapons alone. In the nuclear era, numbers remain important, of course, but the primary strength lies in quality of weapons and their survivability. Nuclear weapons can destroy an enemy's entire military power in one strike if the attacker possesses sufficient qualitative superiority. This too is a result of the nature of modern technology.

One of the most easily observed phenomena of technology is that it moves by "S" curves, as illustrated in Figure 1 [not printed in the Record]. Note that the top of one curve may be the base of another following it. Although the stream moves on inexorably, it is possible to exploit one or another aspect of technology at will. Which aspect to exploit will depend on several factors, the most important being your goals and your position on the S-curve.

Footnotes at end of article.

To illustrate the S-curve concept, consider the development of aircraft, and in particular their speed. For many years after the Wright brothers, aircraft speeds crawled slowly forward. In 1940, they were still quite slow. Suddenly, each airplane designed was faster, until the limits of subsonic flight were reached. At that point we were on a new S-curve. Again, the effort to reach transonic flight consumed many resources and much time, but then the breakthrough was made. In a short time, aircraft were traveling at multiples of the speed of sound, at speeds nearly two orders of magnitude greater than those achieved shortly before World War II.<sup>4</sup>

Technology is interdependent: advances in one sector of technology soon influence areas which might naively have been believed unrelated. For example, the development of molecular chemistry techniques led to the art of microminiaturization, which allows development of computer technology beyond the expectations of only a few years ago. The revolution in computer sciences has made possible the development of on-board computers for missile guidance, and thus of accuracies not previously predicted. Increased accuracy has made possible the destruction of missile silos with much greater ease and smaller warheads, and has led to the development of Multiple Independently Targetable Re-Entry Vehicles (MIRV), each of which uses on-board guidance computers. The increased kill capability stimulated research into silo hardening techniques, which led directly to the present hard rock silo designs. And that development also made it possible to conduct certain mining operations that were previously financially infeasible. Examples of interdependence can be given without limit.

Thus, technology influences nearly every aspect of national life. In particular, technology influences strategy, forcing strategic revolutions at frequent intervals. There are those who say that strategy never changes. If they mean literally what they say, they have never appreciated the effects of the airplane and the ICBM, the possibilities for surprise attack created by these radical new weapons delivery systems coupled with thermonuclear explosives, and the effect they have on ground battles. If, however, they mean that the principles of strategy have not changed, they are more nearly correct, as we will discuss below.

The important fact is that technology paces strategy to some extent, and forces the development of new military strategies which take the new technology into account. As we will show, it is dangerous to regard this relationship as one-sided. Technology and strategy are interrelated, and strategy can and should also pace technology.

Despite the critical importance of technology, it remains an impersonal force, largely because we have never made an effort to understand it. Although America is the leading technological power—perhaps because we are the leading technological power—we do not really comprehend technology. As a consequence, technology remains largely a matter of individual initiative, and we have failed to develop a strategy of technology, let alone a strategy for winning the Technological War.

#### THE DECISIVE WAR

The technological contest is a war. It is not a game against an impersonal force, it is a deadly conflict with an intelligent and implacable enemy. We do not suppose that a military commander who conducted his battles as they occurred, understanding neither the terrain nor his enemy and preparing only for the battle that he had already fought, would be properly performing his task. Yet, too often this is precisely what happens in the Technological War, which may be the most decisive engagement in the history of mankind. Technology has grown

into the driving force, dictating to strategy; and strategy is conceived of as employment of systems already created by the technologists; that is, strategy is confined to operational decisions. This is akin to allowing the recruiting and supply officers to decide the conduct of a traditional land war.

The danger in the Technological War is that it closely coupled with the Protracted Conflict, and a decisive lead in the Technological War can be converted into a decisive advantage in military weapons. Note that military power and technological power are coupled, but are not identical; military technology is not in and of itself a weapon system, but it can be used to create weapons systems. Thus a commanding lead in the Technological War can be achieved before a corresponding lead in military technology has been obtained. As an example, the Soviet Union could, through the development of nuclear defense technology, obtain a decisive lead in the Technological War at a time when the United States still possessed a clear superiority in deliverable weapons. This technology could then be used to create defense systems, and if the United States took no countermeasures during the deployment of those defensive systems, we would find ourselves in an inferior military position.

Victory in the Technological War is achieved when a participant has a technological lead so far advanced that his opponent cannot overcome it until after the leader has converted his technology into decisive weapons system. The loser may know that he has lost, and know it for quite a long time, yet be unable to do anything about it. To continue the above example, if the Soviet Union were able to develop the technology for producing an impenetrable ICBM defense system, and we were unable to obtain the same technology in time to deploy systems of our own before his were installed and operational, we would be beaten, even though the U.S.S.R. might spend several years in deployment of his own system. Our only choices would be the development of a penetration system that his defenses could not counter (such as manned bombers of very high capabilities),<sup>5</sup> surrender, or preventive war.

This is the unique feature of the Technological War. Military superiority or even supremacy is not permanent, and never ends the conflict unless it is used. The United States is committed to a grand strategy of defense, and will never employ a decisive advantage to end the conflict by destroying her enemies. Consequently, she must maintain not only military superiority but technological supremacy. The race is an alternative to destructive war, not the cause of military conflict.

Proper conduct of the Technological War requires that strategy drive technology most forcefully; that there be an overall strategy of the Technological War, allocating resources according to well-defined objectives and an operational plan, not merely strategic elements which make operational use of the products of technology. Instead of the supply officer and munitions designer controlling the conduct of this decisive war, command must be placed in the hands of those who understand the Technological War; and this requires that they first understand the nature of war.

Lest the reader be confused, we do not advocate that the Technological War be given over to the control of the scientists, or that scientists should somehow create a strategy of technological development. We mean that an understanding of the art of war is more important than familiarity with one or another of the specialties of technology. It is a rare scientist who makes a good strategist; and the generals of the Technological War need not be scientists any more than the generals of traditional military conflict

need to be good riflemen or railroad engineers.

Like all wars, the Technological War must be conducted by a commander who operates with a strategy. It is precisely the lack of such a strategy that has brought the United States to the present low point in prestige and power, with her ships seized across the world, her Strategic Offensive Forces (SOF) threatened by the growing Soviet SOF—and with the United States perplexed by as simple a question as whether to attempt to defend her people from enemy thermonuclear bombs, and unable to win a lesser war in South East Asia.<sup>6</sup> Because we have no generals and no strategy, we must muddle through the most decisive conflict in our national history. We are not doing a good job.

There have been a few exceptions to this unsatisfactory record of American performance. General Bernard Schriever created a military organization for strategic analysis which was responsible for our early commanding lead over the Soviets in Ballistic missiles, despite the fact that the U.S. had allowed the U.S.S.R. many years' head start in missile development after World War II.<sup>7</sup> The Air Force's Project Forecast was an attempt to let strategy react to, then drive, technology; it too was a creation of General Schriever's.

In the Navy there have also been notable attempts to allow strategy to influence technology and produce truly modern weapons systems. The long-term results on the careers of the officers involved have been similar to those of the officers identified with General Schriever in the Air Force: failure. Our military organizations have not been geared for commanders who understand the Technological War, even though this is the most decisive of all wars we have fought. Yet in the few cases where the proper actions have been taken, the payoff in the Technological War has been very great. Unfortunately, the men who were involved in making these contributions to the nation have suffered for doing so.

#### THE ELEMENTS OF STRATEGY

##### What is strategy?

Because there seems to be little understanding of strategy and its effect on the Technological War, we will briefly review some general principles of strategy and warfare. Our purpose is not to teach the elements of strategy, which would require another book, but rather to make the reader aware of strategy and some of its complexities.

"According to the traditional concept of military strategy it should mean the art of employing military forces to achieve the ends set by political policy. This definition was formulated by [Sir Basil Henry] Liddell Hart in 1929 and it hardly differs from that of Clausewitz. Raymond Aron in his recent book follows it almost word for word.

"In my view this definition is too restrictive because it deals with military forces only. I would put it as follows: the art of applying force so that it makes the most effective contribution towards achieving the ends set by political policy. . . .

"In my view the essence of strategy is the abstract interplay which, to use Foch's phrase, springs from the clash between two opposing wills. It is the art which enables a man, no matter what the techniques employed, to master the problems set by any clash of wills and as a result to employ the techniques available with maximum efficiency. It is therefore the art of the dialectic of force, or, more precisely, *the art of the dialectic of two opposing wills using force to resolve their dispute.*"<sup>8</sup>

In our judgment it would be hard to better the above set of definitions, provided we use, instead of force, the broader expression power and force. On this basis, we may see several

important aspects of the Technological War and its strategy. First, we see that strategy involves two opposing wills. This in itself sets the Technological War apart from the simple development of technology. *The development of technology is a game against nature, which may be uncooperative, but which never deceives or actively conspires to prevent your success.* The Technology War is a contest with an intelligent opponent who seeks to divert you from seeing his purpose, and to surprise you with his results.

Secondly, strategy involves the use of power and force. In the Technological War, the more power is extant, the less often force needs to be used in the primary or decisive mode of the conflict. In the place of battles, the Technological War general disposes his own resources so as to maximize the power he holds and at the same time compel the enemy to make maximum dispersal of his. To make the enemy counter each move you make, and dance to your tune, is the aim of a Technological War strategy. In the ideal, if the enemy were required continually to build purely defensive weapons which might protect him from your weapons but which could not possibly harm you, you could be said to have won a major engagement in the Technological War. In the contest between wills, seizing and holding the initiative is of utmost importance; as indeed it has been for a long, long time:

"You hear that Phillip is in the Chersonese, and you vote an expedition there; you hear that he is in Thessaly, and you vote one there. You march the length and breadth of Greece at his invitation, and you take your marching orders from him."<sup>9</sup>

But if the power ratio is ambiguous, the decision as to who is the stronger will be made by force, which is the application of power in battle. Other things being equal, battles are won by superior technology. But clearly superior technology prevents battle.

#### The principles of war

War is an art; it is not an exact science. Precisely because there is an intelligent opponent, there are real uncertainties about war, not merely statistical uncertainties which may be measurable. Every attempt to reduce war to an exact science has ended in dismal failure. The advent of the computer and systems analysis, useful as both may be, has not changed this fact, although it has often been forgotten.

Part of the traditional method of learning the art of war is studying the principles of war. These principles are a set of general concepts, like holds in wrestling, and no exact group of principles is universally recognized. Some strategists combine several into one or divide one of those we show here into several. The principles given on Chart 2 will serve well enough for our purposes.

#### CHART 2.—The Principles of war

- The Principle of the Objective.
- The Principle of the Initiative.
- The Principle of Surprise.
- The Principle of the Unity of Command.
- The Principle of Mass (Concentration of Force).
- The Principle of Economy of Forces.
- The Principle of Mobility.
- The Principle of Security.
- The Principle of Pursuit.

It will be noted that some of these principles, if carried to their extremes, would be contradictory. They are intended to serve not as a formula for the planning of a battle, but rather as a set of guides or as a checklist which the planner ignores only with peril. They are as applicable to the Technological War as to any other war. At first glance, it might seem that one principle or another might be more directly applicable to the Technological War than the others, but in fact none can be disregarded if success is to be achieved. We will have occa-

<sup>5</sup>Footnotes at end of article.

sion to refer to them from time to time in the analysis below.

#### STRATEGY AND TECHNOLOGY

It must also be considered that the United States today has no technological strategy. We have, instead, a series of independent and often uncorrelated decisions on specific problems of technology. This is hardly a strategy. A technological strategy would involve the setting of national goals and objectives by political leaders; it would be integrated with other aspects of our national strategy, both military and nonmilitary (Initiative, Objective, and Unity of Command); it would include a broad plan for conducting the Technological War that provided for surprising the enemy, pursuing our advantages (Pursuit), guarding against being surprised (Security), allocating resources effectively (Economy of Forces), setting milestones and building the technological base (Objective), and so forth. Lesser conflicts such as that in Vietnam would be governed by a broad strategic doctrine instead of being considered as isolated and treated as crises.

In our national strategy, far too much attention has been given to current affairs and to specific conflict situations at particular times and places. There has been no serious attempt to integrate the individual decisions, or relate them to a comprehensive grand strategy that is adequate to overcome the challenges. The few attempts we have made to manage technological decisions properly were disastrous; examples are the ludicrous "savings" achieved through the TFX and the equally dismal saving through over-management of the C5A program. We have confused a strategy of technology with centralized interference in the design or production of specific weapons and the imposition of a "standardized management plan." The results are that our performance in Vietnam was quite unsatisfactory, we have failed to exploit our superior technology to grasp a commanding lead in either inner space or outer space, our merchant marine where it exists at all flies the proud flags of Panama and Liberia, and many of our young men fight overseas with weapons that make use of principles discovered by Roger Bacon in the thirteenth century.

The reasons for this dismal performance are complex; it is not necessary to understand all of them and it is not germane to blame anyone. Events caught up with us, the stream of technology swept us along, and only recently did we begin to realize the nature of the Technological War. In fact, one reason we have no strategy of technology is that not everyone realizes we are at war; but perhaps the most important reason is the basic failure to understand the nature of technology itself, and particularly the problems of lead time which produce a crisis-oriented decision process.

Crises have kept coming endlessly, and we have had to meet them. Decision makers at the national level concentrate on fighting today's fire, partly because they hope that the current trouble will be the last but mostly because of the long lead time involved in technology. A president called upon to spend money in any fiscal year actually is spending money to solve the problems of a president two terms later. But even if we try to find comfort in expenditures for research and development, we must understand that these are oriented to specific projects and tasks and do not result from technological strategy.

This is illustrated by our lack of effort to construct an organization for conducting technological warfare. The review of the annual budget and of individual projects in basic research, in applied research, in development, and in procurement is the only process by which our technological development is controlled directly. Other influences such as the statements of requirements and the evaluation of military worth are felt only

at the level of individual projects. Overall evaluation of the research and development effort and of its relations to strategy is rudimentary.

An example of how irrelevant factors influence our efforts, and perhaps one of the decisive signs of the times: the January 20, 1969 issue of *Aviation Week and Space Technology*, the most influential journal in the aerospace field, included a report entitled "Viet Lull Advances New Weapons." The article makes clear that the budgetary funding level of many advanced new weapons systems, including research and development, basic technology, and actual system procurement, is largely dependent on the continuation of a "lull" in the Vietnam war. Given a proper strategy for the Technological War and proper command of our efforts, the title should read "Advanced New Weapons End Vietnam War."

#### FOOTNOTES

<sup>1</sup> Robert Strausz-Haupé et al., *Protracted Conflict* (New York: Harper, 1969); Stefan T. Possony, *A Century of Conflict*, 5th ed. (Chicago: Regnery, 1969).

<sup>2</sup> We define as technological base the sum total of resources needed to produce and constantly modernize the tools of war and peace. Those resources include scientists, inventors, engineers, laboratories, laboratory equipment, funds, information flow, incentives, etc., as well as industry and the economy as a whole, which we do not discuss in this book.

<sup>3</sup> The theory is essentially that of Lewis Richardson, who made up elaborate differential equations to try to demonstrate the mathematical relationship between the arms expenditures of nations and international blocs, and found a reasonable fit in the single case of the pre-World War I Entente and Alliance. No empirical confirmation of the Richardson theory has been found, and the specialized assumptions required to make the World War I history fit the theory leave the entire effort in a questionable state. Richardson's theory is presented in L. F. Richardson, *Arms and Insecurity* (Pittsburgh: Boxwood Press, 1960). His most vigorous contemporary champion is Anatol Rappaport, in *Fights, Games, and Debates* (Ann Arbor: University of Michigan Press, 1960). The results of one unsuccessful attempt to find a modern instance of a Richardson arms race are reported in Pournelle, *Stability and National Security* (U.S. Air Force, 1969). We have found that in the nuclear era, expenditures on weapons simply do not fit the Richardson equations.

<sup>4</sup> In common engineering parlance, an increase by an order of magnitude is approximately a tenfold increase. Astronomers, be wary.

<sup>5</sup> We would, of course, have not only to invent and develop these bombers but build them in quantity, fly them, train the pilots, etc., and do it all within the time limits of U.S.S.R. deployment.

<sup>6</sup> Since this book is intended to be a discussion of principles, not of current specific problems, it may well be in print long after the present war in Vietnam is ended. We venture to predict, however, that for many years, after this is written (1970) there will be wars in Asia, including South East Asia and the area formerly known as Indo-China.

<sup>7</sup> The authors recall the frustration of Wernher von Braun and other rocketry experts when the last of the V-2 rockets brought to the United States were used, not for development of rocket sciences, but as supersonic test beds for aircraft parts to avoid spending the funds required for construction of supersonic wind tunnels. This retarded the development of both missiles and supersonic aircraft, of course.

<sup>8</sup> General d'Armée André Beaufre, *Introduction to Strategy* (New York: Praeger, 1965), p. 22.

<sup>9</sup> Demosthenes, *First Philippic to the People of Athens*.

## ENVIRONMENTAL AGENDA FOR WEST VIRGINIA

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. HECHLER of West Virginia. Mr. Speaker, last month I was invited to speak at Morris Harvey College, Charleston, W. Va., to the Citizens for Environmental Protection. I pondered for a while after receiving the invitation from Dr. Carol Wilcox, and finally picked up the telephone to call her. After expressing appreciation for the invitation, I said to her:

You have so much talent and knowledge in your own organization that instead of my coming out and speaking to you, why don't you speak to me? If this is agreeable with your members, why not ask some of them to present brief papers on various aspects of environmental problems you believe deserve priority? Then we can discuss the questions raised and perhaps arrive at an "environmental agenda" for the 1970's.

The Citizens for Environmental Protection agreed to undertake this responsibility, and on April 24, 1971, we met in Charleston, W. Va. The entire discussion was not recorded, but there follow the prepared remarks of those participating:

PARTICIPANTS IN ENVIRONMENTAL HEARING WITH CONGRESSMAN HECHLER AT MORRIS HARVEY COLLEGE, APRIL 24, 1971

CITIZENS FOR ENVIRONMENTAL PROTECTION, INC.

In order of appearance:

Carol (Mrs. H. G.) Wilcox, Ph. D., President, Citizens for Environmental Protection, Inc.; Prof. David E. White, Ph. D., Director, Division of Forestry, West Virginia University; John L. Boettner, LL. B., Graduate of WVU Law School, Appalachian Research and Defense Fund, Inc.; Mary Jane (Mrs. Carl M.) Hedrick, Sheriff and Treasurer of Tucker County, Rep. of Cheat Valley Conservancy, Inc.

Nick Casey, Honor Student, Graduating Senior, President of Student Council, Charleston Catholic High School; E. Dandridge MacDonald, LL. B., Graduate of University of Virginia Law School, Appalachian Research and Defense Fund, Inc., Chairman, CEP's Water Pollution Committee; Diane (Mrs. H. L.) Snyder, Environmental Chairman, Kanawha Garden Council, Chairman, CEP's Pesticides Committee; William Call, CPA, LL. B., and Ph. D., Assistant Professor of Economics, WVU—Kanawha Valley Graduate Center.

Wendell Drake, Liaison and Staff Person, United Fund—Kanawha Valley Central Labor Council; Nancy (Mrs. Robert) Cassidy, Concerned Citizen, Opponent of thru-city route for interstate for 7 years; Norman Williams, Out-going Deputy Director, West Virginia Department of Natural Resources; Dennis Spriggs, Ph. D., Assistant Professor of Chemical Engineering, WVU—Kanawha Valley Graduate Center, Chairman, CEP's Air Pollution Committee.

OPENING REMARKS BY DR. CAROL WILCOX, AT ENVIRONMENTAL HEARING WITH CONGRESSMAN HECHLER, APRIL 24, 1970

One of the most conspicuous characteristics of American society today is the pervasive sense of powerlessness, even among those who have shared most generously in the American dream. Events and institutions seem to be shaped by forces over which we

have lost control. Our economy relentlessly grinds on, degrading the environment, wasting resources, dehumanizing people, maiming workers; and no one really seems to know how to bring it under rational control. The war in Vietnam goes on, seemingly without reference to the conscience and ideals of most Americans. Defense budget increases, and security diminishers. The rich get richer and the poor get poorer.

Meanwhile, government staggers under a mounting burden, with outmoded machinery. Legislative bodies move—if they move at all—at a glacial pace; and their procedures, seniority systems, vanished. Bureaucracies are seemingly impenetrable, except to those vested interests who always seem to know the secret combination and whose voices are readily heard. Administrators, both in government and business, treat inquiring, concerned citizens as troublemakers, bent on harassment and headlines. "We are the experts," they say, and "you must trust us to do the job."

And so it is that plans are projected, decisions made, and resources committed, and citizens are the last to know.

The capacity of government at all levels to listen and respond to its people is in grave question. As Nobel Prize-winner George Wald said apropos of the growing disaffection over Vietnam: "The majority is not silent; the President is deaf!"

Environmental organizations like CEP are based on the premise that an informed and concerned citizenry is an indispensable ingredient of the effort to restore balance and respect to the treatment of the natural world. But this presupposes the availability of channels into the decision-making process; not decision-makers who will listen only if we scream and holler long enough, but decision-makers who actively promote and solicit citizen input and involvement.

That is why we are so delighted today to have Congressman Ken Hechler with us to listen to our views and, by exchanging ideas and information with us, to stimulate thought and action on his part as well as ours.

Mr. Hechler's concern with protecting the environment has been amply approved in the years he has served in Congress. He was a pioneer advocate of coal mine health and safety legislation. He was the only West Virginia Congressman to vote against the SST. And now, he is the originator of a historic bill to abolish the scourge of strip mining nationally. It is a tribute both to his energy and the urgency of the issue, that his strip mine bill now has more than 60 co-sponsors in the Congress; while Senators McGovern and Nelson are introducing a companion bill in the upper house. We are privileged to welcome you, Mr. Hechler.

#### OPENING REMARKS BY REP. KEN HECHLER

Thank you very much, Dr. Wilcox. I am sure that all of us will profit from this new experience, and most of all myself. I am here today as a big sponge to soak up knowledge and inspiration on the key environmental questions which confront us in West Virginia. Your guidance and information will be extremely helpful to me in my role as a Representative in Congress, when the Congress grapples with many of the most important issues which affect and determine what kind of a state we want West Virginia to be in the future.

Since I promised not to deliver a speech, and I am here to listen and learn, I shall yield back the microphone and officially declare that I am now ready to sit back and gain the benefit from your knowledge.

#### PLANNING, THE PRICE SYSTEM AND POLLUTION (By David E. White)

The individuals and groups such as Citizens for Environmental Protection have come some major and far-flung victories in

recent weeks. In the South, construction of the Cross-Florida Canal, which posed a threat to the flora and fauna of one of the nation's truly unique areas, has been stopped by the President after a hard-hitting campaign by conservation groups; in the West, in the majestic Bitterroot Mountains, resources management has come under indictment by an investigating committee headed by my good friend Arnold Bolle of the University of Montana School of Forestry; and here in West Virginia we've had some success against the ravages of strip-mining.

But my purpose this afternoon is not to rejoice with you over these victories in the cause of environmental protection, for these victories are of meager dimension when one looks to the future and contemplates the scope and complexity of the problems that lie ahead. Up to now, the battle for environmental protection has been waged crisis-to-crisis, largely negative in its posture, often substituting emotion in the absence of information, all the while attempting to overcome the results of more than a century of laissez-faire industrialization and social apathy.

But the time is fast approaching when the thrust of environmental concern must become more positive in its approach, more systematic in its working, encompassing more of our institutions, and relying on a greater store of knowledge. What I am describing is a situation wherein environmental management will be action instead of reaction, with the focus broad and comprehensive rather than narrow and selective.

I have just two points to make concerning what I think will be required in the decade ahead if we are to avoid further fouling of the environment. The first point has to do with land-use in West Virginia. The second is national in scope and involves economic policy.

We in West Virginia should begin immediately to develop a land-use policy and a land-use plan for the entire State. We should begin now to identify those natural and economic factors that will influence our State over the next 10, 20, or 30 years and to lay plans for orderly and advantageous use of our resources. Such forecasting and planning is perhaps more important for West Virginia than for most states, for few states possess so much in the way of natural wealth or are so heavily dependent on the land resource for economic well-being.

Sound land-use planning, i.e., land-use planning supported by thorough research, focused on the public interest, and implemented by effective legislation, can be a boon to everybody. It can free the conservationist of the fear of despoliation; it can provide the public resource administrator with clear guidelines; and for the private sector, the investor on whom we must depend for the continuance of our economic well-being, it can create a climate of confidence.

None of us should underestimate the importance of this last point. A few weeks ago, as I joined with the hundreds of others who protested the stripping at Laurel Run, I thought of the tragic waste and loss created no matter what the outcome. Here were two respectable citizens, a landowner and a strip mine operator, both conducting themselves within the law as they understood it, yet being forced to incur severe losses because the law or the interpretation of the law did not meet the needs of the times. In the case of the Cross-Florida Canal, \$50 million had been spent on the project before it was terminated. Think of the plight of the private sector of our economy in a situation like this where existing law and the planning that goes into it does not reflect the wishes of the people. I submit that people such as you and I, who have lately changed the rules of the game regarding natural resource use, have a further obligation to make these rules as clear and complete as we can, and the way

to do it is through comprehensive land-use planning.

Another benefit of land-use planning is evident when we consider what is happening in Washington regarding revenue sharing. In the March 10 message to the Congress on the subject of Rural Community Development, the President had this to say:

"The statewide planning process which would help States and localities coordinate activities carried on under both urban and rural community development revenue sharing will be established in legislation that I will submit shortly. It would require annual preparation of a comprehensive statewide development plan outlining spending intentions for programs in metropolitan, suburban, smaller city, and rural areas alike. The \$100 million Planning and Management Assistance Program which I proposed in my message to the Congress on Urban Community Development Revenue Sharing would provide funds which States and local jurisdictions could use in this planning process."

To most Americans the term planning seems to mean loss of freedom and individuality. The suggestion I offer here today is just the opposite: In a future marked by complexity, rapid change, and a delicate balance between economic and environmental matters, planning provides us with the one hope for freedom and individuality.

And now to turn to the nation at large, and specifically to our system of free enterprise, or, to use the economist's term, the price system.

The price system has been much maligned by conservationists and environmentalists as the culprit which has led us to environmental degradation. All one needs to do to come to this conclusion is to look at what industry has done to the land, air, and water while in pursuit of profit.

But the fact of the matter is, we have a degraded environment today, not because of adherence to the price system but largely because we have abandoned it.

In a true price system, each firm and industry must assume the full burden of the costs it generates. Those industries which have exhibited the most rapid growth in recent times are the ones which have been able to pass off a share of their costs of production to the public.

Nowhere is the evidence more clear than in those industries which use great amounts of energy in substitution for labor. Aluminum has replaced steel in our beer cans, and nylon has replaced cotton in our shirts because both the aluminum industry and synthetic fiber industry rely heavily on energy in relation to other input. And energy is cheap. Why? Partly because energy fuels producers are able to avoid certain of their costs. (We can leave this city in any direction and see the evidence.) One of the principle arguments in favor of strip mining is the nation's great need for electric power. But if we should decide to drink our beer from steel cans and go back to cotton shirts, perhaps we wouldn't miss the strip-mined coal at all. Or to put it another way, if the price system were really operating and strip-mined coal had to bear all the costs of its production and pollution, it might long since have become uncompetitive and we wouldn't have to contemplate abolition.

What I am suggesting here for the future is a careful study of all those industries which create social costs through pollution, and a program to internalize these costs through taxes, fees, penalties, or any other practicable means.

#### THE U.S. ARMY CORPS OF ENGINEERS—SWEET AND SOUR PORK\*

(By John L. Boettner, Jr.)

If there is one major reason why dams, canals and other "big water" projects are

\*Quoted from *The Diligent Destroyers*, George Laycock.

constructed it is that the Senators and Congressmen feel that their area has not received its share of big Government construction. To a disturbingly large degree, this type of thinking has dominated our nationwide water and land resources program.

Each year the Corps gets a little less than 2 billion dollars for its civil works projects. Most of this money is funnelled through the Omnibus Rivers and Harbors Act commonly referred to as the "pork barrel".

The term "pork barrel" is believed to go back to the days of slavery. As a special treat, the plantation owner would call his slaves around him and then knock the top off a barrel of delicious preserved pork. There would be a mad rush with everyone reaching into the barrel for as big a chunk of pork as he could get.

History has failed to credit the person who noted the similarity of this custom with that of handing out choice Federal projects.

One of the basic facts of Washington political life is that you do not rock the boat that is carrying the pork barrel . . . and I am not naive enough to hope that this grab bag system of temporary welfare will change within the near future. However, I do think that we, as citizens, should insist upon a new brand of pork—the sweet pork of pollution control.

For example, in West Virginia, the U.S. Army Corps has been ordered to build the Rowlesburg Reservoir project in Tucker County. The dam is to be a concrete structure 271 feet high. The dam will cause the flooding of almost 10,000 acres, much of it being prime farm land along the Cheat River. During the spring and summer seasons, a great deal of this impounded water will be released to flush out the river pollution, mostly in Pennsylvania around Pittsburgh. As a result of this huge water release, there will be thousands of acres of land along more than 30 miles of the river that will be nothing but mud flats for almost half a year.

Not only is the Rowlesburg Reservoir to be an admitted environmental disaster, it is also a waste of money—to be exact 35 million dollars worth.

There is no conceivable way that West Virginia can benefit from the construction of this dam. In fact, Tucker County is being stripped of valuable land that no longer can be taxed to support its schools and other public services. . . . This is sour pork.

On the other hand lets think of what we could do with 35 million dollars together with the skill of the U.S. Army Corps of Engineers.

Instead of a dam that few people want we could stop pollution and acid mine drainage at its source rather than flushing it away to create problems elsewhere. This is sweet pork.

Instead of a dam, we could plan a program to have the corps remove all the gob piles currently polluting and causing siltation of our navigable rivers and streams. This is sweet pork.

Instead of damming up the rivers, the U.S. Army Corps could be cleaning them up. This is sweet pork.

These and other solutions must come from the Halls of Congress. This Congress must provide this direction and the best place to start is to cancel the Rowlesburg Reservoir project. Already many injuries inflicted upon our environment are wounds that cannot heal. Let us not rub salt into those wounds by the construction of this dam.

Valleys flooded beneath giant reservoirs are flooded for all foreseeable time. Scenic and free flowing rivers once dammed are forever lost.

The message then for Earth Week, 1971, is for Congress to free the U.S. Army Corp of Engineers by giving this highly skilled group a new mission of rebuilding the nations supply of clean and healthy water.

Or in other words to make a new fountain of life out of the old pork barrel. How sweet it would be.

#### CHEAT VALLEY CONSERVANCY OF TUCKER COUNTY

(By Mary Jane Hedrick, Sheriff of Tucker County)

Fellow Citizens: I stand here today, representing the Cheat Valley Conservancy, the people of Tucker County, and my family.

The Cheat Valley Conservancy, Inc. was formed June 24, 1970, to oppose the construction of the Rowlesburg Dam and to keep the Cheat River a wild, free flowing, scenic stream that has history dating back to 1776 when St. George (then Fort Minear) became the first settlement in Tucker County. Markers have been erected by the West Virginia Historical Society for the village itself and for Fort Minear and the St. George Academy. Many other historical points of interest stand in the valley waiting for private development to allure the tourist.

If constructed the Rowlesburg Dam would be a concrete gravity dam 271 feet high and 1,695 feet long. The full pool elevation would be 1,632 feet above sea level. The permanent pool elevation would be 1,420 feet above sea level. 1,632 feet minus 1,420 feet equal 212 feet, which is the fluctuation of the waterline around the lake.

This fluctuation will create "mudflats" over approximately 20 miles of the stream bed and the fertile bottomland now under cultivation. Many of the homesites and cabins of the Cheat Valley are located within the 300 foot strip to be purchased above the full pool mark. This fact will eliminate at least 155 families from the area. The Corps of Engineers do not have a sponsor for this recreation that is supposed to be developed within the 300-foot strip. The West Virginia Department of Natural Resources have rejected the recreation, say it is not feasible, that the great recreation potential exists as the river and the land is today and should be further developed by private individuals.

Tucker County has two state parks within 30 miles of the Rowlesburg Dam site. The Monongahela Power Company has applied for a permit to construct a power dam with a recreation aspect near the Canaan Valley State Park. This development will more than double the tax revenue for Tucker County while the Rowlesburg Dam will remove at least 25% of the now taxable land from the books.

Tucker County is already 42% owned by the federal government and with the land required by Rowlesburg the federal government will own at least 75% of the land. With only 269,869 acres in the entire county this does not leave much for the people. Tourist visiting has become a way of life of our area. We have always been ready to share as a true mountaineer what we have. However, we feel we have just about come to the end of the trail when asked to sacrifice the Cheat River and its fertile and scenic valley.

Not only will the county government be affected by loss of tax revenue but our school system as well. A survey of the 1970-71 enrollment shows that at least 10% of the students would be re-located with their families. We have to assume that these people will leave Tucker County for there is no other place for them to locate here. If we lose 10% of the students our state aid will be cut. So the schools lose county tax and state aid.

Tucker County the proposed recreation site of the East is losing its citizens, its heritage, its government, its educational system; indeed its identity as a county for what?

Water Quality: Cheat River appears to be clear. The Monongahela River at Pittsburgh is heavily polluted by industry. Pollution dilution will be carried on.

Flood Control: Tucker County will receive very little; indeed West Virginia will receive

only \$29,000 compared to the over all sum of \$2,094,000. The greater benefit goes to Pennsylvania.

Hydroelectric: Monongahela Power let their permit expire because for hydroelectric the project is not feasible.

The recreation lands will be bought even without a sponsor held 10 years and disposed of as surplus lands. A very unfeasible use of fertile lands now under cultivation and producing a livelihood for people.

No recreation, no power production, no water quality needed here. If the Rowlesburg Dam is constructed for flood control only we will be spending \$1.06 to save \$1.00.

Governor Moore has offered misgivings to the project and asked for a complete re-evaluation.

Senator Randolph believes a complete independent environmental study needs to be made of the project.

Senator Byrd met with the Cheat Valley Conservancy and seemed concerned. The Corps of Engineers themselves appear concerned over the project. Land acquisition which was slated to begin this year has been halted until an Environmental statement can be filed.

There is concern over Rowlesburg by local citizens, out of state visitors, cabin owners, fishermen, sportsmen, boaters, etc. The young and old have come to love the river and the valley. What price can be placed on the present recreation, historical and scenic sites, on the 4-H camp, the golf course on St. George on Holly Meadows. I have no price to place on my home in the valley for I and my family wish to remain in Tucker County in West Virginia as do my neighbors and many of their children.

What will the answer be??? To date the Environmental Draft statement does not present a clear picture of the effect of Rowlesburg on the lives of people.

#### ENVIRONMENTAL POLLUTION

(By Nick Casey, President of Student Council, Charleston Catholic High School)

The environment and pollution are the key issues which invade every discussion these days. It is an important topic for businessmen, concerned adults, and the innocent youth. By "innocent" I mean in the sense that we are being handed something we didn't create. I'm not using this to lessen our responsibility but to give you an idea of how we sometimes feel.

Every generation is left with the wonderful technical advances of its predecessors and sometimes unfortunately the shortcomings of this same technical progress. This is the situation today's youth are caught in.

Pollution is a loss. A by-product of useful production which serves no purpose and doesn't benefit anyone. It only endangers and disgusts all those who breathe it, smell it, hear it or live with it. I've lived in the Kanawha Valley my entire life; so while I'm not an expert on pollution I feel I have excellent first hand knowledge of it. In the past several years since pollution has become an issue I've noticed things in the valley which appear to be the sole result of pollution.

Mornings in Charleston have their own particular qualities. If the wind is blowing up the river you get the smell of dead fish from the South Charleston plants; if the wind is blowing down the river you get a heavier ammonia smell from the plants at Belle. These odors vary according to the way the winds blow so on some days your interesting contrasts.

Sunrise during the summer is the same as it has always been but the fog or smog seems to linger in the valley for longer and longer periods each year. The smog often stays until mid-afternoon and if you attempt any strenuous sports or other activities which cause you to lose your breath

it will probably stay lost until you get in and out of the smog.

One thing which has always disgusted me is the Kanawha River. I have lived near or on the river for 16 years; never once have I swum in it. The reason is pollution. The river is filthy and dangerous because of chemical pollutions. The river is filthy and dangerous because of chemical pollutants. Sewage and storm sewers dump into the river and the trash along the banks makes the dirty gray water even less appealing.

Almost all the other activities associated with water are lost because of pollution. Boating is almost as bad as swimming in the river and the smell of the river on a hot day is stifling. Fishing is a lost art. The best fishing spots are around the sewers where catfish and carp gather to feed. You can imagine the quality of the fish you catch.

Pollution associated with people is growing in the valley. Along roads, in parking lots or residential areas you see the effect of more and more people. Litter and cans infect every road. Paper thrown from cars and other disposable paper products are scattered everywhere. Traffic congestion has grown and air pollution from cars is as dangerous as the potential of more traffic accidents; and in downtown Charleston the ever present smell of carbon monoxide.

Most of my criticism has been directed at large scale industrial polluters. But the public in general and the "innocent" youth are not so innocent. People are as responsible for the environment and pollution as any industrial firm. Most of the roadside trash has been deposited by careless individuals who simply out of habit throw trash anywhere. People drive their car to work everyday but few are willing to use public transportation or walk in order to cut air pollution. Teenagers are just as guilty as their older counterparts. They throw trash, drive cars and create noise pollution with their music as any classical loving adult will testify.

Pollution is more than the great amount of smoke and liquid waste we see everyday. It is the cigarette butts and wrappers people drop. Everyone is willing to put the blame for pollution on someone else but nobody is willing to admit their own guilt. People blame industry but are blind to the fact that their buying power is what controls industry. Pollution is a habit, everyone does it, consciously and unconsciously. Ask any person on the street and he will probably feel something must be done. As for writing letters or attending anti-pollution meetings he won't have the time. I don't feel people are apathetic, they are really concerned but they won't make the small sacrifices necessary to achieve some real action. Industry won't make the sacrifices necessary to self-regulate and clean up in the same way that a person will toss a gum wrapper on the ground rather than take a few extra steps to deposit it in the proper receptacle.

Practically, economics is a big factor. To me a layman recycling appears to be a good answer. Wastes are no longer useless by-products but resources to draw from. If this practice is feasible in some industries such as glass and aluminum I'm sure it can be applied to other industries through technology. Technology which seems to have created the problem will also have to solve it before it is too late. What is needed, not only in Charleston but everywhere, is a co-operative effort by industry, government and the public. When all involved are willing to accept their responsibility and make the necessary sacrifices we will begin to achieve large scale success.

#### A BASIC RIGHT—WATER POLLUTION CONTROL (By E. Dandridge McDonald)

Mr. Congressman, ladies and gentlemen. My name is Dan McDonald, and I am an attorney with Appalachian Research and

Defense Fund, Inc., a regional public interest, legal services program. I am also chairman of the Water Pollution Committee of Citizens for Environmental Protection.

America, America, God shed his grace on Thee; and crown thy good with brotherhood From sea to shining sea

Mr. Congressman, if our Nation's rivers and lakes have anything to say about it, and if those who use the oceans for waste disposal have anything to say about it, our seas will not, or could not, remain "shining" for very long at all. Already (a) color and heat variations have been observed in sea water near mainland cities and populous islands; (b) offshore drilling rigs have spewed millions of gallons of crude oil onto the sea's surface; and (c) individuals and governments alike use the ocean as a garbage dump.

The environmental fervor which has built up in the past several years has been manifested in voiced concern and enacted legislation. That fervor is still apparent today, this last day of Earth Week, despite the fact that those marching on this day in our Nation's Capitol are struck with another kind of fervor, no less vital than mine. But their issue today and ours, have several things in common.

We both think that citizens have the right and the obligation to make their voices heard.

We both think that not only must our institutions, on all levels, respond to the call of the people, but also that our leaders actually serve us with wisdom, honor and foresight.

We both believe that there are things to be done.

We both believe that they are not being done quickly enough.

We are here to talk about an environmental bill of rights, because we believe that we have certain non-political, non-governmental God given human rights. Two of those rights are the right to clean air and the right to clean water.

Mr. Congressman, it has been my experience that both individuals and institutions will work toward common goals if leadership and incentive are provided. And that's where the government comes in. I had an industrial leader tell me just yesterday, "whatever Federal and State pollution abatement standards are set, we will meet them."

The following thoughts occur to me to help us realize our right to clean water:

Water quality criteria should uniformly include uses for recreation, drinking and aquatic life. Because adequate at-source treatment exists or is being developed, there should ultimately be no "industrial only" classification.

Ultimately, tertiary treatment must be required for all municipal and industrial wastes. While treatment techniques will vary from effluent to effluent, this treatment will include biological aerobic and anaerobic digestion, plus such advanced techniques as slow and fast sand filtration, lime and alum coagulation, activated carbon adsorption, electro-dialysis, ion exchange, reverse osmosis, and other procedures to be developed.

The rivers and lakes belong to all the people. Therefore, we must have a right to know what is going into them, and what we are drinking and using. We must be equipped to do the research if polluters do not. We must know (a) which of the 106 elements are being discharged and in what quantities and combinations; (b) what the synergistic and catalytic effects of these elements and chemicals are on other elements and chemicals in the water; and, (c) what their effect is on aquatic life, marine biology, and the human body.

Armed with this knowledge we must learn (a) how to eliminate completely those elements and chemicals which are harmful; (b) how to oxidize or neutralize all other discharges, including the ever-present acid mine drainage; (c) how to protect our existing

ground water systems from receding water levels and from such pollutants as detergents or trace elements from underground discharges; and, (d) how to develop low-cost, efficient home chemical sewage treatment units which can be made available and perhaps required for all rural housing now discharging into waterways.

Given this knowledge and these techniques, we should (a) make our water quality standards and the concomitant permits to discharge wastes tougher and tougher, ultimately aiming for a potable, high dissolved oxygen content water; (b) provide for regular, frequent water quality reports for municipal water systems; and (c) provide for citizens suits and mandatory fines for violation of water quality standards.

Finally, all this will take money. While the Federal Government is a source of funds, industries and municipalities must also be encouraged to engage in pure and applied pollution control research, through tax incentives; mandatory percentage of gross sales requirements; as a condition of permitting dumping, or some other method. With a gross national product of over one trillion dollars, money is not the problem, incentive and order of priority are.

I firmly believe we can clean up our lakes and rivers if we want to. And frankly, I want to see us take advantage of the favorable climate for such reform while it exists.

Thank you.

#### THE PESTICIDE PROBLEM

(By Mrs. H. L. Snyder)

This poster, copied for me by my son from Punch magazine, illustrates very well the main point I have to make regarding the pesticides which are stable and collect in the tissues of the animals which consume them. These are the fat-retained chlorinated hydrocarbons which are placed in small quantities in the air or water to kill some pest, but which do not readily break down into harmless forms in the soil or water but tend to accumulate there in increasing amounts. These remain in the fat tissues of the animals which eat the plant and water vegetation. As these animals are consumed by predators, this pesticide is not consumed as well, but remains in the body fat of the predator. Since these animals have eaten many smaller ones, the amount remaining is thus magnified. This follows all the way up to the top of the so-called food chain as animals prey on the ones below. Man is up there.

We lay down a tremendous barrage of poisons at the buzz of a bug. The entomologist has recently been joined by the farmer in his concern about the number of beneficial insects being wiped out. When the bees are killed, the farmer can see that this is a serious problem. Frank Graham, in his book "Since Silent Spring" states, "Of the three million insect species known to exist only .1% are classed as pests." Frank Egler writing in American Scientists (52)1: 110 Mar. 1964, bemoans the fact that horticulturists blithely recommend that certain parts of the garden not be sprayed so as to protect the beneficial insects, thus implying that bad insects will go where they can get killed and good insects go where they will thrive, not to mention the intelligence of the chemicals themselves to stay where they are put and not move past the garden wall, in ground water, in surface runoff, into bodies of animals in the food chain and, finally not meet and react with other chemicals to form even more critical compounds.

We in America have the largest concentration of DDT in our tissues of people in any other country. It is between 12 and 14 parts per million. We are the absolute leaders in this area. Nobody else is running even close. If we stop using it tomorrow, because of its peculiar properties it will still be around an undetermined number of years. I'm singling out DDT because everyone has heard of it and it is the most dramatic of

its sisters and its cousins and its aunts all of which share the same characteristics to some degree.

The writer of publication booklet #9842 "A Bombs, Bug Bombs and Us" which deals with work carried out at Brookhaven National Laboratory under the auspices of the U.S. Atomic Energy Commission, states, "Two aspects of environmental pollution—radioactivity and pesticides—illustrate most effectively the problem of the inability of earth's air and water currents to dilute man's wastes and poisons. The lessons from these call for restraint and a gradual revolution in the use of environment and in pest control. Two ecological ideas are at the heart of these pollution problems: first, is the principle that substances released into the environment move in pathways loosely described as cycles and often return concentrated to threaten man himself; second, the poisons used to control pests have effects on many populations, not merely the pest; effects of these poisons include: (a) killing of some wild animal populations, especially those of predatory animals which regulate populations of other animals; (b) causing population eruptions of other species, which may become new pests, while (c) the old pests remain and evolve new ability to survive the poisons. The short life cycle of insects means that their capacity for rapid evolutionary change is great. When plants are sprayed with pesticides the individuals of the pest species that are most resistant are naturally the ones to survive and reproduce a generation more resistant to the pesticide."

Prof. Charles F. Wurster of N.Y. State University's Biology Dept. who is also Chairman of the Scientists Advisory Committee, Environmental Defense Fund writes in the new book *Agenda for Survival*, an essay detailing results of certain studies and experiments of the effects of DDT on birds and fish. It is a fact that DDT is causing the extinction of some species of birds by interfering with their calcium producing ability which in turn causes the eggs they lay to be mere membranes many times, incapable of supporting a chick to maturity. As Frank Graham said of the British when they were faced with the death of large numbers of song birds due to pesticide poisoning. "They did not engage in the specious debate over 'What do you want? Birds or People?' of which I am heartily weary. They sensibly took it as a sign that their environment had sickened and took steps to undo the damage by banning the offending pesticide and taking a hard look at the others." To continue with Wurster. Another serious indictment of DDT is that it is interfering with the photosynthesis process on which all life on earth depends. It is having a serious effect on fish reproduction—salt and fresh water. In some cases 100% mortality of the fry occurs. Food from the sea supplies many nations with the bulk of their diet.

Other data regarding pesticides in general are contained in the remarks made by Congressman Obey prefacing the introduction of a bill in the H.R. aimed at strengthening our controls of pesticides. This bill is identical to the one introduced in the Senate by Senators Humphrey and Nelson. He stated that DDT was found by FDA geneticists in a special study to cause mutations in rats and is the cause of cancerous tumors in other animals. That University of Wisconsin scientists have reported that hard pesticides, including DDT and dieldrin reduce resistance to and raise death rates from viral diseases. That each year pesticides may poison up to 30,000 persons seriously enough to require medical attention. The list goes on to detail fish kills which are numbered in the millions.

The proposed bill is good, but in light of the knowledge about the dangers of pesticides which is rapidly mounting, I propose two amendments that will make it even

stronger. The first would amend Section 5 which deals with registration to repeal the registration of the 15 pesticides which the Rachel Carson Trust for the Living Environment has singled out in calling for a voluntary ban on them by individuals. These are: Aldrin, chlordane, DDT, DDD, DDE, dieldrin, endrin, heptachlor, lindane, toxaphene, arsenic, mercury, lead, 2,4,5-T and 2,4-D. The second amends Section 9 dealing with certificates for purchase and use to specify that only those people involved in vital services such as food production or protecting the public health from a serious outbreak of some disease may receive certificates for purchase and use of other commercial pesticides. We should not be allowed to purchase poisons for aesthetic purposes such as gardening. Organic gardening is more trouble, but we can no longer afford dangerous short cuts.

Mr. Obey described one of the most glaring weaknesses of the old law as the section dealing with cancellation procedures. I'm sure that the average person is terribly confused by cancellation announcements that apparently aren't worth the paper used to report them. The long, drawout procedures presently permitted may take up to two years with the pesticide in question being produced and sold all the while. This situation has been most frustrating not to say frightening! The new bill will reduce the time considerably and require immediate suspension of any pesticide under investigation. I gather that it might be expressed as guilty until proven innocent of any ability to harm organisms now or in the future. This is what is needed. It is long overdue.

#### PROPOSED AMENDMENTS TO H.R. 4596

I. Amend Section 5 registration to repeal registration of the 15 poisonous substances listed by the Rachel Carson Trust for the Living Environment with the request that we voluntarily ban them. These are:

Aldrin, Chlordane, DDT, DDD, DDE, Dieldrin, Endrin, Heptachlor, Lindane, Toxaphene, Arsenic, Mercury, Lead, 2,4,5-T, 2,4-D.

II. Amend Section 9 certificates for purchase and use to specify that only those people involved in vital services such as commercial food production or protecting the public health in the event of a serious outbreak of disease may receive them.

Do it yourself—Pesticide (Insecticides, herbicides etc.) Avoid following: Aldrin, Chlordane, DDT, DDD, DDE, Dieldrin, Endrin, Heptachlor, Lindane, Toxaphene, Arsenic, Mercury, Lead, 2,4,5-T and 2,4-D.

Do it yourself—Audubon Society suggests the use of the following pesticides only if natural methods for controlling insects fail. Read directions carefully. Spot treat only—never broadcast. Healthy soil and proper diversified planting discourage pests. Cleanliness around outside, elimination of stagnant water, choice of insect-resistant plants (and a variety of them), insect eating birds (have nesting houses to attract them) all help. If you have a serious problem, try soapy water sprays, plain water sprays, or a light oil spray first. If you must resort to further measures (and remember, most insects are beneficial), use the following cautiously after carefully reading directions.

For:

Aphids—May be washed off; or Pyrethrum, Rotenone, Nicotine Sulphate (Black Flag).

Caterpillars—Rotenone, Diazinon<sup>1</sup>; Methoxychlor, or the carbaryl, Sevin.<sup>2</sup>

Chiggers—Malathion.<sup>3</sup>

Chinch Bugs—Diazinon, Sevin.

Cut Worms—Diazinon, Sevin.

Earwigs—Try dessiccants in dry places—Silica gels such as Dri-Die SG67, or diatomaceous earth, "Permaguard".

Grasshoppers—Diazinon, Sevin.

<sup>1</sup> Diazinon—Toxic to birds.

<sup>2</sup> Sevin—Toxic to bees.

<sup>3</sup> Malathion—Toxic to man and animals.

Japanese Beetles—Milky Spore disease for grubs (available at Fairfax Biological Lab., Clinton Corners, N.Y. Malathion or Sevin for adults.

Lawn Moths—Diazinon, Sevin.

Leaf Hoppers, Leaf Miners, Leaf Rollers—Diazinon.

Mites (red spiders)—Oil spray; hot water.

Scale insects—Diazinon, Sevin, Malathion.

Spittlebugs—Malathion, Sevin.

Thrips—Nicotine Sulphate, Diazinon, Malathion, Rotenone.

Wireworms—Diazinon.

Wood Borers—Diazinon.

Wasps, Hornets—Rotenone applied to nest after dark. Cover tightly with cotton batting after dusting.

Mosquitoes—Eliminate all standing water in cans, bottles, etc. Use Pyrethrins and oil to kill larvae (make sure you have larvae. Don't do this preventively). Short-lived insecticides such as Abate, Dibrom as adult mosquito killers. (Keep birdbath clear with fresh water every day; never use oil or detergents in them to control larvae. This kills birds.)

Gypsy Moths—Overrated pests. Research under way. Consult local Agriculture Department. Sevin as last resort.

Household Pests: Ants—Dessiccant powders into woodwork cracks (Dri-Die, SG67 or diatomaceous earth "Permaguard").

Bed bugs, roaches, fleas, silverfish—above mentioned dessiccants or Malathion or Diazinon.

*Recommended reading:* The Basic Book of Organic Gardening. Rodale (available in paper back 1.25).

Bibl., Chas. Woman's Club, G.A.S.P., User's Guide to the Protection of the Environment", Swatek; "Since Silent Spring", Graham.

#### THE EFFECTS OF POLLUTION ON THE FREE MARKET ALLOCATION OF RESOURCES

(By Dr. William Call)

Congressman Hechler, ladies and gentlemen. My name is William Call; I am an attorney, CPA and Assistant Professor of Economics at the Kanawha Valley Graduate Center of West Virginia University.

My purpose in speaking to you this afternoon is a very simple one, and that is to point out that contrary to the belief which might be held by some, government efforts toward pollution control, rather than being an interference with the free market system, are in reality usually a means by which a free enterprise system can be made to work better as it attempts to allocate an economy's scarce resources to the production of the goods and services most desired by society.

The reason I say this is because of the generally accepted recognition by economists that for a purely competitive economic system to work at its best to produce those things most desired by members of the economic society, all costs must be taken into consideration in making pricing and output decisions within that system. That is, for the system to work most efficiently, if one were to add up all the costs considered by firms in making their business decisions, their total would have to equal all of the costs expended by members of the economic society in the production of the goods and services by that society. And since the costs of pollution do not enter the producer's decision making process, whether they be the deleterious effects of discomfort of poor health or the costs of abating or repairing these conditions, they are what the economist calls "social costs", the omission of which from business calculations must be considered to be a malfunctioning of the free market system.

Let me explain by way of a simple illustration. Suppose that we are considering two firms, one producing, say, shoes of a certain type, and the other, say, paper of a certain quality, both of which are produced under

conditions of pure competition. Further, for purposes of simplicity of illustration, let us assume that the shoes are produced under conditions in which all costs to society are represented by money costs paid by the firm to the owners of factors of production such as the labor and capital used in producing shoes. In other words, shoes in this example are produced under conditions in which if the firm desires to use part of our society's resources, its technology and the legal environment are such that it must pay for these resources, and record those payments—its costs—upon its books of account.

Let us assume, however, that this is not the case in the hypothetical paper industry, but that the technology and legal environment there are such that the firm is spilling pollutants into the environment, without being required to reimburse the members of the community for their costs of repairing house paint, clothing, health and so on caused by these practices. Therefore, the economist would say that this firm is incurring social costs, or costs to society which are not being recorded on its books.

Let us now consider how a free market economy would operate in such a situation as it attempted to produce those goods and services most desired by members of our economic society and to channel our limited productive resources into the production of those items. Although this system can be described very rigorously in both graphical and mathematical terms, I will attempt very briefly to explain what economic theory would hold that it could be expected to do.

First, we would expect each producer to add up its costs of producing each good, add on some profit for itself and place a price tag equal to the sum of these on each good. Note, however, that since the paper producer did not include its social, i.e., pollution costs, in its computations, its price would be less by an amount equal to the per unit cost of abating or repairing the nuisance caused by the production of this good, had all costs been recorded. The shoe producer, on the other, would include all costs of production in its computation. Next, we would expect consumers to make purchasers from the wide range of products available to them in light of their incomes, tastes and most importantly the price of each product. We would expect that if consumers wanted a good badly enough they would pay a high price for it; if they wanted it less badly, they would pay less. Let us assume, however, that they wanted both the shoes and the paper equally as much, but that they could only afford to buy one of these goods.

Let us assume further that the total costs, both social and private, of producing each were the same, but that because the paper manufacturer did not have to pay for his social costs, the price of paper were to be lower than that of shoes. Which product would be produced and purchased? The answer, of course, is the paper, since the paper firm, by pushing the cost of abatement of repair of damage caused by its technology onto the public, has actually received a subsidy unwillingly given by the victims of its nuisance, which allows it to charge a lesser price than if it had been required to count all of its costs. Therefore, more paper and fewer shoes would be produced and sold than would have been the case if the market had reacted to all of the costs involved in producing each good. Scarce resources of our country would therefore be used to produce goods that our residents would buy only because their costs of production were lower by the amount of this subsidy.

How can we make our system of "mixed capitalism" work more perfectly so that the "unseen hand" of competition is better able to decide the collection of goods and services most wanted by society?

The answer is to cause firms to include all costs, both social and private, in their deci-

sion making process. Perhaps this could be done by the enactment of legislation which would provide in an equitable manner for the ultimate prohibition on such undesirable practices, by which firms would be forced to purchase the equipment or other resources needed to abate these nuisances. Or, alternatively, a tax might be imposed on such firms which could be used to meet the cost of repairing or abating damage done to the ecology by such practices.

In either case, firms would then have to record these costs on their books of account, and therefore all costs would then be taken into consideration in the firm's pricing and output policies. Consumers then would have an opportunity to choose or not choose the goods they desire at a price which included all costs of production, and we would have caused the market system to work as it is supposed to work in making these decisions for us.

I hope, Congressman Hechler, that you and the other members of our federal government will work toward the equitable achievement of these goals in a manner consistent with the other needs of our citizens.

Thank you.

#### LABOR'S ROLE: IN-PLANT POLLUTION

(By Wendell Drake)

Organized labor has always been concerned about in-plant pollution and its effect upon its members. Over the years labor leaders have been successful in vastly improving the work place through the collective bargaining process. In addition, labor has proposed legislation at both the state and federal levels that sets minimum standards for all employees, whether union or not. To this degree labor unions have had some success.

In recent years, some International Unions have adopted strong policies about improving the quality of our environment outside the work place. AFL-CIO President George Meany has made several speeches in which he referred to "the overall threat to our environment" as one of the critical issues that unions will have to address throughout the 1970's. The late Walter Reuther of the United Auto Workers (UAW) proclaimed that "the environmental crisis had reached such catastrophic proportions that the labor movement now is obligated to raise the question at the bargaining table." Also the Oil, Chemical and Atomic Workers Union (OCAW) presented demands at the bargaining table at the last round of oil industry negotiations.

Both UAW and OCAW came away from negotiations empty handed on the issue. The Steelworkers (USA) and Communications Workers (CWA) are now engaged in negotiations with similar demands. It is likely that they too will come away empty handed. Why? Perhaps the best answer was given by one union leader: "The first principle of collective bargaining is that you can't win a major concession from management unless your members are willing to strike for it. Our members are not willing to strike for clean air, and until they are, it won't be a real bargaining issue."

There are some isolated instances where unions have teamed up with environmental action groups to prevent corporations from blackmailing the citizens by threatening to lay-off large numbers of workers because of governmental and citizen pressure to comply with air quality standards. Such an example was recently observed at the Union Carbide's Marietta, Ohio, Ferro-Alloy's Plant where the local union, worked with Ralph Nader's Associates.

On "In-Plant" problems the 1970 Occupational Health & Safety Act is a direct result of Labor's effort. It was first introduced in 1968 under the Johnson Administration and never got out of committee. It was reintroduced in 1969 under the Nixon Administration. The Administration then introduced

its own version which was backed by the National Manufacturing Association which was obviously inferior. The issue then became which Bill Congress was to act upon. Organized Labor worked hard and most of the provisions of their law was enacted. The law becomes effective April 28, 1971. However, the Administration did not ask for a supplemental appropriation for the remainder of the Fiscal Year 1971 and no provisions in the 1972 budget for operation of the newly created Institute of Occupational Safety and Health, a vital part of the Act if it is to be enforced as intended.

The law covers about 57 million wage earners of the estimated 80 million presently in the nation's work force, and it covers 4.1 million work places. It does not cover employees of the U.S. or any state or political subdivision of a state. It does provide for inspections of plants and they will occur when any interested party, including employees, demonstrates that a hazard exists. Inspectors may be accompanied by representatives of both management and labor, which is something very important. The law also provides that anyone who gives advance unauthorized notice is subject to a fine and/or jail term. (This wasn't true before.) The law will be administered by the Secretary of Labor with H.E.W. responsible for research in Health and Safety areas and determination of exposure levels that are acceptable and safe.

Let me read you excerpts from a H.E.W. conducted inspection made at Allied Chemicals plant in Moundsville, in February 1971 on Mercury contamination of employees:

"Exposure to metallic mercury occurs primarily through inhalation but absorption can also take place through the digestive system and the intact skin. The American Conference of Governmental Industrial Hygienists (ACGIH) has established 0.1mg/m<sup>3</sup> (with notice of intended change to 0.05mg/m<sup>3</sup>) as the level of mercury vapor which can be tolerated continuously over an eight-hour period with no apparent ill effects.

"The biological threshold of mercury absorption can be gauged through an analysis of mercury in urine.

"The symptoms of acute mercury poisoning are: (1) excessive salivation with a metallic taste; (2) abdominal pains with nausea and vomiting; (3) sore mouth, tongue and throat with small ulceration; (4) kidney shutdown; (5) bloody diarrhea; (6) liver damage; (7) shock; and eventually (8) death, which can occur in a few days.

"If the exposure to mercury is lower so that it does not cause acute poisoning, but above the threshold limit value and the exposure time is prolonged, then chronic mercury poisoning can develop. This is the most common of the two types of poisoning seen among those occupationally exposed. The symptoms of chronic mercury poisoning are: (1) sore mouth, which is generally the first symptom, associated with puffy and bleeding gums, loose teeth, pain on eating, excessive salivation with a metallic line in the gums; (2) nervous system changes, primarily trembling of hands, lips, tongue, and eyelids. Inability to write legibly, then inability to perform any manual task with accuracy; (3) personality change characterized by shyness, irritability, and complete change in social behavior; (4) eventually permanent damage to the eyes, kidney, brain, and probably other organs of the body."

The following is the result of 11 individuals tested at the Allied Chemical plant:

"Concentration (micrograms per liter)—116.0; 375.0; 830.0; 660.0; 324.0; 240.0; 310.0; 170.0; 430.0; 660.0; 116.0; 64.0." Excretory Threshold limit value: 250 micrograms per liter.

What is being done here locally? A tentative date of May 8th, is set for a conference at IAM Local Lodge No. 598 in South Charleston on Occupational Health. A team of scien-

tists and medical doctors are to meet with union members working at the Union Carbide's South Charleston, Institute, Alloy, Annmore, and Marletta plants to answer questions regarding the nature of various substances that may be harmful to the health of employees, and suggest a program that will be corrective in nature. Also, some blood testing and lung function tests may be done at the meeting.

In addition, this same team will conduct an epidemiological study in one or more of the earlier mentioned plants sometime in the near future.

I conclude by asking Congressman Heckler to use his influence to secure adequate funds for the Occupational Health and Safety Law and to urge the Secretary of Labor to invoke Emergency Powers upon request when cause is shown.

Thank you.

#### POLLUTION CAUSED BY NEW ROADS IN CHARLESTON, W. VA.

(By Mrs. Robert Cassidy)

Congressman Hechler, Dr. Wilcox:

In my remarks I am referring to Charleston-proper (i.e. East Charleston), which extends from Elk River to and beyond the Kanawha City Bridge. East Charleston is the central city; it is only one-mile wide, it is densely populated and its air is already dangerously polluted, largely from industry. If the through-city route for highways is finalized for East Charleston, then the city's hills which provide the beautiful natural setting will be permanently destroyed by blasting them out to within a few feet of their crests for the highways. Also the air will be worsened due to the greatly increased volume of through traffic; while the finalizing of the route through the town will mean that the hundreds of tank-trucks that now travel through the city carrying lethal materials and subject to wrecks and spills will be routed through on a permanent basis, endangering the lives of thousands of residents.

Many town residents have protested the through-city routing of highways for Charleston-proper and asked for the bypass with access roads up the natural hollows. I myself have written over one hundred letters to Washington protesting the unrealistic and unethical routing; protesting also the manner in which the "thruway"—as the route through East Charleston is sometimes called locally—is known to have been "planned" by local special interest groups, which groups then handed the route to the State Road Commission with the demand that the Commission find for it and no other.

Protest groups were formed as early as 1964 or earlier, and other such groups have been organized from time to time since then to protest the through-city route for East Charleston. But protesting through the prescribed channels—I refer to writing letters to Washington, attending the so-called "open" hearings held by the State Road Commission and petitioning—is an exercise in futility. These prescribed channels, far from being open for legitimate protests, are in fact set up to contain and suppress popular criticism of the going practices in order that organized opposition will not develop. The average American finds that he is politically impotent.

If the through-city route, now approved by Secretary Voipe, is built through one-mile-wide, densely populated East Charleston, it will mean that the hills through the town will be permanently destroyed, with the many trees, that are not only beautiful but also give off much needed oxygen, being blasted out, along with the soil, the birds and other small wildlife. All that will be left will be a high rock-rise, as in strip mining. This rock-rise will look out over the city where the beautiful hills once stood. If this is done it will be said of Charleston and West Virginia that never before was so much of a

city's natural environment destroyed in order that a few could profit.

For the truth is that the plan to route highways through Charleston-proper where they will displace many people, originated in the local Chamber of Commerce because local special interest groups demanded the "thruway" for East Charleston. These special interest groups—realtors, money-lending institutions and land speculators—will profit, just as they foresaw, but the profits will have been amassed at the expense of a great many average people in the town. For although residents who can afford to move up into South Hills, or entirely away from the polluted and disfigured valley-town, will do so, others will have to remain, captives of conditions over which they have no control.

Perhaps the basic issue here is: should the present Administration in Washington repeatedly claim it is its sincere desire to save the natural environment, preserve cities for people and control pollution, at the same time it is permitting its Highway Department to destroy the city hills of the capital of West Virginia, escalate air pollution and degrade the town and its average, middle- and low-income families? Are Americans to continue to be asked to believe what the government says it is doing rather than what they see it is doing? Is the credibility gap to continue to widen?

Is the environment which the people consider their natural home to continue to be systematically destroyed by the government? Or will there be a change—a change which favors the people, their cities and the natural environment?

And finally, are not the present practices employed by the highway hierarchy responsible for the present day dislocation in cities for which those who can escape are escaping, and for the discouragement and disaffection of thousands of others who cannot escape to better conditions and are rendered homeless and rootless?

#### THE DILEMMA OF THE CITIZEN AS CIVIL SERVANT

(By Norman Williams)

A provocative, if slightly tongue-in-cheek study, entitled *The Peter Principle* suggests that bureaucrats tend to reach their own "level of incompetence", by virtue of being kicked upstairs repeatedly in response to bureaucratic needs which are not consonant with their individual talents or abilities.

As a card-carrying member of the West Virginia State government who has reached and hopefully surmounted his level of incompetence, I am prepared to join the ranks of pundits and soothsayers by offering an hypothesis which may throw a little light into the hidden recesses of the bureaucracy.

Appropriately enough, I have chosen to call my new theory *The Williams Whistle-Blowing Hypothesis*, and it commences by stating as a general principle that bureaucracies may be compared to electric toy trains. Hauling its freight or passenger cars at the assigned speed, the bureaucracy travels round and round on its track, through model towns, under model mountains, past model countryside.

In its own terms, the bureaucracy may be regarded as a huge success. But in terms of changing human needs, it may be largely, if not wholly, irrelevant.

Examples come readily to mind. The automobile bureaucracy, turning out cars designed to maximize profits through built-in obsolescence, gimmickry, and safety hazards. The insurance bureaucracy condoning if not cooperating with this anti-consumer procedure. The defense bureaucracy perpetuating a fantastically wasteful military adventure. And so on—Ralph Nader watchers are well aware of the toy train syndrome.

My second postulate is that toy-train bureaucracies are operated by people who are

also free citizens. In my limited experience, I have noted how most, if not all, bureaucrats sooner or later become aware of glaring discrepancies between what their organization is supposed to be accomplishing and what it is actually accomplishing.

Herein lies the dilemma. As tax-payers and as consumers, we bureaucrats often become the victims of other bureaucrats. We can and do feel outrage, frustration and even despair because our human needs are ignored or circumvented by other toy train bureaucracies.

Yet something, sadly enough, usually prevents us from identifying with those who are being victimized by our own bureaucracy. Something prevents us from speaking out against the destructive policy, the misuse of funds, the deceptive bill—in a word, from blowing the whistle in the public interest. What is inhibiting us?

My third postulate isolates three factors which will tend to dictate my bureaucratic response to a given situation. The three factors are:

1. *Clubism*. I accept the "Rules of the Club" and I adhere to those rules through thick and thin because my career and my upward mobility depend upon submission to this discipline.

2. *Cronyism*. However, within the framework of the rules, considerable leeway exists for the exercise of individual judgement. I therefore tend to follow the counsel of those with whom I have established rapport, people to whom I feel instinctively responsible, both inside and outside the bureaucracy.

3. *Bread-and-Butterism*. I know where my own economic self-interest lies and I will always act to protect that interest.

In my view, the recent controversy over abolishing strip mining in West Virginia supports this hypothesis. Numerous individuals at decision-making levels of state government had access to evidence of gross damage being done to our environment and to small property-owners' rights by strip mine operators. Although many readily admitted their deep concern privately or during an unguarded moment, the actual whistle-blowers were indeed few and far between.

Clubism, cronyism and bread-and-butterism effectively kept the great majority of decision-makers, from the reclamation inspector to the member of the legislature and the governor, in line with the status quo.

Nevertheless, a countervailing force is at work. I believe it will triumph over short-range considerations in the end. Consisting of an amalgam of the sense of civic responsibility which each of us harbors, and the growing awareness of the unit of our environment, this force sooner or later obliges each of us to face and resolve our dilemma as citizens.

It has been alleged that whistle-blowing may be a sort of subversive activity. According to this theory, by breaking down the necessary barrier between the elective-appointed executives who make policy, and the civil servants who, mercifully removed from the spoils system, carry out that policy, the whistle-blower is striking at the roots of the civil service system.

I reject this argument. Civil servants are not second-class citizens. Civil servants depend on the quality of the environment as much as anybody else; they have as much stake in its preservation; and they have as much right to speak out as private citizens in defense of the environment.

Indeed, civil servants may have a special obligation to speak out. For it is true that irreversible decisions affecting the environment are generally made in that sort of interface existing between the regulatory agency and the regulated industry. The ecological implications of such decisions may dawn upon the public months or even years later. I suggest whistle-blowing civil servants can and should perform a vital public service by helping to inject into such closed-door ses-

sions the community's determination to fully protect the environment.

Whether or not the Williams whistle-blowing hypothesis will some day take its place with the Peter principle as an epochal breakthrough in our understanding of bureaucratic dynamics, the time must come and come soon when bureaucracies, large or small, achieve through the efforts of all of us, lay and professional alike, receptivity to the changing needs of the people they are meant to serve.

#### CONCERN FOR QUALITY OF LIFE

(By Dr. Dennis Spriggs)

Mr. Hechler, my name is Dennis Spriggs, a breather of air, a drinker of water, and a partaker of the fruits of this earth. This is so because I can survive no other way and because I rather enjoy living. At least I find it superior to any alternative. And this explains why I am here today: I must express to you my concern for the quality of our life.

This is so urgent a matter that the tendency is to include in this short presentation the whole of my concerns. But this is futile, so I shall attempt to make one point only. This point is:

"We have allowed and are continuing to allow external, impersonal dogmas to run our lives. Further, I fear that our leadership does not even recognize this as a problem."

What does this mean and what are these impersonal forces? There are many, but to demonstrate the point let's consider only one of them, a two-headed monster called:

"Growth and profits are always good."

Throughout the history of our country we have labored under the assumption that growth and profits are good. In fact, they are to be sought as our prime objective because from them flow all that makes life possible. With profits, companies can pay employees and employees can buy the things they need. And growth is necessary because profits increase and life becomes better and better. This is the American dream. Our leaders have told us so. They are still telling us so. And, we believe.

But consider for a moment one trap that such blind devotion leads us into. Growth and profits are good, so all of our endeavors must result in growth and profit or they are not worthy. We hesitate to do anything that cannot be justified as being "profitable", profitable in the monetary sense. The trap is that we fall to see the worth in any undertaking if it lies outside the rationale of growth and profit.

We can prove this. Who in his "right" mind today would think of operating a business if it were not profitable? Yet is not the real reason for operating a business merely to supply goods and services that people need? So, we are trapped. We cannot do a thing for its legitimate reason. We must hide behind the profit dogma.

Let's proceed to the concern of this day—the degradation of our environment. Most reasonable people want a cleaner world. But how do they go about getting it? Again, it must be "profitable". We cannot even clean up our world unless this sacred cow is preserved!

What, then, is the alternative? For myself, I want to live in a world where man is free to do things just because he wants to do them. I want to live in a world that is free of chemical odors. I want this and am willing to work toward this goal regardless of any external measure of its worth. I want it, therefore, it is justified.

I want a world in which it is possible to see for miles and miles through clean air. The only impairment in vision that I shall tolerate is that of fogs lying quietly in our valleys on cool spring mornings or mists swirling about mountain peaks warning of the coming storm. I want this, therefore, it is justified.

Mr. Hechler, in this presentation I have not attempted to point out specific air pollution problems that should command your attention. I could have. I could have mentioned the severe odor problem in the Kana-wha Valley. I could have told you that the State Air Pollution Control Commission considers it a difficult problem, of low priority. You should also know that in the face of this public admission of the difficulty of the problem, the various chemical companies are content to sit and agree. And, those of us with a dislike for the smell of carbon disulfide must suffer the abuse of this arrogant indifference.

Also omitted from this presentation were other justifications for cleaning our environment and limiting growth. I could have reminded you that our earth might die, or that man, at least, might die if these affronts are not corrected. But, you know these things, so they were omitted.

I intended only to make one point and that is:

Please, Let's remember the real reasons for our undertakings—because people want them and need them. Let's not rely on some external, irrelevant standard such as profit figures to be a judge of the worth of our endeavors. Because, as we are reminded by the Little Prince "... for those of us who understand life, figures are a matter of indifference."

#### URGENT NATIONAL NEEDS—PRESIDENT KENNEDY'S PROPHETIC MESSAGE

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, as we fact the challenges and difficulties of the 1970's, it is well to note that only a decade ago we faced equally difficult decisions. As we attempt to plan for a significant and aggressive national space program for the 1970's, it is well to remember that on this date in 1961 the late President John F. Kennedy made an equally difficult and challenging decision. It is time again that we seize the initiative and make a positive decision for a strong national space program. I include President Kennedy's decisive words in the RECORD of 1961 as a reminder to all of us of the importance of our national space effort:

ADDRESS OF PRESIDENT JOHN F. KENNEDY, MAY 25, 1961  
SPACE

Finally, if we are to win the battle that is going on around the world between freedom and tyranny, if we are to win the battle for men's minds, the dramatic achievements in space which occurred in recent weeks should have made clear to us all, as did the sputnik in 1957, the impact of this adventure on the minds of men everywhere who are attempting to make a determination of which road they should take. Since early in my term our efforts in space have been under review. With the advice of the Vice President, who is Chairman of the National Space Council, we have examined where we are strong and where we are not, where we may succeed and where we may not. Now it is time to take longer strides—time for a great new American enterprise—time for this Nation to take a clearly leading role in space achievement which in many ways may hold the key to our future on earth. [Applause.]

I believe we possess all the resources and all the talents necessary. But the facts of the matter are that we have never made the national decisions or marshaled the national resources required for such leadership. We have never specified long-range goals on an urgent time schedule, or managed our resources and our time so as to insure their fulfillment.

Recognizing the headstart obtained by the Soviets with their large rocket engines, which gives them many months of leadtime, and recognizing the likelihood that they will exploit this lead for some time to come in still more impressive successes, we nevertheless are required to make new efforts on our own. For while we cannot guarantee that we shall one day be first, we can guarantee that any failure to make this effort will find us last. [Applause.] We take an additional risk by making it in full view of the world—but as shown by the feat of Astronaut Shepard, this very risk enhances our stature when we are successful. But this is not merely a race. Space is open to us now; and our eagerness to share its meaning is not governed by the efforts of others. We go into space because whatever mankind must undertake, freemen must fully share. [Applause.]

I therefore ask the Congress, above and beyond the increases I have earlier requested for space activities, to provide the funds which are needed to meet the following national goals:

First, I believe that this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth. No single space project in this period will be more exciting, or more impressive to mankind, or more important for the long-range exploration of space; and none will be so difficult or expensive to accomplish. Including necessary supporting research, this objective will require an additional \$531 million this year and still higher sums in the future. We propose to accelerate development of the appropriate lunar spacecraft. We propose to develop alternate liquid and solid fuel boosters much larger than any now being developed, until certain which is superior. We propose additional funds for other engine development and for unmanned explorations—explorations which are particularly important for one purpose which this Nation will never overlook; the survival of the man who first makes this daring flight. But in a very real sense, it will not be one man going to the moon—we make this judgment affirmatively—it will be an entire nation. For all of us must work to put him there.

Second, an additional \$23 million, together with \$7 million already available, will accelerate development of the Rover nuclear rocket. This is a technological enterprise in which we are well on the way to striking progress, and which gives promise of some day providing a means for even more exciting and ambitious exploration of space, perhaps beyond the moon, perhaps to the very ends of the solar system itself.

Third, an additional \$50 million will make the most of our present leadership by accelerating the use of space satellites for worldwide communications. When we have put into space a system that will enable people in remote areas of the earth to exchange messages, hold conversations, and eventually see television programs, we will have achieved a success as beneficial as it will be striking.

Fourth, an additional \$75 million—of which \$53 million is for the Weather Bureau—will help give us at the earliest possible time a satellite system for worldwide weather observation. Such a system will be of inestimable commercial and scientific value; and the information it provides will be made freely available to all the nations of the world.

Let it be clear—and this is a judgment which the Members of the Congress must

finally make—let it be clear that I am asking the Congress and the country to accept a firm commitment to a new course of action—a course which will last for many years and carry very heavy costs, \$531 million in the fiscal year 1962 and an estimated \$7-9 billion additional over the next 5 years. If we are to go only halfway, or reduce our sights in the face of difficulty, in my judgment it would be better not to go at all. This is a choice which this country must make, and I am confident that under the leadership of the Space Committees of the Congress and the Appropriations Committees you will consider the matter carefully. It is a most important decision that we make as a nation; but all of you have lived through the last 4 years and have seen the significance of space and the adventures in space, and no one can predict with certainty what the ultimate meaning will be of the mastery of space. I believe we should go to the moon. But I think every citizen of this country as well as the Members of Congress should consider the matter carefully in making their judgment, to which we have given attention over many weeks and months, as it is a heavy burden; and there is no sense in agreeing, or desiring, that the United States take an affirmative position in outer space unless we are prepared to do the work and bear the burdens to make it successful. If we are not, we should decide today. [Applause.]

Let me stress also that more money alone will not do the job. This decision demands a major national commitment of scientific and technical manpower, material and facilities, and the possibility of their diversion from other important activities where they are already thinly spread. It means a degree of dedication, organization, and discipline which have not always characterized our research and development efforts. It means we cannot afford undue work stoppages, inflated costs of material or talent, wasteful interagency rivalries, or a high turnover of key personnel.

New objectives and new money cannot solve these problems. They could, in fact, aggravate them further—unless every scientist, every engineer, every serviceman, every technician, contractor, and civil servant involved gives his personal pledge that this Nation will move forward, with the full speed of freedom, in the exciting adventure of space.

**MRS. MARJORIE MERRIWEATHER  
POST FETES WOUNDED VIETNAM  
VETERANS**

**HON. HENRY P. SMITH III**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. SMITH of New York. Mr. Speaker, on May 12 my wife had the pleasure of attending a garden party given by Mrs. Marjorie Merriweather Post in honor of wounded veterans of the Vietnam conflict. Mrs. Smith was privileged to speak with many of these courageous young men, and she came away with an even greater sense of appreciation for the sacrifices made by these brave men.

I wish to take this opportunity to pay tribute to Mrs. Post for her own very special and extensive efforts over a period of many years in behalf of our servicemen. The following copy of a news release addresses itself to one of the

many tributes paid to Mrs. Post for her patriotic efforts:

**MRS. MARJORIE MERRIWEATHER POST FETES  
WOUNDED VIETNAM VETERANS**

WASHINGTON (May 17, 1971)—In his Armed Forces Day message, President Nixon called upon all Americans to pause on May 15 in honor and appreciation of the men and women of our Armed Forces, "not only for their sacrifices but for their constant guardianship of freedom and justice throughout the world."

One Washington resident, in a continued expression of her admiration and respect for the American serviceman, quickly and quietly set forth to participate in this celebration in her own way—by hosting a lavish garden party for a large group of Washington area hospitalized Vietnam Veterans.

The hostess was Mrs. Marjorie Merriweather Post, famed Washington socialite. The May 12th garden party marked the *fifth consecutive year* that Mrs. Merriweather Post has entertained hospitalized sailors, soldiers, and Marines from Bethesda Naval Hospital and Walter Reed Army Hospital at her Hillwood estate.

The first social at Hillwood for servicemen was held on Flag Day, June 14, 1967. This was Mrs. Post's initial "Welcome Home" to the heavy influx of wounded Vietnam casualties returning to the Washington area, in conjunction with the Marine Corps League's "Operation Appreciation" Program.

Mrs. Merriweather Post has ministered to the needs of many returning servicemen from the battlefields of Vietnam and has taken an individual interest in several of them. Over the years, she has sponsored a variety of entertainment and enjoyment for the recuperating servicemen ranging from concerts, stage shows, and musicals to attendance at athletic events, Christmas parties and gifts, trips to local restaurants and night clubs, etc.

In recognition and appreciation of her demonstrated concern and solid support for the American hospitalized serviceman, and for her lifetime of philanthropy and public service, the Marine Corps League, a Congressionally-chartered national veterans service organization of active duty, retired, and honorably discharged U.S. Marines, bestowed its top award, the "Dickey Chapelle Award" upon Mrs. Marjorie Merriweather Post at their 1969 national convention in Miami Beach, Florida.

The Dickey Chapelle Award is presented annually in memory of newswoman Dickey Chapelle who was killed by a Viet Cong booby-trap while on patrol with a Marine Company on November 4, 1965.

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

**HON. WILLIAM J. SCHERLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 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?

**SCIENTIST'S REPORT SHOWS  
DANGER**

**HON. PHILLIP BURTON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. BURTON. Mr. Speaker, I would like to include in the RECORD a thought-provoking article about the possible environmental impact of the SST. This interesting article was written by Mr. Scott Newhall and was published in the May 17, 1971, issue of the Newhall Signal:

**SCIENTIST'S REPORT SHOWS DANGER**

(By Scott Newhall)

A calamity of almost unthinkable magnitude will face the human race if the SST is ever actually produced and becomes operational.

Briefly, the calamity can be described thus: If 500 supersonic transports of the type now being designed ever actually fly at their planned 60,000-foot altitude, then in ten years the entire human population of our planet faces the possibility of blindness.

The emissions from the SST and its foreign counterparts will so disturb atmospheric conditions that the intensity of ultra-violet radiation from space will be enormously increased on the surface of the earth, and the eyes of both men and animals will be destroyed. (That is, unless they wish to live underground or in radiation-proof communities.)

This shocking fact is at present contained in an as-yet unpublished University of California report. It is, however, planned for publication in the respected technical journal Science, in about two weeks' time.

Until now, almost all of the opposition to the SST has been regarded as a combined general protest from various "do-good" conservation groups and thoughtful members of Congress. But this shocking revelation is in no sense a vague ecological jeremiad.

It is contained in a report of investigations carried out under direction of one of the world's most renowned scientists, Dr. Harold S. Johnston, professor and dean of chemistry at the University of California at Berkeley. Dr. Johnston is principal investigator with the Inorganic Materials Research Division of the University's prestigious Lawrence Radiation Laboratory, which has been in the forefront of world science centers studying all aspects of the nuclear age.

Dr. Johnston has not made his findings public, and has not been queried on this, out of respect for his position as a scientist. The results of scientific research follow a prescribed route: they are first revealed to colleagues, then a first general announcement comes in a scientific publication, from which they are picked up and given circulation by the news media.

Dr. Johnston's findings are still two weeks away from publication in Science.

Unexpectedly, the SST, which appeared to be a dead issue, was resurrected in Congress and approved by the House last week. It is now again a political football on the Pennsylvania Avenue gridiron.

Some scientists not on the Berkeley campus, familiar with Dr. Johnston's study informed this reporter that in view of the resurgence of the SST in Congress they felt that this terrifying information deserved public attention.

Therefore, a brief resume of the basis for this potential catastrophe follows:

To begin with, the planet Earth is shielded by an atmospheric belt, called the tropo-

sphere, in the altitudes at which the SST and its foreign counterparts are designed to fly.

This is a stagnant belt in which there is very little atmospheric disturbance. It contains a high amount of ozone.

Ozone is an unstable molecule of oxygen containing three atoms of oxygen per molecule (chemically O<sub>3</sub>), whereas the most stable form of oxygen which sustains life is the molecule containing two atoms (chemically O<sub>2</sub>).

Ozone has the peculiar property of absorbing ultraviolet radiation. That is the invisible radiation which is shorter in wave-length than visible light, and longer than X-rays. It is the radiation which causes sunburn.

Ultra-violet radiation is health-giving in relatively small amounts. If that amount is increased only slightly, it can be tremendously damaging. Snow-blindness, skin cancer, and similar injurious effects are associated with ultra-violet overdoses. The retina of the eye is most sensitive and easily damaged.

Life as it now exists on earth has developed under an ozone shield which filters out all but a very small amount of the ultra-violet radiation emitted by the sun's corona.

The SST comes into the picture at 60,000 feet because among the many emissions from its jet power plant there is a considerable amount of nitric oxide. This nitric oxide left behind by an SST will act as a catalyst in the ozone shield, transforming the ozone into normal oxygen which has little or no effect on filtering out ultra-violet radiation.

Since the ozone belt is relatively stagnant, the nitric oxide is not dissipated, and its quantity at that altitude becomes cumulatively greater, and more and more ozone is broken down with the path of every supersonic transport, no matter what flag it flies.

It is reported that Dr. Johnston's calculations indicate that in ten years the earth's ozone shield will have been destroyed to such an extent that massive amounts of ultra-violet rays will reach the surface of the planet. And these massive doses of ultra-violet radiation could, in turn, destroy the eyesight of the human race, unless they withdraw from the light of the day.

As of this writing, no hint of Dr. Johnston's report has been brought to public attention, possibly not to the attention of Congress.

If President Nixon is aware of the tragedy quotient of the SST no word of it has leaked from the White House, nor has any indication of it been given by virtue of recent political decision to resurrect the defunct high-level transport.

Actually, it has been reported that Dr. Johnston has encountered some resistance to his findings, and publication of his report, at least in part, has been withheld pending certain investigations.

**DEDICATION OF COMMUNITY PARK IN LEFLORE, OKLA.**

**HON. CARL ALBERT**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. ALBERT. Mr. Speaker, recently I had the opportunity to participate in the dedication of a community park in the small eastern Oklahoma community of Leflore. That park, beautiful, tranquil, and designed to provide many hours of enjoyment for people of all ages, was constructed by "green thumbers" spon-

sored by the Oklahoma Farmers Union.

It was a delight for me to participate in the dedication and it is a pleasure for me to recognize the outstanding work done by Green Thumb, Inc., not only in my State of Oklahoma, but throughout the country. They have been particularly active in Oklahoma, where they are sponsored by the Oklahoma Farmers Union. Their hard work and dedication have won the attention and gratitude of the Oklahoma State Senate and I include at this point in the RECORD a resolution adopted by the Oklahoma State Senate congratulating and commending the Oklahoma Farmers Union and Green Thumb, Inc.:

**A RESOLUTION CONGRATULATING AND COMMENDING THE OKLAHOMA FARMERS UNION FOR SPONSORING THE GREEN THUMB PROJECT WHICH WON THE NATIONAL AWARD; AND DIRECTING DISTRIBUTION**

Whereas, the National Farmers Union has sponsored the Green Thumb, Inc.; and

Whereas, the Green Thumb, Inc., has employed over 3,000 older, retired farmers on beautification projects; and

Whereas, the Oklahoma Farmers Union has sponsored the Green Thumb Project in Oklahoma; and

Whereas, the "Green Thumbers" employed under this project average 69 years of age and have an average income, exclusive of earnings from the Green Thumb Project, of approximately \$900.00 per year including Social Security payments; and

Whereas, Oklahoma's Green Thumb Project has been awarded the National Award for its outstanding work in beautifying numerous parks and recreation areas throughout the State of Oklahoma.

Now, therefore, be it resolved by the Senate of the 1st session of the 33rd Oklahoma Legislature:

Section 1. The Oklahoma State Senate hereby congratulates and commends the Oklahoma Farmers Union, Chester L. Stone, Oklahoma State Director of the Farmers Union Green Thumb Project, and the senior citizens whose inspiring efforts have made an important contribution to the beauty of this state for which all Oklahomans are greatly indebted.

Section 2. The Industrial Development and Park Department, the Oklahoma Historical Society, the Employment Security Commission, the Department of Institutions, Social and Rehabilitative Service, the Department of Health and the municipalities and other agencies and organizations which cooperated in the Green Thumb Project are hereby extended the commendation of the State Senate.

Section 3. Copies of this Resolution shall be distributed to the U.S. Secretary of Labor, the Oklahoma Congressional delegation, the Executive Committee of the Oklahoma Farmers Union, the Oklahoma State Director of the Farmers Union Green Thumb Project and each of the agencies set out in Section 2 hereof.

Adopted by the Senate the 6th day of May, 1971.

**MUTUAL FUND ADVERTISING**

**HON. W. S. (BILL) STUCKEY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. STUCKEY. Mr. Speaker, recently Senator HARRISON WILLIAMS suggested in

a speech that the time has come for the Securities and Exchange Commission and Congress to update the restrictions on mutual fund advertising and mass merchandising techniques, as follows:

The present legal restrictions on mutual fund advertising should also be the subject of prompt S.E.C. action. These restrictions again put your industry at a competitive disadvantage with bank trust departments whose advertising is not subject to S.E.C. regulations.

Since only three out of ten adults even know what mutual funds are your concern with this problem is understandable. While mutual funds may not be a suitable investment for every American, the public should not be deprived of learning about a type of security which is particularly suited for the small investor.

Over the years the S.E.C. has applied advertising restrictions on mutual fund shares which are similar to those applied to new issues. This position has limited fund advertising for most purposes to the familiar "tombstone ad" or through the use of a prospectus. I have grave doubts as to whether these restrictions are presently necessary or appropriate.

No one here believes that mutual fund advertising should go unregulated. But there are alternatives between the S.E.C.'s position and the abolition of all restrictions which are compatible with our concepts of investor protection.

To start with, revisions are necessary in the regulations governing mutual fund prospectuses. The prospectus is intended to provide the average investor with full disclosure. It should also inform him as to the risks and benefits of his proposed investment. Unfortunately, under current S.E.C. requirements prospectuses are replete with highly technical jargon which is incomprehensible to the average investor. They contain lengthy discussions about matters far removed from the concept of investment risks and benefits. Immediate action should be taken to create a clear, concise and informative document—perhaps a summary prospectus. While the Commission is currently studying this matter, prompt action should be taken especially in the mutual fund area.

In the field of advertising the S.E.C. has over the years regulated ads which go beyond the "tombstone". For example, there are special rules governing the advertisements of investment advisers. Broker-dealers are in most instances only subject to the anti-fraud requirements of the Securities Acts. It should therefore be possible to develop an Advertising Code which permits a mutual fund to tell its story in a reasonable and balanced manner. Close S.E.C. scrutiny would protect investors against abuses and give assurances that the Code was being observed.

The Securities and Exchange Commission itself in transmitting its institutional trading study to Congress on March 10, 1971, recommended a lessening of restrictions on mutual fund advertising and mass merchandising techniques as a way to make the mutual fund distribution system more efficient. Donald C. Samuel, chairman of the No-Load Mutual Fund Association, has indicated this is especially important for those investment companies which sell their shares to investors at net asset value without a sales load or commission. They must rely almost entirely on advertising.

Under present provisions of the Securities Act of 1933 mutual fund shares may be offered and sold only by means

of a prospectus. The law requires complete financial and other information, and Congress has assured full disclosure by strict penalties.

Section 2(10) of the law includes all kinds of advertising by newspaper, magazine, radio, or television in the definition of prospectus. Only a tombstone advertisement; that is, an advertisement that does no more than identify a security is exempt.

Our job in Congress is to protect the public interest and investors by giving the SEC laws which stimulate an ever-expanding securities industry, with more and more investors in American free enterprise, so we have capital with which to increase the gross national product and promote jobs and prosperity for all. Today there are about 8½ million mutual fund shareholders among the 31½ million investors in our securities markets. We live in an era of television, computers, data processing, radio, microwave relays, and a communications technology that did not exist when Congress wrote the Securities Act of 1933.

I agree with Senator WILLIAMS and the SEC that the mutual fund distribution system will be improved by an updating of the unrealistic restrictions on mutual fund advertising. For years the SEC has permitted the oral solicitation of indications of interest among investors in purchasing a security before a registration statement has become effective and prior to delivery of a prospectus to an investor. The law now also permits a summary of prospectus to be used, and in some cases a preliminary prospectus.

Since mutual funds are in constant registration with the SEC and are continuously offered to the public like a new issue, I think it would increase investor protection and promote the public interest to broaden the existing exemption in section 2(10)(b) of the Securities Act of 1933 to include in advertising solicitations of interest, solicitations of offers to purchase, and offers to sell mutual fund shares, under proper SEC regulations. The law should continue to require that a prospectus meeting the disclosure requirements of section 10 of the 1933 act be provided to an investor at or before the time a sale is consummated. In order to provide a point of departure for discussion and suggestions, I am introducing an appropriate amendment to the 1933 act reflecting these proposed changes. I invite the comment of my colleagues and all interested persons.

TRIBUTE TO JAMES W. STANCIL,  
CHAIRMAN, BOARD OF VETERANS  
APPEALS

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, May 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, it is a privilege for me to pay tribute to Mr. James W. Stancil, who is retiring from the executive branch of our Govern-

ment after more than 36 years of dedicated public service.

A native of North Carolina, Mr. Stancil received his LL.B. degree from Southeastern University Law School in 1941 and was admitted to the District of Columbia Bar the same year. After serving in the Navy during World War II he joined the Board of Veterans Appeals as an attorney. He advanced rapidly and in 1957 was appointed Chairman of the Board of Veterans Appeals by the then Administrator of Veterans Affairs, and approved by President Dwight D. Eisenhower. While serving as Chairman he continued his education and in 1965 was awarded the degree of master of science in public administration by George Washington University.

The Board of Veterans Appeals, a statutory appellate body, provides independent and objective appellate review of all questions on claims for benefits under laws administered by the Veterans' Administration, and finally decides all issues of fact and law involved therein. During Mr. Stancil's 14 years as Chairman, more than 400,000 appeals were decided here in Washington and another 170,000 were adjudicated in field offices. Through his judicial temperament, deep concern for equity and justice and dynamic leadership he motivated and inspired his staff to decide appeals with sympathetic understanding so as to reflect the generous intent of the law.

Jim Stancil's sustained contribution to the successful conduct of the VA mission has been outstanding. He has earned the respect and esteem of officials, both in and outside of the VA for maintaining the highest possible standards in administering the appellate program. He has earned the highest honor awards that the VA can give, including the Exceptional Service Award and the Meritorious Service Award. Mr. Stancil has also received many awards and commendations from veterans national service organizations such as the American Legion, the VFW, DAV, AMVETS, and their service officers at the grassroot State and county levels. He also received the B'nai B'rith National Service Award for his exceptional contribution to the hiring of the blind.

Mr. Stancil's efforts were always directed toward excellence in service to veterans and quality of appellate decisions. He played a leading role implementing the "Statement of Case" law passed by Congress to provide an elaborate system to insure due process for the protection of veterans and their dependents, making the right of appeal more meaningful. Mr. Stancil also utilized another law to obtain independent medical opinions from leading medical schools and institutions where warranted by the medical complexity or controversy in a case. The use of medical experts who are not employees of the Veterans' Administration added objectivity to the appellate process. He also faithfully implemented the law to make separate findings of fact and conclusions of law in each appellate decision.

Jim Stancil was an outstanding chairman with profound and sympathetic concern for the welfare of the veterans or our great Nation. On his retirement he can be proud of the organization that he chaired for so long. Mr. Speaker, I include at this point in the RECORD letters received from two Administrators of Veterans' Affairs under whom Jim Stancil served:

MERCANTILE NATIONAL BANK OF CHICAGO,  
Chicago, Ill., May 14, 1971.

Mr. JAMES W. STANCIL,  
Chairman, Board of Appeals,  
Veterans' Administration,  
Washington, D.C.

DEAR JIM: I have been given to understand that you are planning on retiring and having the opportunity of enjoying more leisure, travel, and happiness. I don't believe I have ever known anyone in the public service who has been more devoted and given so energetically of his time and effort than you have to the veteran, his widow and orphan. You have put into action and deeds the words which President Kennedy spoke in his Inaugural Address when he said, "Ask not what your country can do for you but rather what you can do for your country." I realize full well that during the years I served as Administrator of Veterans Affairs, you gave unstintingly of yourself, which made my job so much easier.

I only hope that with the additional leisure time you will have the opportunity of coming to Chicago so that I as well as your many friends in this area can see more of you.

It gives me a great deal of pleasure to join with your many friends in recognizing your loyalty to God and Country and to offer my humble admiration to a man whose life has been dedicated to the difficult and often painful task of serving his fellow man.

Most sincerely,

JOHN S. GLEASON, JR.

MANUFACTURING CHEMISTS'  
ASSOCIATION, INC.,  
Washington, D.C., May 13, 1971.

Mr. JAMES W. STANCIL,  
Chairman, Board of Veterans' Appeals,  
Veterans' Administration,  
Washington, D.C.

DEAR JIM: Congratulations on your decision to retire from the active list. After such a long and illustrious career, you deserve a change in the direction of a slower pace.

I know you are pleased to be able to look back on the great opportunity you had and took advantage of in assisting American war veterans. I consider myself most fortunate to have served with you during a large span of this service.

Best wishes to you and Pauline for many years of peace and contentment.

Sincerely,

W. J. DRIVER.

GREGORY STRAUBINGER—VOICE  
OF DEMOCRACY

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, May 25, 1971

Mr. KEMP. Mr. Speaker, it was my good fortune to be a guest at the 37th Annual Convention of the Erie County Council, Veterans of Foreign Wars. One of the highlights of that convention is

the annual Voice of Democracy broadcast scriptwriting contest.

The top award this year went to Gregory Straubinger, a student at Maryvale Senior High School. Greg is a senior and plans to attend Ithaca College in the fall.

His teachers, Mrs. Loughren and Mr. Texido, involved in his scriptwriting preparation, certainly are to be congratulated for their inspiration. I was deeply moved by the comments of this young man. When we hear such eloquence and wisdom from a high school senior, it seems to add dignity to all young men and women. It restores our confidence in the future of this country.

I commend Gregory's remarks to the attention of my colleagues and include his script at this point:

THE 24TH ANNUAL VOICE OF DEMOCRACY  
BROADCAST SCRIPTWRITING CONTEST

When I think of the United States, I think of many things; I think of hot dogs, baseball games and the Statue of Liberty. But foremost in my mind when I think of the United States are the ideals that this country was founded on; the ideals of liberty, equality, and justice. These concepts are the cornerstone of the American Dream. A dream that made this country great, and a dream that has withstood the trials of nearly 200 years, and that dream is founded on a deep faith in and devotion to one single concept, just one word—and that word is freedom. We hear the word freedom used over and over these days. We all talk about freedom of speech and freedom of the press. We have all used the phrase "it's a free country", but living in this free country many of us have forgotten how that freedom came about.

The first Americans were not born with all the freedoms that we've come to take for granted. They had to fight for their freedom; and just as they fought to gain freedom, so must we fight to retain it. Each and every American must play a personal role to preserve freedom. Naturally not all of us can take up arms and guard our freedom with military might; but, all of us—man and woman, young and old alike, can and must do something. We can all respect and encourage law and order, for without law, there is no freedom. We can speak out in support of our country (for freedom of speech can work both ways), and we can all be aware that while the actions of a person or group may seem honorable on the surface, they may be aimed at undermining the freedom that this country now enjoys. We must be constantly on guard against any force that would seek to reduce the basic freedoms of this country.

These basic freedoms must be preserved, defended and protected. They must be made meaningful, both for ourselves, and for those around us. It is the duty of every American to exemplify the things that this country stands for. We must listen, with an open mind, to those whose views may differ from our own as well as to those who share our own opinions. We must not prejudice, but rather evaluate each man on his own qualifications, respecting the right of every man to his own opinion, and using reason and compromise, rather than force and violence to uphold freedoms. Only by extending equal rights to all can we ensure that all Americans will understand the concept of true freedom.

As a teenager, I feel that freedom carries with it a duty to realize a point that many young Americans today fail to see: the point that freedom should be used as a tool to improve America, rather than a shield from behind which to attack it. America's youth must understand and prepare for effective citizenship rather than destructive violence.

Effective citizenship means more than just involvement. An effective citizen is more than just a protestor marching with a sign or a jeering heckler in a crowd. An effective citizen is one who has solutions as well as problems; one who sees rights as well as wrongs. An effective citizen cannot be lulled into passive acceptance by the chants of a publicized minority; an effective citizen has the ingenuity and the drive to make his own views known, for they are the opinions of a true American. Young people are encouraged to write to Congressmen and Senators, not only with complaints but also when they approve of something. Why not let your representatives know that you're behind them? Effective citizens are not a silent majority—but rather a majority with a voice.

Effective citizens are concerned, informed, and active Americans who keep their country's welfare in mind. And so must we all be concerned, informed and active citizens—

Concerned that freedom is truly meaningful to all Americans;

Informed as to the real meaning of freedom, not just in our words, but in our thoughts and deeds; and

Active as effective citizens, serving this nation and acting always in its best interest.

These three qualities are the makings of a patriot, for a patriot is nothing more than a man with an eye on America's future—and a foothold in freedom—our heritage.

MAY DAY DISRUPTION—  
NEVER AGAIN

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. MILLER of Ohio. Mr. Speaker, since the violent demonstrations here several weeks ago, I have had time to reflect upon the activities of those few days, analyze the various accounts, and contemplate what the future holds for this City and Nation.

First, I must commend the performance of the District of Columbia Police Department in fulfilling its responsibility despite provocation, ridicule, and abuse. The degree of restraint and discipline they exercised while controlling and containing a very volatile situation was exemplary. Given the unprecedented purpose and tactics of the "May Day" demonstrators, I cannot see how the law-enforcement officials of this city could have better handled the problem.

I feel that this exercise in so-called civil disobedience was no more than a license for destruction and violence under the guise of protest. The "May Day tribes" spoke of peace while at the same time harassing, threatening, and intimidating the citizens of this community whose only crime was wanting to get to work. Work is a word that seems to be completely missing from the four-letter vocabulary of these hooligans. Their manner, behavior, language, and tactics typify a new lifestyle which is totally lacking the responsibility and discipline that comes with an honest day's work.

The news media has extensively reported the grievances of those arrested during the demonstration. Some alleged their innocence. Others contended that

their civil rights had been violated. Many deplored the conditions during their incarceration. On May 6 CBS News Commentator Eric Severeid responded to these charges in this manner:

They could be asked why they were indignant that a number of innocent bystanders were also swept up in a police dragnet, when they themselves, when they tried to stop traffic, made no distinction between say, Pentagon officers and haberdashery clerks trying to get to their shops. Or why they were furious at delays in the legal processing of their cases when they had set out to put a full stop to all processes of government here. Or why they resent the unsanitary conditions of their detention centers when, had their plans succeeded there would be no sanitation anywhere in the city, including the hospitals.

Public policy is not made in the streets by a group of revolutionaries. This Government will not permit anarchy nor stand idly by and permit the intimidation of its citizenry by a raving band of fanatics who preach peace and love on one hand and practice violence and hate on the other. I wonder if these anarchists and their sympathizers would have condoned the same tactics and behavior by a group of brown-shirted neo-Nazis. I dare say they would be the first to express their indignation and demand that their civil rights be protected.

Many of us may believe that the worst is over—that somehow the disruptive tactics of the May Day demonstrators have been discredited and proven ineffective. But our experience should tell us that just as sit-ins and mass marches became acceptable tools of protest, so may massive civil disobedience become the tactic of the future. The precedent, although unsuccessful, has been set and the novelty of having a lawless holiday is enticing to many in the radical movement who are constantly seeking new thrills and excitement. Like a herd of sheep they will follow the drumbeat of hardcore anarchists like Rennie Davis. Davis has already vowed to return to this city in several weeks for a repeat performance, and again prey upon the boredom, idleness, and discontent of many young people in this country.

The Congress will soon be called upon to reimburse the District of Columbia for the costs and expenses it incurred during the weeks of demonstration as well as to replenish the funds expended by the Departments of Interior and Defense. I, for one, want some assurances before picking up this \$3 million tab that certain limitations on the use of public property in the District of Columbia will be imposed to prevent the reoccurrence of such damages and inconvenience to the American people.

Many of my colleagues will recall that on June 11, 1969, by a vote of 377 to 51 the House passed H.R. 1035 which redefined the use of publicly owned land in the District of Columbia for unauthorized and unlawful encampments such as overnight camping. For other uses of public property the bill also requires the posting of a bond or surety to cover the costs of damage and repair to public property. If the Senate had acted favor-

ably to this measure, I feel we would have been in a better position to cope with recent demonstrators who used public property as staging areas for their tactics and a playground for their adolescent and malicious behavior. Public officials should be empowered to deny permits to those groups whose intent is disruption and whose presence will result in destruction of public property. I do not think we can expect, nor should we ask, the American taxpayer to continue to foot the bill for such vandalism and destruction.

In an attempt to prevent another wave of disruptive and destructive activities, I am today joining several of my colleagues in sponsoring a bill identical to H.R. 1035 and urging that it be given prompt consideration.

If this body saw the overwhelming need for this legislation 2 years ago, that need is even more apparent and pressing today. The Congress has a responsibility to the American people to insure accessibility to all public grounds and buildings and see that they are available to the citizens of this Nation at all times.

#### HOMEOWNERSHIP CONSERVATION LOAN INSURANCE

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. ANDERSON of California. Mr. Speaker, the unemployment rate in my home State of California is nearing 8 percent. This represents over 675,000 persons who are ready and willing to work, but cannot find jobs. This represents more than mere numbers—this represents families—families with children in school, breadwinners with obligations. These persons have payments to make, on homes, on furniture, and on cars.

In times of high unemployment, the period between jobs is considerably longer. These long periods of unemployment create hardships of varying degrees, but no one has a greater hardship than the person who must make monthly payments on a home mortgage.

For this reason, Mr. Speaker, I am introducing legislation which would enable temporarily unemployed homeowners to avoid foreclosure. Under this bill, the Government would insure loans made by financial institutions to homeowners who, because of unemployment, cannot meet their monthly mortgage payments.

To be eligible for this loan, an individual must show that, first, he owns and occupies a single-family dwelling situated in an area of substantial unemployment. Secondly, he must demonstrate that the mortgage is not in a principal amount exceeding \$33,000. Third, the homeowner must show that he has no other practical means of avoiding defaults in the payment of principal and/or interest charges on the mortgage

covering his home. Fourth, in order to qualify for the loan, a person must be unemployed, or has been forced to take temporary employment at a salary which does not exceed 50 percent of his former salary.

The Government-insured loan shall not exceed an amount equal to 1 year's mortgage payments and shall have a maturity not exceeding 5 years. In carrying out this proposal, the Secretary of Housing and Urban Development shall borrow funds from the general insurance fund established by the National Housing Act.

Mr. Speaker, this legislation will aid those Americans who cannot meet their mortgage payments due to the substantial unemployment which has stricken our country. While I much prefer an economic policy that provides for full employment, I feel that we must act to protect the lives of families who are suffering in this time of economic distress.

#### FAIR SHOTS AND FOUL

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, we are witnessing a continuing brushfire war between press critics of the administration and administration critics of the press. Personally I think this dialog, at times heated, has been conducted in the national interest, for certainly neither of these two powerful influences in our national life should be free from honest criticism—and indeed much that is most salutary both in the interpretation of current events and in the administration of government is the result of that natural tension arising from the fact that both the Government and the press take seriously their mandate to serve the public interest.

This brushfire war, like any other, has seen its share of errors—of potshots that hit wide of the mark. But there has also been the occasional salvo that hits dead on target, with a message that should perhaps be noted by others besides those to whom it was addressed. Two weeks ago Walter Cronkite, a national institution whom we all love and cherish, took a few potshots which were embarrassingly wide of the mark, alleging that the Nixon administration was involved in "a grand conspiracy to destroy the credibility of the press." This week the editor of "Monday" fires an answering round which in my view is right on target. Surely it is no disservice to Mr. Cronkite and the other gentlemen of the media and press to suggest that they will receive fewer rounds of hostile fire if they take a little more care in aiming their own shots. I would like at this point to insert "Monday's" Open Letter to Walter Cronkite in the RECORD:

AN OPEN LETTER TO WALTER CRONKITE

DEAR WALTER: Let's face it. When it comes to criticism, you big boys at the top can dish it out but you just can't take it.

Last week, sounding like the main speaker at a John Birch Society rally, you accused the Nixon Administration of "a grand conspiracy to destroy the credibility of the press." You said it was impossible precisely to know the motives of this conspiracy, but you took a wild stab at it anyway. You asked: "Is it too much to suggest that the grand design is to lower the press' credibility in an attempt to raise their own and thus even—or perhaps tilt in their own favor—the odds in future electoral battles?"

The answer is: yes, it is too much to suggest unless you include as co-conspirators all those who criticize the press in which case you would number among them. While you may see an Administration media critic under every bed, the sounds you hear are merely echoes of your own criticisms over the years. For example:

#### CRONKITE CRITICISMS

In an address before the Association of Industrial Advertisers in New York City on May 5, 1967, you said: "The press—and by that generic term I mean all of the reporting media—has not been without its sins in Vietnam. As the military has more than once complained, we have indeed, taken individual squad or platoon actions out of context and blown them up to appear to be the story of an entire battle—an error which can seriously mislead the public as to the nature of victory or defeat." This is, of course, the precise criticism President Nixon made of media coverage of the Laotian incursion, coverage which concentrated on only four of 22 South Vietnamese battalions involved in the operation.

In this same speech, you suggested that the way to restore credibility to the media would be by stripping away "the veils of secrecy and in exposing to full public gaze the works and decision-making processes . . ."

In another address before the William Allen White School of Journalism at the University of Kansas on March 24, 1969, you said of television that "our cameras and our lights and our tape trucks and even our microphones are obtrusive. It is probably true that their presence can alter an event . . ."

#### PRESS NOT PERFECT

In November of last year, at the Sigma Delta Chi convention, you said that "a fair portion of what we do is not done well. There are things we are not doing we ought to do. There are challenges that we have not yet fully met. We are a long way from perfection. Our problems are immense, and they are new and unique."

Another puzzling aspect of your blast is why you are so upset over what Administration media critics are saying since they are, for the most part, repeating what has been said by non-governmental people both inside and outside of your own industry. In an article on the press in TIME magazine in September of 1969, a Lou Harris poll showed criticism of the press "undoubtedly on the upswing" and your own CBS News Chief, Richard Salant was quoted as calling it not a conspiracy but "a healthy skepticism."

#### INHERENT LIMITATIONS

Just last December in a speech before an honorary leadership fraternity at Washington and Lee University, your CBS Washington correspondent, Rober Mudd, said that "the inherent limitations of our media make it a powerful means of communication, but also a crude one which tends to strike at the emotions rather than the intellect . . ." He stressed that for the television journalist, "this means a dangerous and increasing concentration on action which is usually violent and bloody rather than on thought; on happenings rather than issues; on shock rather

than explanation; on personalization rather ideas."

"Our broadcasts have not improved," Mudd declared. "If anything, their quality has declined. The tube has become a trip, a national oplate, a baby sitter who charges nothing, something to iron by and to shave to and to doze over."

TV GROUP THEATER

Joseph P. Lyford, professor of journalism at the University of California at Berkeley, has put it differently: "Today television is relaying versions of a group theater. . . . The purpose of the new play is largely the play itself. The script has concerned itself with proclamations and ultimatums rather than questions. The language is loud and verbose and increasingly aimed at destruction rather than the restoration of the dialogue. . . . Time given by television and the press to the staged event is time taken away from reporting the happenings that are not contrived. . . . If the day comes when television is freed from its dependence on what this or that angry crowd is doing, we will get a very different perspective on what is going on inside this country and inside our heads."

The most liberal member of the Federal Communications Commission, Nicholas Johnson, has put it another way: "Radio and television mold minds, 200 million of them, in numerous ways every day. It is long past time that we find out just what it is these potters are making out of the clay they knead inside our heads."

WHO'S THE MESSENGER?

It is currently popular for individuals such as yourself, Walter, to look upon the media critics, as you put it in your speech, as "enemies of freedom;" to martyrize yourself as merely the messenger being executed because he is the bearer of bad tidings. Perhaps it is time you gave serious thought to just exactly who IS the messenger being executed because he's bringing bad news: you or the media critics?

Sincerely,

MONDAY.

WHO CARES ABOUT POLLUTION?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DERWINSKI, Mr. Speaker, the Suburban Life chain of publications serving the southwest suburbs of Chicago has a very interesting editorial page which includes periodic columns written by its staff members expressing their personal views on various subjects.

Miss Lynn Bogigian, in the Thursday, May 20, Suburban Life, authored a very thoughtful commentary on pollution and its relationship to the behavior of individuals which I believe should be appreciated by all concerned with the problems of pollution.

The editorial follows:

WHO CARES ABOUT POLLUTION?

(By Lynn Bogigian)

"Pollute the air, the streams and lakes, and erode the land until the environment is so poisoned that life can no longer be enjoyed."

This is one of 22 methods used to destroy a country as listed in "Decision," a publication of the Billy Graham Evangelistic Association.

Although it is difficult to imagine pollu-

tion destroying a land which has survived war, natural disaster and other tragedy, ecologists have made the prediction. However, not many people seem to care.

Saying "The air sure stinks today" or "Look at all the dead fish floating in the dirty water" is going to stop pollution about as fast as our "Earth Day" and "Earth Week" activities have.

Consumer crusader Ralph Nader rightfully attacked youths as "hypocrites" who jumped on the ecology band wagon to participate in the first "Earth Day" activities, only to forget the pollution fight as soon as the day was over.

The question is, should we add pollution to our apathy list or should we make individual attempts to do something?

In looking at the present situation, we might ask ourselves how many people carry litter bags in their cars, only to decorate roadsides with their contents when they are full?

Are any women concerned about wasting electricity when they use their electric curlers, hair dryers or fingernail buffers? Do any of them worry about a species of animals becoming extinct, as they urge their husbands to buy them furs?

How many men cough and sputter from city air as they are cruising to work in automobiles which do not contain non-lead gasoline? Do any men shun purchasing a powerboat for a canoe or a sailboat?

Have you ever heard a teen say, "I think I'll turn down the volume of my radio so I don't create noise pollution?"

Let's face it. Personal pleasure and convenience comes before concern for the environment. Most people feel the ecological problem will not become unbearable during their lifetime so they bequeath dirty air and water to future generations.

Perhaps we should not condemn the lifestyle of young people living in communes and "getting back to nature." Living the simple life off the land has not yet become known as a pollutant.

DALLAS ACES RETAIN WORLD BRIDGE CHAMPIONSHIP

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. COLLINS of Texas. Mr. Speaker, everyone in Texas was proud to see the Dallas Aces Bridge Team retain its World Bridge Federation Championship. We have just received word from Taiwan that the Dallas Aces defeated the highly regarded French team.

For several years, Ira G. Corn, Jr. has been assembling this great bridge team.

This year's victory was especially meaningful. The teams playing this year in the World's Championship were considered to be far superior to those the Dallas Aces beat last year in winning the World's Championship. This French team was considered a favorite by many and was an excellent bridge group. The Dallas Aces took the lead against the French team in the first finals match and never lost it. The second and third rounds were seesaw affairs, but in the fourth round, the Dallas team added 17 IMPS—International Match Points. They won by a total of 62.

Throughout all the 50 States we share the pride that all of you have in seeing this championship remain in the United States. And, we in Dallas are especially proud of having the best in the world there in our home town.

THE SPORTSMAN'S VOICE IN CONGRESS: YOUR ONLY HOPE FOR SURVIVAL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DINGELL, Mr. Speaker, pursuant to permission granted, I insert in the RECORD a speech given by my dear friend and colleague, the Honorable JOHN P. SAYLOR, before the 100th anniversary meeting of the National Rifle Association at the Sheraton-Park Hotel in Washington, D.C., on Sunday, April 4, 1971:

THE SPORTSMAN'S VOICE IN CONGRESS: YOUR ONLY HOPE FOR SURVIVAL

(By Hon. JOHN P. SAYLOR)

Ladies and gentlemen, now that I have complimented you, lauded the organization, praised its leaders, and made those platitudes expected of any speaker—I now want to take off the gloves.

The ponderous title of my speech is, "The Sportsman's Voice in Congress: Your Only Hope for Survival."

What is supposed to follow the recitation of that title is a gentle reminder that you, the sportsmen of America, are dependent upon the Congress of the United States for survival.

Yes—I said "survival."

You can see right away that my so-called reminder is not going to be gentle.

Two of the voices in Congress interested in your survival are before you today. My good friend from the other side of the political aisle, Congressman John Dingell of Michigan, and myself, have fought the good fight for conservation, environment, and the preservation of the American sportsmen for more years than we like to admit.

Without concocting false modesty, we have also been in the forefront of the battle to save private firearms in the United States since the Kennedy-King-Kennedy assassinations, and the resulting wave of public hysteria against the "instruments of national calamity."

In 1968, the American sportsman was trampled underfoot during a vote on the infamous Gun Control Act. At that time, we counted 118 House Members on our side of the question. The opposition rallied 305 Members to the cause of Gun Control.

In 1969, the issue was never presented so directly and tempers began to cool. During the cooling process, caution was the watchword and if memory serves me correctly, only 7 Members of the House could be found who had the courage to be four-square for repeal of the 1968 Act.

Last year, the Congress was ready for another great debate on the issue but in the end, compromises were the order of the day. The sportsman of the nation found some relief, but the big issue was not joined.

Here it is 1971, and the Great Issue could be waiting in the wings for the 92nd Congress.

I would wager a bet right now that you are thinking the Great Issue is the forthcoming

battle over control—confiscation—of handguns.

You are wrong! The great issue is, or should be, repeal of the Gun Control Act.

I say the issue "should be" concerned with the Gun Act of '68 for the very simple reason that in that Act alone, the issue of the survival of the American sportsman is ultimately joined.

Instead of going on the offensive with an all-out, intelligent assault on the 1968 anti-firearms act—you—the American sportsman—expect your champions in Congress to fight another rear-guard, delaying, retreating skirmish such as we fought in 1970 over the issue of 22 caliber rimfire ammunition.

Instead of choosing the battleground, you allow the editorial writers, the left-wingers and the timorous technocrats in the Treasury Department choose the issue, and the rules of the conflict.

Why is this so?

In my view, as one who has been on the firing line, the reason we in Congress fight rearguard actions is that you do not have the appetite for another great congressional battle over gun control.

That's right—I have challenged the courage of this group as representatives of all the sportsmen throughout the United States of America.

Believe me when I say that I am unhappy to note this deplorable state of affairs.

The state of the situation is simply this: when a showdown vote comes on some issue in Congress that deals with guns—you crank-up your letter-writing, telegram-sending, telephone-calling legions and march with arms locked to the Capitol demanding that this Congressman, or that Senator, vote your way on the issue.

When the vote is over, you happily or sadly trudge back to your comfortable pursuits in life and, in effect, put the matter out of your minds.

Instead of constant contact with your representatives in Congress, you have become, literally, one-shot Charley's.

Rather than develop, persuade, educate, representatives over a period of time, you have become issue-oriented, one-day or one-week, consultants.

Instead of planning ahead, instead of going to the hustings to find new men to replace those dedicated to gun control and gun confiscation, you take "pot luck" with the legislators the political system produces in each election.

And you have become all too complacent about your tried and true congressional champions!

Ladies and gentlemen, I warn you, and I can assure you, that this one-shot, issue-by-issue, good-friends-for-the-moment attitude is costing you dearly in the halls of Congress.

What I am saying is that you need to help your anti-gun-control Congressmen on other issues and with other problems.

You must broaden your outlook. There are a hundred, a thousand, issues before Congress where you can and should be helping: conservation, outdoor recreation, mine reclamation, and the like.

This "help" is a two-way street. Where common ground and common interests meet, sportsmen should be on hand with support to Congress. Perhaps you have not thought about these "other areas" of common interest to sportsmen.

Congress is in the process of revising the one-hundred year old mining laws and the issues involved affect you directly.

The Public Land Laws are going to be revised and you should be involved in the changes. These are just two easy examples. I could go on.

I say in all candor that you must re-think your relationship with the Congress if you

are going to achieve the kind of support needed to insure victories over more attempts at gun control and gun confiscation.

I conclude these sometimes hard, but well-intentioned remarks with a line-up of the forces in our society dedicated to the total control of the American citizen's right to keep and bear arms.

About 90% of the nation's daily newspapers are for gun control; about 50% of the nation's weekly newspapers; I estimate 100% of the television commentators; around 60% of the radio commentators; legions of dogooders, armies of sob-sisters—

All these are arrayed against the small band in Congress who have their finger in the dike preventing total confiscation of America's firearms.

Our numbers in the Congress have dwindled. It is your responsibility to bring more Members over to our side.

This task cannot be done simply from Washington, D.C. It has to be done at the grass-roots level throughout the nation.

The survival of the American sportsman rests in the hands of Congress.

I suggest, I urge you to increase the number of hands.

## CRANFORD, N.J.: MODEL TOWN

### HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mrs. DWYER. Mr. Speaker, it is my honor and pleasure today to call the attention of our colleagues to the Township of Cranford, N.J., as it celebrates its 100th anniversary this year. Cranford, located in the center of Union County, is a scenic community situated on the banks of the Rahway River. Cranford has been called the "Venice of New Jersey," and, in fact, such notables as Mark Twain and Grover Cleveland vacationed in Cranford from time to time. More recently, Cranford was described as a "Model Town" by the Daily Journal of Elizabeth, N.J., in an editorial last month. Following is the editorial as it appeared on April 19, 1971:

MODEL TOWN—100-YEAR-OLD CRANFORD IS AN EXAMPLE FOR THE PROFESSIONAL PLANNERS.

While the Lindsays and Daleys in New York and Chicago, and even the Dunns in Elizabeth, surround themselves with professional planners and talk about billions of dollars in federal aid to rebuild the cities, no one has been able to spell out what the big cities should become, if by chance, they do get all that money.

Presumably they will grow some more, but perhaps it is because they were too big to start with that the cities became impersonal beehives for business and crime.

One hundred years ago people settled in Cranford for the same reason that the cities are losing people today. They wanted beauty, elbow room, convenience and a place to live without too many problems.

Fortunately, Cranford is among those few middle class communities that have resisted the temptation to swallow the George Babbitt wisdom that growth is progress and that more growth is even better.

If Cranford does indeed represent middle class America, then there is much to commend in the standards of that class. The results in Cranford are community pride,

beauty, acceptance of diversity and an interest in the harmony of man and his environment.

Long before ecology became a popular interest, the people of Cranford built the town around the Rahway River. It is an enduring symbol of Cranford's resistance to becoming just another community dedicated to commerce; rather, it is a community that takes care in protecting its natural blessings.

Our urban planners should look to the Cranfords of America to see how to build new towns. They won't learn much in the cities except the mistakes of the past.

## NORTH CAROLINA'S NO. 1 "GOOD GUY"

### HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. GALIFIANAKIS. Mr. Speaker, I should like to commend to my colleagues a remarkable tribute to a remarkable young man, Charles Dunn, who is director of the State bureau of investigation in North Carolina.

An energetic and effective public servant whose life and career have been truly exemplary, Charles Dunn is also a man of such towering principle that I suspect 5 million Tar Heels would agree that he is North Carolina's No. 1 "good guy."

I would also like to add my personal commendation to the author of this article, Bob Wilson, who has so aptly characterized his subject; and to the News and Observer, the major Raleigh newspaper which saw fit to honor Charles Dunn as "The Tar Heel of the Week."

North Carolina is often described as "the Goodliest land under the cope of heaven." Charles Dunn is making a major contribution toward keeping it so.

The complete text of the article follows:

[From the Raleigh, (N.C.) News and Observer, May 23, 1971]

"THE TAR HEEL OF THE WEEK"—APPARENTLY, THE GUY'S FOR REAL

(By Bob Wilson)

DEAR SUNDAY EDITOR:

Remember that assignment you gave me a couple of weeks ago, the one about Charlie Dunn? You wanted to know, among other things, if he's really as good as he seems. What's behind those baby blue eyes? What, if anything, is this seemingly impeccable young man on the move really up to?

Well, I can tell you the score on that one. The image is real. And that's frustrating, because a good Tar Heel of the Week needs some conflict, an element of the classic struggle between the Good Guy and the Bad Guy.

If anybody bodes ill for Charlie Dunn, the curmudgeon is hiding in the woodwork.

So what's there to write about? As it turns out, Charlie is still a pretty interesting fellow. He's not an easy man to interview—the subject keeps slipping back to the SBI—yet, the articulate delivery of prose about rising crime rates, drugs and other societal mischief occasionally detours to a revealing statement about himself.

For instance, he's long harbored a secret desire to be a policeman. Not the adminis-

trative type. He wants to be out there on the thin blue line ("If only I were 10 years younger"). I asked if that's his Walter Mitty dream, and he sort of nodded his head and went on about "That's where a young man can make a lasting contribution to society" and then turned right around and said that maybe he'd like to run a weekly newspaper.

I thought he was pretty well pinned down to the police bit, but I should have known better. Charlie was a newspaperman before he signed on as Gov. Dan Moore's top assistant in '64. Before that he was an aide to former Congressman Horace Kornegay. Printer's ink flows through his veins, just like the rest of us. So, he'd like to be either a policeman or an editor, right? Partly. He still talks about leading a band. That's right, a band.

Now, you tell me what Charlie Dunn really wants to do, and I'll pass it on to him. I don't believe he knows. He just shrugs when conversation turns to his next job.

"I've enjoyed life," he said last week, a maddening philosophical prelude that seemed to beg the question. Then he got down to the meat of it, saying he's never held a job for more than four years and that while he's been switching around, people he grew up with are inching toward retirement benefits and the All-American good life. A hint of wistful reflection there. Only 34 years old and already pondering retirement?

I don't think so. Charlie has another good 30 years in him before calling it quits. If he calls it quits. This guy never really stops, just kind of runs on perpetual motion. It's an eccentricity he took out of Hertford County, through Chapel Hill and two degrees, and right up to the stratospheric level of state government.

He's an honest cuss, too. That makes it even harder to spice up a piece on him. I suspect Charlie didn't even rob the cookie jar when he was a youngster.

Yep, he's honest all right. First thing Dan Moore heard when he asked Charlie to be his right-hand man was: "I didn't actively support you."

"That's no problem," Moore replied. "I want good men."

Charlie made a good name for himself during his reporting days in the middle and late '50s. He was with the Durham Evening Sun, a fortuitous circumstance that eventually led to co-authorship of former Gov. Luther Hodges' book, "Businessman in the Statehouse." Charlie's mighty proud of that collaboration. He'll generally mention it within 30 seconds after you're introduced to him.

Charlie spent some time in Washington as Kornegay's legislative assistant in 1963, the same year he married Durham's Martha Sherrill. They have one daughter, Sherrill, age four. Marriage brought some domesticity into his life, and the SBI probably has taken a good bit out again.

To really understand Charlie Dunn, you have to understand his relationship with the SBI.

He works up to 18 hours a day, day in and day out, and that often includes weekends. It's not fair to label Charlie "Mr. SBI," which he isn't. The SBI is a multi-faceted organization with, happily, a top-drawer roster of agents and technicians. Charlie's job is to put the bureau on a level keel after years of low morale and turbulence.

That's why Bob Morgan picked the one-time newsman when he became attorney general in 1969. He could see Charlie's administrative cool, how it came through in periods of crisis. Morgan knew, too, that Charlie had a good working knowledge of the SBI from his days as Dan Moore's assistant.

So, Morgan offered Charlie the job. And Charlie thought it was a joke. Incoming Lt.

Gov. Pat Taylor had already told him the Senate chaplaincy was open, and might be something different for a while.

"Whenever I saw Morgan and Taylor," Charlie recalls, "I asked them if I was going to get a badge or a Bible."

Charlie took over an organization in deep trouble. Not only was the personnel situation cause for worry, but the bureau's equipment badly needed updating. The Klan and sundry black militants had better radio nets than the SBI, and one bureau car was showing over 90,000 miles on the odometer.

The SBI is a different organization today. Drop by the old white mansion on Blount Street and take a look at those young faces in the offices and new laboratory building. The working atmosphere is strikingly informal, so much that Charlie goes around on a first-name basis with everybody.

There are problems within the SBI, to be sure, and the biggest one is money. It's almost always money. Charlie has overcome a lot of obstacles facing the bureau since 1969, but the funds squeeze remains the toughest.

Comes the inevitable question, of course. Is he sniffing the political trail?

You can't get much of an answer out of him. Charlie Dunn, after years of trying to catch evasive responses from politicians, is pretty good at it himself now. He's firmly non-committal, even tantalizing to a degree.

"I can't wait to see what I'll finally settle down in," he tells you. "Only I'll probably never settle down . . . I like to be where the action is, where there's a challenge."

**GEORGE HOLLAND RETIRED FROM VETERANS' ADMINISTRATION AFTER 28 YEARS OF DEDICATED SERVICE**

**HON. OLIN E. TEAGUE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, this week a personal friend of long-standing, a fellow Texan, and a dedicated and skilled public servant will retire from the Federal Government after a distinguished career serving America's veterans and their dependents. He is George L. Holland, who leaves his post as director of the Contract Compliance Service in the Veterans' Administration after over 28 years of Federal service.

George had a distinguished military career during World War II as an infantry officer. He came to the Veterans' Administration in 1945 as assistant to the Chief of the Contact Division. During his years at the VA, Mr. Holland has served in various high level positions mainly involving veterans benefit activities. In 1961, he had the distinction of being the first Negro to head a major Federal office, when he was appointed manager of the large Veterans Benefits Office in Washington, D.C., which at that time contained an extensive outpatient clinic and served thousands of veterans and their families. He has been promoted to positions of increasing responsibility including field director of Area 1 in the Department of Veterans Benefits having overall supervision over 14 regional offices with almost 4,000 employees. George also served as a Special Assistant to the

Administrator of Veterans Affairs. He has many times been recognized for his outstanding work and in 1965 received the Veterans' Administration Exceptional Service Award. He was the first Negro to be so honored by the Veterans' Administration.

Mr. Speaker, the Veterans' Administration is losing one of its most valuable employees with the retirement of George Holland and the veterans of America are losing one of their greatest champions. I am proud of the personal friendship we have enjoyed as we have worked together on behalf of our Nation's veterans.

**SAVE THE WHALE**

**HON. NICK BEGICH**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. BEGICH. Mr. Speaker, much debate and energy is directed toward eliminating pollution and protecting our environment in urban areas. However, these same and sustained efforts are needed in rural America, too. I am particularly concerned about one of the great natural resources that is dear to the hearts of all Alaskans. I am alarmed at the decreasing number of great whales in the waters off Alaska and other parts of the world.

The number of great whales could greatly increase if stocks were given the opportunity to rebuild. This fact is particularly illustrated by the observation that whales in the Antarctic region have dropped in a dozen years from two-thirds of the total catch to one-tenth. The International Whaling Commission has contributed to the decimation of the Antarctic whale resource and unless conservation measures are immediately enacted, the Arctic whale will become extinct.

The Alaska State Legislature has passed a joint resolution urging the International Whaling Commission to set quotas based on scientific sustainable yield principles and implementation of the proposed international observers scheme. They have also requested that the Secretary of the Department of the Interior take unilateral conservation measures to save this great natural resource. I enclose a copy of the resolution for the RECORD:

ALASKA STATE LEGISLATURE HOUSE JOINT RESOLUTION No. 37

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

Whereas the sustainable harvest of great whales today is but a small fraction of what it could be if those stocks were given the opportunity to rebuild; and

Whereas this fact is particularly illustrated by the fact that the harvest of whales in the antarctic region has dropped in a dozen years from two-thirds of the total catch to one-tenth; and

Whereas the quotas receiving tacit, if not explicit approval by the International Whaling Commission have contributed to the decimation of the antarctic whale resource

and unless conservation measures are immediately acted upon, the Pacific and arctic whale resources will also be destroyed; and

Whereas, as an example of the latter statement, this year's quota set by the North Pacific Commissioners for sperm whale is 240 per cent of the sustainable yield as estimated by reputable scientists; and

Whereas all of these facts lead to the conclusion that unless stringent measures are taken at once by the various whaling countries in concert, all species of the great whales may very well be extinct in the near future;

Be it resolved by the Alaska State Legislature that the International Whaling Commission immediately take action to prevent the further decimation of the great whales of the world, including the setting of quotas based on a scientific, sustainable yield principle, and the implementation of the proposed International Observer Scheme; and be it

Further resolved that as a unilateral conservation measure the Secretary of the Department of the Interior is urgently requested to retain all eight of the great whale species on the endangered species list, these being the Bowhead, Right, Blue, Humpback, Gray, Finback, Sei and Sperm Whales.

MISS FRANCES UPHAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. LONG of Maryland. Mr. Speaker, on June 1, 1971, one of my constituents, Miss Frances Upham, 1120 Stevenson Lane, Towson, Md., will be retiring from 47 years of service as a social worker, teacher, and social work consultant. At present, Miss Upham is a professor of social work at the University of Maryland, and a consultant to the Maryland State Department of Employment and Social Services and to the Baltimore Veterans' Hospital. A former student of Miss Upham, Mrs. Inge Falk Badron, 2100 West Rogers Avenue, Baltimore, Md., wrote:

Facts and statistics cannot possibly express the great dedication and devotion with which Miss Upham has carried out her life work of helping people. She is not looking for recognition, as she herself knows that she is always doing her very best, and that is all that can be expected of any person.

Following is a summary of her service in social work since 1924:

SUMMARY OF SERVICE

1966-71: University of Maryland, School of Social Work and Community Planning. Professor of Social Work and Chairman of the Human Behavior Sequence.

1952-66: Louisiana State University, School of Social Welfare Faculty member.

1949-52: Veterans' Administration, Washington, D.C., Regional Office Casework Supervisor.

1948-49: Hospital for Joint Diseases, New York City, N.Y., Chief Casework Supervisor.

1945-47: University of Indiana, Graduate School of Social Work, Faculty member.

1943-45: University of Missouri, Undergraduate Curriculum, Faculty member.

1942-43: Missouri State Crippled Children's Service, Medical Social Consultant.

1940-42: City Health Department, Toledo, Ohio, Director of Social Services.

1935-40: Locust County Hospital, Toledo, Ohio. Developed and directed demonstration project on medical social work.

1933-35: Mount Sinai Hospital, New York City, N.Y., Caseworker.

1932-33: Lying-in Hospital, New York City, N.Y., Director of Social Services.

1924-32: Mass. Memorial Hospital, Boston, Mass., Caseworker.

Under the sponsorship of the National Association of Social Workers, she organized a pilot program on postgraduate education for social workers, beyond the Master of Social Work, and became the first educational director of the project. She is the author of several professional articles and a book entitled "The Dynamic Approach to Illness," published in 1949 by the Family Service Association of America.

It is a pleasure to honor Miss Upham by including her accomplishments in the CONGRESSIONAL RECORD.

AMERICAN SUPPORT OF GREEK  
DICTATORSHIP EXPOSED

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. EDWARDS of California. Mr. Speaker, I have, over the past few years, brought the situation in Greece and American involvement in the affairs of that tragically oppressed country, to the attention of my colleagues. I would like, once again, to urge my colleagues to attend to this grave and disgraceful situation. Mr. Pete Laine, in an article appearing in the Miami Herald, has outlined the situation with forthrightness and honesty and I commend his article to all friends of freedom:

DESPITE REGIME'S REPRESSION: UNITED STATES  
STAYING COSY WITH GREEKS

(By Pete Laine)

WASHINGTON.—Despite the lumpy mattress, the U.S. government is in bed to stay with a Greek dictatorship denounced by the Council of Europe for political repression, torture and murder.

The U.S. has, in fact, moved closer to the ruling Greek colonels than at any time since they seized power four years ago.

The U.S. heavy arms embargo was lifted last fall. The Greek army chief was received by the Pentagon this spring. Last month, Commerce Secretary Maurice Stans visited Athens and gave the junta its biggest boost yet.

Ignoring the estimated 1,200 political prisoners held under martial law, Stans lunched with nine officials and praised the "sense of security" the Papadopoulos regime had given American business.

At the State Department, where policy on Greece is dutifully defended, one theory holds that Stans was carried away by the enthusiastic welcome arranged by his military hosts.

The colonels' happiness was understandable since it is widely believed, here and in Greece, that they are in power only because they enjoy U.S. favor—or, what counts as much, because people think they enjoy it.

The mere appearance in Athens of a high-ranking Nixon Administration official was enough to inflate that image.

Secretary of State William Rogers said in March he was "disappointed that more has not been done" by the rightist junta to restore democracy in Greece. But President Nixon, in his annual report on foreign policy, omitted mention of the Greek question.

In defending U.S. policy, administration spokesmen invariably maintain that the junta is relaxing its iron rule or at least intending to restore democracy.

But critics of U.S. policy, in Congress and in the Greek freedom movement, cite the junta's many broken promises. They insist the return of Greek democracy is as far away as ever.

Why, then, does the U.S. deal with a government whose internal politics it privately deplores? The answer is that the U.S. has an overwhelming need for military bases in the eastern Mediterranean.

Soviet influence in the area has risen steadily, and the Mideast remains perhaps the most likely trigger for World War III.

The U.S. has at least seven unclassified major facilities in Greece, including NATO's Souda Bay naval base and the missile-firing station on Crete. On an average there are 2,000 U.S. sailors in Greek ports every day. Greek airfields were invaluable to the U.S. during the Jordan evacuation crisis last fall.

But Senate investigators who went to Greece this year—and were tailed by plainclothes police—came back with a disquieting observation.

If the chips go down in the Mideast, they reported, the U.S. may not get the strategic benefits for which it is now paying such a heavy price in terms of world opinion.

The investigators for the Foreign Relations Committee, James Lowenstein and Richard Moose, pointed out that Greece has trading interests and up to 50,000 nationals in the Arab world.

Any U.S. plan to use Greek bases against the Arabs "could involve risks which no Greek government might consider worth taking," they said.

They agreed that the junta's "greatest asset" was the widespread belief that it had U.S. support. They said potential domestic opposition felt "betrayed" by the U.S.

"The Greek people believe the U.S. supports the regime, and therefore consider opposing it futile," they added, "while the U.S. interprets absence of outward opposition as evidence of support for the regime."

Administration policymakers here dismiss this "vicious circle" theory as over-simplified. They say that the Greek resistance movement is confused and weak, and that there's a limit to what the U.S. could do to help anyway.

This position is attacked head-on by John Rountzounis, spokesman for Friends of Greece, a freedom organization here. He said the junta would "crumble" if the White House merely indicated it no longer had U.S. approval.

"The Greek military from within would destroy the junta in a matter of weeks," he said.

Rountzounis also disputed the strategic rationale of U.S. policy. "The military question," he said, "was not important enough to enslave a nation of eight million people."

The colonels pulled their 1967 coup just before elections were due, ostensibly to avert a Communist victory. Rountzounis said, however, that the Communist bloc never had more than 17 percent of the nation's vote.

There were reports at the time that a leftist government would have taken Greece out of NATO.

In this connection, Sen. J. W. Fulbright (D., Ark.) suggested to administration witnesses before the Foreign Relations Com-

mittee that the U.S. helped the colonels grab power by activating a NATO plan to deal with a threatened Communist takeover.

Fulbright remained unconvinced by the witnesses' denials. They conceded that the U.S. was caught in "a very painful dilemma" in Greece.

Fulbright was angered because the heavy arms embargo, imposed by the Johnson Administration soon after the coup, was secretly broken following the Soviet invasion of Czechoslovakia in 1968. Officials conceded that \$28 million worth of shipments were made to Greece at that time.

Moose and Lowenstein reported that Greece actually received more over-all military aid from the U.S. while the embargo was in effect—a total of \$26 million—than it got in a comparable period before the embargo was imposed.

The real reason the U.S. lifted the embargo, they indicated, was that the junta put pressure on the U.S. by buying arms from France, thus lessening U.S. influence over its affairs.

Internally, they reported, progress toward the return of democracy in Greece was "frozen" and, by the junta's own terms of reference, the long-promised free elections were still distant and uncertain.

"The (U.S.) policy of friendly persuasion has clearly failed," the investigators concluded. "The regime has accepted the friendship and the military assistance, but has ignored the persuasion . . . we see no evidence that this will not continue to be the case."

Administration officials privately agree that no policy change is due. They say the military stakes are too high for any policy risks to be taken.

The exiles pin their hopes on a change of administration in Washington next year. "We think any kind of Democratic administration will deal very harshly with the junta," said Rountzounis.

While the freedom movement regarded Stans' praise of the junta as an outrage, he added, it also found some consolation in his visit. The junta must have compelled business interests to prevail on Stans to help its image, he explained—"they must be getting jittery."

GEORGIA AND ARMENIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DERWINSKI. Mr. Speaker, this week we will observe the independence days of two small Republics, Georgia and Armenia. While we can commemorate, we can hardly celebrate, as these countries enjoyed their freedom for less than 3 years.

Georgia became independent on May 26 and Armenia on May 28, 1918. Soviet governments were set up in both nations in 1921, first in Georgia, February 25, and later in Armenia, April 2.

Since World War II, approximately 60 nations, most of which had been colonies of Great Britain and France, have become independent. Forty-four of these new countries are either smaller in area or have fewer people than either Armenia or Georgia.

The Armenian Soviet Socialist Republic consists of 11,306 square miles and

has a population of 2,493,000, while the Georgian Soviet Socialist Republic has 26,911 square miles and 4,688,000 people.

As my colleagues study the list of countries which I will insert in the RECORD at the conclusion of my remarks, they will see that 19 of them are smaller in area than Armenia and that 22 are smaller than Georgia. They range in size from tiny Nauru, 8 square miles, to Ceylon, 25,332 square miles.

Twenty-eight of the forty-four nations have fewer inhabitants than Armenia, while only two have as many as Georgia. They range from Nauru's 6,500 people to Malawi's 4,642,000.

Both Armenia and Georgia exceed the following 16 countries in both area and population: Barbados, Cyprus, Equatorial Guinea, Fiji, The Gambia, Jamaica, Kuwait, Maldives, Malta, Mauritius, Nauru, Singapore, Swaziland, Tonga, Trinidad and Tobago, and Western Samoa.

Mr. Speaker, I take all statements about mellowing Communists with a huge grain of salt. I will believe that the Soviet Empire is mellowing when it follows the example set by other European nations and restores freedom and independence to Armenia and Georgia.

The table follows:

Nation	Square miles	Population (thousands)	Became independent
Barbados	166	263	1966
Botswana	275,000	668	1966
Burundi	10,747	3,614	1962
Central African Republic	236,293	1,607	1960
Ceylon	25,332	12,846	1948
Chad	495,753	3,618	1960
Congo (ex-French)	132,046	907	1960
Cyprus	3,572	630	1960
Dahomey	43,483	2,801	1960
Equatorial Guinea	10,852	296	1968
Fiji	7,055	519	1970
Gabon	102,089	495	1960
Gambia	4,005	373	1965
Guinea	94,925	4,087	1958
Guyana	83,000	758	1966
Israel	7,993	2,991	1948
Ivory Coast	127,520	4,389	1960
Jamaica	4,411	1,959	1962
Jordan	37,500	2,322	1946
Kuwait	6,178	658	1961
Laos	91,429	3,033	1949
Lesotho	11,716	941	1966
Libya	679,358	2,011	1952
Malawi	36,100	4,642	1964
Maldives	112	108	1965
Malta	122	318	1964
Mauritania	419,231	1,189	1960
Mauritius	720	800	1968
Mongolia	592,664	1,240	1945
Nauru	8	7	1968
Niger	489,189	3,946	1960
Rwanda	10,166	3,734	1962
Senegal	75,750	3,922	1960
Sierra Leone	27,699	2,588	1961
Singapore	225	2,034	1965
Somalia	246,201	3,026	1960
Southern Yemen	112,060	1,276	1967
Swaziland	6,704	429	1968
Togo	21,850	1,908	1960
Tonga	269	83	1970
Trinidad and Tobago	1,979	1,099	1962
Western Samoa	1,130	141	1962
Zambia	290,586	4,442	1964

HOUSE RESOLUTION 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 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.

SMALLER BUSINESS ASSOCIATION OF NEW ENGLAND, INC., PRESENTS ITS PROPOSALS FOR CONGRESSIONAL ACTION

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. MORSE. Mr. Speaker, members of the Smaller Business Association of New England, Inc.—SBANE—visit Washington annually to present their program for legislative action. Consistently, their recommendations have been thoughtful and constructive. This year was no exception.

On May 19 SBANE organized an excellent luncheon in the Rayburn Building for Members of Congress who serve on the Select Committee on Small Business and those who are from the New England area. The luncheon was well attended and the 1971 legislative presentation itself was excellent.

Great credit for the day's event must go to SBANE officers, in particular President Joseph F. McPhee, Vice President Edward H. Pendergast, Jr., and Executive Vice President Lewis A. Shattuck. But when an organization has energetic, competent leadership, this invariably suggests an active, concerned membership. In a sense, therefore, all SBANE members deserve to be commended for the May 19 presentation.

Members of Congress know that SBANE over the years has established a reputation as one of the most respon-

sible organizations of its kind in this country. Since 1938 it has well served not only its New England members but the national small business community at large. It has done this through its responsible advocacy of measures by Congress to help this vital group of American businessmen regardless of the region in which they are located.

SBANE's legislative program for 1971 covers the important subjects of staffing levels at the Small Business Administration, taxation policies affecting small businesses, U.S. Government procurement policies affecting small businesses, and conversion of our economy to a peacetime basis. Concern with this last problem is an example of the forward vision of SBANE members.

I include the full text of SBANE's legislative proposals for 1971 in the RECORD so that they may come to the attention of my colleagues. I urge that the proposals receive careful attention and study.

#### ABOUT SBANE

The Smaller Business Association of New England, Inc., is a private, non-profit, non-partisan association of New England small companies. It was founded in 1938 to promote and protect the welfare of small business throughout the six-state region. This is accomplished by:

- (1) grouping together, articulating the needs of small business, and taking common action;
- (2) promoting and supporting legislation and government activities beneficial to small business and opposing those activities and legislation detrimental to the interest of the smaller business;
- (3) cooperating with other small business groups; and
- (4) the education of the small businessman and others in the problems which they must face in order to be successful, and the education of the small businessman as to matters which both threaten and preserve the system of free, profit-incentive, private, competitive enterprise.

The major emphasis in the programs offered to the membership are in the areas of legislation on the national level and education programs.

Besides appearances before various Congressional committees, the Association appears on Capitol Hill once a year for a Washington Presentation of specific proposals designed to assist small business.

The Association is also a member of the Small Business Economic Council, which was formed at the request of President Nixon in September, 1970, to promote awareness of small business problems with key administrative officials.

The education activities are many and varied. They include seminars and conferences held throughout New England often sponsored in conjunction with leading New England universities and Federal agencies such as the Small Business Administration.

Best known of SBANE's educational programs for the past 12 years has been the annual "Live-In" Seminar on the campus of the Harvard Business School.

The Association also publishes a monthly magazine, *New England Business*, containing information and educational features for the small business executive and news about SBANE's monthly activities.

The Association's services also extend to counseling its members on small business problems and serving as a source of business information. Furthermore, the Association provides government liaison, procurement assistance and offers its members group insurance programs and trade missions.

SBANE offices are located at 69 Hickory Drive, Waltham, Massachusetts 02154.

#### I. SBANE 1971 PROPOSAL FOR THE SMALL BUSINESS ADMINISTRATION

The SBA was created in 1963 with modest manpower. It has had equally modest manpower increases ever since. Yet the SBA has been charged with ever-widening responsibilities. These responsibilities (without the necessary staffing to cope with them) are damaging to the effectiveness of the Agency. This Association recommends that additional manpower be authorized in 1971 to enable the SBA to meet its responsibilities and to deal more effectively with the needs of the more than 5,000,000 small businesses that employ 50% of the country's workforce and account for 40% of its Gross National Product. The Association also urges Congress to continue to protect the independence of the SBA.

#### The pattern of responsibilities vs manpower

The first box, which follows, illustrates how the SBA's responsibilities have proliferated over the past 18 years. A comparison with the second box reveals how manpower has been allotted to meet these responsibilities. The two are far from balanced. While the SBA's staffing has never been generous, today it is woefully inadequate to the tasks it is being asked to perform, to the point that overall effectiveness of the agency is in jeopardy.

The stress on agency personnel, however, is more than quantitative; SBA staffers are being called on to do a variety of jobs in a variety of areas quite outside the normal small business sphere.

#### [Box 1: Expansion of SBA Responsibilities since 1953]

##### Procurement/management/technical assistance

- 1963—Voluntary Sub-Contracting Program.
- 1965—SCORE—Service Corps of Retired Executive.
- 1967—Technology Utilization Program.
- 1968—Evaluation/Assistance with Economic Opportunity Loans.
- 1968—Section 8(a) Contracts.
- 1969—Certificate of Competency expanded.
- 1969—Introduction of Section 406 to hire management consultants for disadvantaged.

##### Financial assistance

###### Business Loans

- 1965—Economic Opportunity Act.
- 1967-68—Minority Enterprise.
- Disaster Loans
- 1961—Drought and Excessive Rainfall.
- 1961—Displaced Business.
- 1964—Natural Disasters.
- 1964—Product Disaster.
- 1966—Trade Adjustment.
- 1969—Coal Mine Health & Safety Act.
- 1970—Egg Act/Poultry & Wholesome Meat Act.
- 1970—Occupational Safety and Health Act.
- 1958—Small Business Investment Act State/Local Development Cos.

1965—Lease Guarantee Program Guarantee Surety Bonds.

##### Loan Processing/Closing Loans for Other Agencies

- 1957—Department of Interior—fishing vessels.
- 1961—Area Development Authority.

#### BOX 2.—SBA MANPOWER SINCE 1962

Calendar year	Central office personnel	Field personnel	Total agency personnel
1962	709	2,383	3,092
1963	751	2,465	3,216
1964	783	2,587	3,370
1965	769	3,016	3,785
1966	840	3,091	3,931
1967	1,014	3,433	4,447
1968	1,019	3,262	4,281
1969	974	3,228	4,202
1970 (November)	1,006	3,144	4,150

#### The financial assistance quagmire

For example, since the mid-1960's, the SBA has placed a major part of its services in the area of minority enterprises. Unfortunately, this involvement has had to be at the expense of other established, ongoing programs, as the minority enterprises role was never properly staffed to begin with. Instead, key personnel were shifted from other areas and programs and asked to do a job that not only required many business skills but involved the social area as well.

#### Small business procurement hurt

It is with the Procurement, Management and Technical Assistance function (PMA) that the SBA manpower shortage has had its worst effect on small business. Here highly-trained personnel were diverted to provide intensive assistance to minority enterprises. The result of spreading these specialists so thin has been a marked decline in small business procurement.

#### An expanding loan-making role

In addition to assuming responsibility for minority enterprises, the SBA has over the years been made responsible for processing and closing loans for other agencies. These include loans to owners of fishing vessels for the Department of Interior (which has involved the SBA in the complex field of Admiralty Law); loans to clients of the Economic Development Commission; loans for financial rehabilitation to owners and/or tenants of non-residential property and urban renewal areas for the Department of Housing and Urban Development.

Coupled with the expansion in Financial Assistance programs has been a 55.4% increase in guaranty loan activity and a dollar increase of 98.1%. Yet incredibly, field staff to deal with these growing functions has actually decreased since 1967.

#### More responsibilities seen for the SBA

The outlook for the future is for a continued expansion of SBA responsibilities. The whole subject of conversion from military/space production to the civilian area, itself a separate section in this proposal, presents an awesome challenge to the SBA. Moreover in March of 1970, President Nixon by Executive Order directed the agency to expand its Advocacy Program to represent the interests of small business before other Government departments. These burdens would be considerable under favorable staffing conditions; under present conditions they are probably overwhelming.

#### SBA independence vital

This Association is alarmed by the President's proposal, as part of his overall reorganization of Government, to make the SBA a part of a larger department. We have traditionally opposed this; our reasons for doing so are as valid as they were in the past. At a time when SBA effectiveness is impaired by a critical lack of manpower, the prospect of seeing the agency merged into a catch-all department serving the needs of large and small business alike is distressing to say the least. Small business is bound to suffer by any such amalgamation, and the programs designed to help small businesses are bound to be tragically compromised. As an SBANE member put it in a letter to his Congressman some years ago: "... if there were to be a consolidation of ... agencies, the SBA should take over the Department of Commerce. I make this suggestion on the grounds that the most important segment of any structure is the foundation. Small business is the foundation of the American economy." We hope that Congress will, as it has in the past, defend and protect the independence of the one agency in Government that the small businessman can rely on.

#### II. SBANE 1971 PROPOSAL FOR—TAXATION

SBANE supports Tax Reform for Small Business. Specifically, the Association urges reinstatement of the 7% Investment Credit

as being the single most effective tax incentive to stimulate economic growth. Furthermore, SBANE endorses the following points of Senate Bill 544: The increase in the Net Operating Loss Carryover Period from 5 years to 10 and the increase in the number of permissible Shareholders in a Subchapter S Corporation: It opposes the limitation of Net Assets to \$1 million as being too restrictive. In S. 1615 and H. 7692, SBANE supports all provisions except one: the establishment of a cross-over point at which a greater tax would be paid by Corporations earning in excess of \$1 million. The Association has specific counter-proposals to make to this provision.

#### *Senator Bible's bill*

S. 1615, introduced by Senator Alan Bible, Chairman of the Senate Small Business Committee, is a comprehensive plan for tax reform and simplification. It encompasses a total package of meaningful change which will give significant tax incentives to small business, without creating serious adverse revenue effect to the Government.

The Bill is broken into eight sections covering a wide area of concern to small business. One section deals with the adjustment of the normal tax rate for corporations. Presently, corporations pay a fixed normal tax at the rate of 22% on taxable income. In addition, a surtax of 26% is payable on all taxable income in excess of \$25,000. The Bill proposes a graduated normal tax ranging from 20% on taxable income that is not in excess of \$50,000 to a maximum of 24% on taxable income in excess of \$1 billion. The crossover point at which a greater tax would be levied would be at the \$1 million taxable income level. This would have the effect of shifting an added burden to larger corporations. We do not support this. We believe a more realistic approach was contained in SBANE's 1970 proposal which called for a \$50,000 surtax exemption for those corporations which have earnings of \$50,000 or less. This exemption would be gradually reduced to the present amount of \$25,000 for corporations with taxable incomes in excess of \$100,000. Only a single exemption would be available to members of a controlled group.

#### *A modification in the tax reduction proposal urged*

Another meaningful approach to tax reduction is found in the proposal to exempt operating income for a five-year period. Such a plan, although new to U.S. tax concepts, is no novelty and has been employed successfully in other western industrialized nations.

In addition to the "tax holiday" plan, and in lieu of the proposal to increase the dollar amount of the surtax exemption, another way to mitigate the adverse effect of the corporate surtax is found in the proposal to allow a maximum of five surtax exemptions per family group. Such a proposal would effectively increase the income of the group by increasing that portion of income that would be taxed at the normal rate. Hence, an additional \$100,000 of a company's income could be taxed at the rate of 22%, effecting an immediate savings of \$26,000 per year. Such a plan could be limited to small businesses, without shifting any burden to larger corporations, nor would it result in any significant revenue loss.

#### *Retain the new ADR System*

Since the introduction of Senator Bible's Bill, the Administration has taken significant action in the area of providing more liberalized depreciation practices. We believe that the new ADR System (Asset Depreciation Ranges) should be given a chance to become effective. Thus, those portions of Senate Bill 1615, which deal with depreciation policies, we feel should be held in abeyance subject

to a review of the ADR System's performance.

#### *Reinstate investment credit*

We do, however, strongly recommend some sort of limited restoration of the 7% investment credit as being the single most important tax incentive Congress could give to small business at this point in time.

#### *SBANE supports fringe benefit equalization*

The Tax Reform Act placed serious limitations on certain fringe benefits for shareholders of electing small business corporations. Effectively, it placed a ceiling of \$2500 on the amount that can be set aside in a qualified trust and for which a tax deduction can be obtained. Thus, shareholder-officers of electing small business corporations are, for tax purposes, grouped with self-employed individuals, and both are discriminated against in comparison to employees of larger firms. S. 1615 provides equalized treatment of fringe benefits. We strongly support this.

#### *SBANE supports loss carryovers*

The Bill also contains a number of proposals that only conform to the tax treatment of similar items between corporations, electing small business corporations, and partnerships. Of these, the most significant and worthy of support allow for the amortization of organization expense of a partnership and the carryover of unused operating losses of electing small business corporations. The latter proposal has considerable merit. In the past, shareholders of these corporations have not been allowed to utilize operating losses in excess of basis. In subsequent periods when the shareholder had positive basis, the unused losses were not available for deduction. This is contrary to the rules which apply to partnerships, which allow a current deduction for any unused operating loss not claimed in prior years due to insufficient basis.

#### *Senator Bennett's bill*

The Administration's small business tax relief bill as introduced by Senator Bennett, appears to be rather short on relief, although it does encompass at least in part one major recommendation that would have a major positive effect on small business.

#### *SBANE supports longer net operating loss deduction period*

This is the increase of from 5 to 10 years in the period during which a net operating loss can be carried forward. This provision would apply both to individuals and small business corporations. It has always been one of the major goals sought by small business, and it would appear now that its realization in the present Congress is attainable.

#### *Increase in shareholder maximum supported*

In addition, the Administration has proposed to increase the number of shareholders permitted in a Subchapter S corporation from 10 to 30. This will be particularly helpful to those businesses wishing to offer stock to key employees.

#### *Modification of net asset limitation provision urged*

The only restrictive provision in the Administration's net operating loss proposal is its definition of a small business. A small business under this provision can have no more than 250 employees, or 250 shareholders, or net assets in excess of \$1 million. The limitation on net assets, however, would eliminate a number of small businesses that would otherwise qualify. SBANE recommends that this restriction be modified.

#### *SBANE urges Senate passage of Interstate Taxation Act*

The House has twice passed this legislation by overwhelming majorities. This year,

SBANE urges the Senate to report the bill out of committee and enact it into law. The legislation would have a decided, positive effect in encouraging interstate commerce, as it would remove the single largest roadblock facing small businesses wishing to engage in such commerce. As things stand now, small businesses encounter a virtual jungle of uncertainty in determining if they are indeed subject to the tax, and if so, in computing the tax. A single example of the almost incredible nature of the problem: due to varying methods for determining taxable property, it is not uncommon for the aggregate of the allocation factors for all the states in which a corporation does business to total more than 100%; accordingly, many corporations actually pay state taxes on more than their entire income or capital. The Interstate Taxation Act would help put a stop to situations such as this. The Association feels that it deserves support.

#### III. SBANE 1971 PROPOSAL FOR—PROCUREMENT

Small business historically has been discriminated against in the procurement of government contracts. While the SBA has tried with some success to promote the cause of small business, many hurdles still remain in the path of smaller firms competing for government contracts. Small business does not seek undue advantage, simply an equal opportunity, SBANE recommends the following to promote small business procurement. First, a downward revision in small business size standards. Two, that the government should continue to rely on the private sector of the economy for its service needs and that Congress enact legislation to give the force of public law to this policy. Three, the establishment of mandatory set-asides in total package procurement programs. Four, the establishment of a contract disputes clause to give subcontractors a means of appeal to the government.

When the Small Business Set-Aside Program was implemented, the size standard for most industries was that the number of employees of a qualifying company could not exceed 500 persons. This has been expanded in recent years to where a size standard of 1000 employees is common, and recently we note in one area a size standard of 1500 employees. This Association contends that a company which employs from 1000 to 1500 people can hardly be considered a small business.

SBANE therefore recommends that Congress direct the review of the entire practice in the setting of these standards; it also recommends that any proposal to change size standards be published in advance in the "Commerce Business Daily" instead of (or as well as) in the "Federal Register." This will better enable the small businesses affected by such changes to respond.

#### THE SERVICE CONTRACT CONTROVERSY

There are at least five cases currently pending before Federal courts contesting the legality of service contracts. These suits have been brought by Federal employee unions; they seek to have such contracts cancelled and to have the work involved given to their members. A decision in favor of these unions would have a devastating effect on the entire \$85 billion a year service industry and upon the economy as a whole.

Historically, it has been the policy of the Government not to start or maintain any commercial activity to provide products or services for its own use, if such products or services could be obtained from the private sector. The reversal of this policy has long been the goal of Federal Employee Unions, the General Accounting Office, the Civil Service Commission, and others.

SBANE believes that legislation is needed now to resolve this controversy by clearly

defining Government policy; by defining costing criteria that can be uniformly applied to determine the relative economy of contracting for services vs. in-house performance; and by defining the legality of service contracts.

SBANE further believes that to deny the Government the ability to go "outside" for those services which can be performed by the public sector would mean (a) an inflation of Government costs; (b) the further swelling of the Government establishment; (c) a decline in the quality of services; (d) damage to several thousand U.S. businesses; (e) a loss in tax revenue to the states; (f) a fundamental denial of the free enterprise system.

#### THE CASE FOR MANDATORY SET-ASIDES

The very concept of weapons system management through total packaging procurement restricts small business participation in the competition for many items that normally they could produce. The program vests the prime contractor with absolute authority to manage the total package, thereby eliminating the possibility of the Government contracting directly with small businesses for the many thousands of parts and components required by a modern weapons system.

Moreover, at the present time, other than a no-teeth voluntary small business subcontracting program, there is no way for the DOD or SBA to require participation in a definite subcontracting program. While some large firms are providing good programs, too many companies are merely talking about providing them.

SBANE therefore recommends a change in the ground rules. We specifically urge Congress to pass legislation that would require a subcontractor set-aside program to be established in connection with any total package procurement program, and that it be negotiated prior to the awarding of the prime contract. Such contractual obligation to subcontract is necessary if small business is to have a fair chance to compete.

#### A contract disputes clause needed

SBANE urges that contracts and purchase orders issued by a Government prime contractor to a subcontractor contain a disputes clause giving subcontractors access to the appropriate Government contracting officer and/or the Armed Services Board of Contract Appeals when a dispute cannot be settled between sub and prime.

Such a clause is standard in all Government prime contracts, but the prime contractor is prohibited from including such a clause in subcontracts. The intent of this is apparently to insulate the Government from direct claims by a subcontractor, and implies that unresolved disputes between prime and sub be handled by (a) arbitration, (b) lawsuit, or (c) by having the prime institute an appeal to the Government on behalf of the sub. While this may protect the Government, it leaves a subcontractor with too few safeguards.

For example, a prime contractor does not have to assert a claim on behalf of a sub and is naturally unlikely to do so if the dispute is the result of any action by himself.

This leaves the lawsuit as sole recourse. Unfortunately, when suits have been brought in Courts of Competent Jurisdiction, such courts have ruled with reasonable consistency that the written terms of the contract are the whole terms and that no clause for action is justified.

SBANE concurs with Professor Harold C. Petrowitz in a report prepared for the Senate Select Committee on Small Business, dated July 28, 1966, in recommending: "That contracts and purchase orders issued by a

Government prime contractor to a subcontractor contain a 'disputes' clause giving the subcontractor access to the appropriate Government officer, and if necessary, the Armed Services Board of Contract Appeals in the event of a dispute related to the terms and conditions of the contract, when such a dispute cannot be settled by the subcontractor with the Prime." Further, this right should accrue to a subcontractor whether the dispute is the result of actions by the Government or by the prime.

#### IV. SBANE 1971 PROPOSAL FOR—CONVERSION FROM A MILITARY/SPACE-ORIENTED ECONOMY

For many small businesses, conversion is the most critical topic for the 1970's. We believe that the slow progress in converting is one of the prime factors accounting for the persistent sluggishness of the economy and for a catastrophic waste of human resources. SBANE urges Congress to help correct this situation by taking the following steps. First, that Congress extend the State Technical Services Act (H.R. 6976-Morse). Second, that Congress approve Senator Kennedy's Bill S32, which will provide loans to small businesses wishing to convert. Third, that Congress authorize a limited plow-back tax credit for civilian research and development. Fourth, that Congress eliminate the penalties now incurred by a company awarded an unsolicited research contract. Fifth, that no new federal agencies be created to deal with the conversion problem.

What the Government does now to facilitate the shifting of emphasis of the economy from a military-space to a civilian product base will have great effect in the performance of large and small business alike for many years to come. We don't think it overstates the seriousness of the problem to say that what is done now will influence the American leadership role in product technology, manufacturing, research and development capabilities, and engineering capabilities, by either enhancing this leadership position or by virtually eclipsing it.

SBANE urges Congress to help in the conversion effort by implementing the following legislation and by adopting the following positions:

First, we support the extension of the State Technical Services Act, originally authored by Representative Silvio Conte. This extension has been at least suggested by Representative Bradford Morse in his recently introduced bill HR 6976. SBANE feels that for small business, conversion is as much a technological problem as it is a financial one. The extension of this act will continue to make necessary technical assistance available to small businesses wishing to shift product lines and update technology.

Second, SBANE urges a "yes" vote on Senator Kennedy's Bill S32, which would provide loans to businesses wishing to convert. This is the other necessary part of any effective conversion program: money. Such loans, as provided for in this bill, would be administered by the SBA; this we also support.

The third area requiring Congressional action in the opinion of the Association is in the encouragement of civilian research and development.

SBANE urges Congress to authorize a limited plow-back tax credit for such undertakings. We also feel that the penalties currently incurred by companies engaging in unsolicited research be eliminated. These are two things that small business vitally needs to convert successfully.

Finally, SBANE maintains that to create new Government agencies to deal with the conversion problem would be to create waste. A more positive approach would be to fund the efforts of existing agencies that already have at least some of the resources to make

a contribution in this area, and are able to make a contribution immediately.

#### HON. WILBUR MILLS ADDRESSES JOINT SESSION

#### HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1971

Mr. DORN. Mr. Speaker, our beloved, distinguished, and able colleague, Chairman WILBUR MILLS, offered hope and encouragement to our depressed textile industry and its 2½ million employees in a dynamic address to a joint session of the South Carolina General Assembly on May 19. The Honorable Mr. MILLS was invited by a unanimous vote of the South Carolina House and Senate. Mr. MILLS was introduced by His Excellency, the great and able Governor of South Carolina, the Honorable John Carl West.

I commend to the attention of my colleagues in the Congress, and to the American people, the timely and superb address of our much admired and revered colleague:

REMARKS OF THE HONORABLE WILBUR D. MILLS BEFORE THE JOINT SESSION OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, MAY 19, 1971

Mr. President, Mr. Speaker, Honored Guests, Members of the General Assembly of South Carolina; you do me great honor by extending to me the privilege of addressing this distinguished legislature. I am aware that this is a privilege not extended lightly or often, and I am all the more honored by that fact.

Throughout the history of this nation, there has never been any doubt that there does exist in these United States the sovereign State of South Carolina. Nor has there been any doubt that the elected representatives, whether in this distinguished legislative body, or in the national Congress, pursue their deeply held principles of government and the interests of this State with persistence, with imagination and with great effectiveness.

Anyone who is privileged to serve in a legislature gains a highly personal feeling for the traditions of the legislative functions of our government. I think that most of us hold in special esteem the assemblies of the thirteen original States where the traditions and strengths unique to the American legislative process began. None of these State legislatures has a stronger heritage of independence of thought and action than the Commons House of South Carolina which began in Colonial times and which has been carried forward by this Assembly.

The history of this State and of our nation is richer through the lives of many leaders who began their public careers in this Assembly. The names of Rutledge, Pinckney, Moultrie, Marion, Sumter, and Pickens are familiar to us through their contributions to the founding of this nation. For the most part, these men began their public lives by service in this Assembly.

One could not mention the men who have served in this Assembly without referring to John C. Calhoun, Member of Congress, Senator, Secretary of War, Secretary of State, and Vice President. No man in the history of our country has brought more power of intellect and legislative and political skill to forward the interest of his State and to

achieve a change in national policy than John C. Calhoun. His leadership in defeating the move toward high tariffs which were strangling the South is rightly regarded as one of the great political victories in our history.

Mr. Speaker, you have established yourself in the annals of legislative history. I am informed that your service as Speaker of this House for 31 years exceeds the service of any speaker of any parliamentary or legislative body. I cannot fail to mention the service of my friend, the President pro tem of the Senate, the Honorable Edgar A. Brown, who has served in this legislature for 48 years—42 in the Senate.

No State is represented in the national Congress with greater fidelity and legislative skill than South Carolina. I have noted the portrait of the late Honorable L. Mendel Rivers which I understand was just recently unveiled. I can assure you that this "Son of South Carolina" is remembered as fondly in the Congress in Washington as he is in this Assembly.

I have visited in South Carolina on a number of occasions. I have always been impressed with the hospitality shown me by people in this State. The warmth and friendliness is akin to the welcome always found in Arkansas. What has struck me most is the vitality of the people of South Carolina and their hopes and aspirations for the future.

Hidden behind the headlines of dissent and struggles in the courts is the social and economic progress being made in this State. One of the forces behind that social and economic progress has been the realization of the attractiveness of South Carolina as a place to work and to live. The textile industry is playing a vital role in the economic and social progress of this State. Textile mills in South Carolina operate more than one-third of the textile spindles in the United States. South Carolina mills weave 42 percent of all cotton cloth produced in the United States. Approximately one-half of all industrial jobs in South Carolina are in the textile industry.

The contributions to social and economic improvement by the textile industry in this State are indicated by the fact that 21 percent of the textile employees are black. The importance of this opportunity for work in more skilled and higher paying jobs is indicated by the fact that the national average of employment of blacks in industry is only 10 percent. Unfortunately, recent plant closings also indicate the economic force of the textile industry in the many communities in South Carolina. Citizens of such cities as Greer, Spartanburg, Clifton, Lexington, Rock Hill, Greenville, Allendale, and Greenwood have experienced the disastrous economic impact of plants closing. Other communities throughout the State are experiencing difficulties as a result of short work weeks.

I have visited in some of these communities, and I therefore, understand the special fervor with which the interest of this industry is supported by its citizens.

I have not come to Columbia, South Carolina, to enjoy your gracious hospitality and to accept the honor you do me by addressing this distinguished body, only to ignore the Concurrent Resolution adopted by this Assembly on March 17 of this year. I refer to S. 283 introduced by Senators Long, Lake and Bonner, the subject matter of which is somewhat familiar to me. Concurrent Resolution S. 283 memorializes the President and the Congress to take steps necessary to restore order to international trade in textiles and commends the President for rejecting the Japanese unilateral textile export restraint offer.

There stands before you one member of the Congress who has been appropriately memorialized. Moreover, some of you have

been kind enough to write me directly on this matter. I can also assure you that my Congressional colleagues from South Carolina have not hesitated to make their views known. By now I understand the feelings in South Carolina toward the initiative of the Japanese textile industry.

I welcomed the declaration of the Japanese textile federation as a meaningful step toward a solution to the problems of international trade in textiles. In view of the circumstances, my deep respect for the members of this body, and my own personal commitment to an acceptable solution to problems of textile imports, I want to share with you my position on this matter. In doing so, I believe it necessary to place in perspective all of the efforts to maintain a healthy and growing textile industry in the United States.

Last May 2 marked the tenth anniversary of the announcement by President John F. Kennedy of his 7-point textile program, which addressed itself to a deeply troubled textile industry. In the decade that has followed, the actions initiated under that program successfully dealt with a number of disadvantageous conditions in the industry.

Two-price cotton no longer plagues the cotton textile manufacturer.

More reasonable depreciation schedules for textile machinery were implemented. Investment incentives were enacted, and the textile industry responded with much higher levels of investment.

There has been a high degree of cooperation between employees and management groups in the textile industry and the Department of Commerce in product and market research.

The Small Business Administration has played an important role in assisting in some of the financing of modern equipment in textile plants.

On the other hand, the changes in the law to permit industries seriously injured by increased imports to obtain government assistance have not worked well. Indeed, the criteria of the escape clause provision in the Trade Expansion Act of 1962 were drawn and have been administered so rigidly that no reasonable opportunity has been afforded the textile industry under this law to have its problems of competitive imports considered on their merits.

Finally, however, the directive by President Kennedy to the Department of State to convene an early conference of textile-exporting and importing countries was acted upon. Very soon thereafter there emerged the Long-Term Arrangement on Cotton Textiles.

I do not suggest that the problems of the textile industry were solved by President Kennedy's 7-point textile program. I do mean to convey to you it was an action program which was responsive to some of the needs of the textile industry at that time. I see a number of men in this chamber who played a vital role in the development and implementation of that program.

Since the negotiations of the long-term arrangement on cotton textiles, which constituted international recognition of the problems which we face in international trade in cotton textiles, there have been a number of developments which bear on the current situation. While the cotton textile arrangement has worked fairly well, this country has found it necessary to accommodate itself to ever-increasing imports of cotton textiles as more of the developing countries started producing textiles for exports, primarily aimed at the American market. Indeed, between 1961 and 1970, imports of cotton textiles increased 150 percent despite the restraints imposed under the international agreement.

At the time the cotton textile arrangement was negotiated, no similar agreement

was reached on imports of textiles of wool and of manmade fiber. At that time, the United States had only recently increased its duties on imports of most wool textiles in response to the serious conditions of the woolen industry in this country. In addition, imports of textiles of manmade fiber were at levels which did not present an immediate problem to the domestic textile industry.

During the decade which has followed, imports of textiles of manmade fiber have soared. Many foreign exporters, despite increases in cotton textile imports to the United States, shifted to the production of manmade fiber textiles. Between 1961 and 1970, imports of textiles of manmade fiber increased 1300 percent. Most of the volume of this increase has taken place in the last 5 years.

In the mid-1960's, the United States and the other major trading countries were engaged in the Kennedy Round of trade negotiations. During this period, spokesmen for the textile industry called attention to the growth in imports of textiles of manmade fibers and the further increases which would take place if an arrangement similar to the cotton textile arrangement were not negotiated. Although the tariff reductions on textiles agreed to in the Kennedy Round were not substantial, no action was taken to secure an international understanding on textile imports of manmade fiber and wool.

By 1968, the sharp rise in textile imports and the obvious threat that such trends in trade posed for the textile industry resulted in the President as a candidate pledging action on the problem of textile imports.

Shortly after his inauguration, President Nixon assigned high priority to the problem of negotiating a textile agreement on manmade fibers and wool. He sent a delegation headed by Secretary of Commerce Stans both to Europe and to the Far East, but these early efforts met with little understanding either in Europe or in the textile exporting countries in the Far East. These efforts to negotiate an agreement have continued unsuccessfully. Early in 1970, it appeared obvious that the major textile exporting countries, primarily Japan, would not come to terms unless it were indicated that the United States would take unilateral action to maintain its own domestic textile industry.

At the request of leaders of the textile industry and their workers and the shoe industry and unions representing shoe workers, I introduced in the Congress a bill providing for import quotas on both textiles and shoes. I had previously indicated in public statements, indeed in speeches in this State, that if an agreement were not reached providing reasonable restraints on textile exports to the United States, the Congress would be forced to act. I was told that the introduction of a bill would be helpful in convincing our trading partners that an international agreement was preferable to action by the Congress.

During the Committee's consideration of the trade bill which I introduced, the bill incorporating the President's own trade proposals and the many other import quota bills pending before the Committee, a number of members of Congress, myself included, consulted with the President. The President was advised that it would be impossible to pass trade legislation which provided for import quotas for one industry alone without import quotas being approved for other industries.

Despite this advice, Secretary of Commerce Stans appeared before the Committee at the end of the public hearings and stated that, due to failure of textile negotiations, the President would support import quotas for textiles but would oppose similar meas-

ures for the shoe industry or for other industries.

The Committee on Ways and Means was faced with the task of reporting a bill that would be approved by both Houses of Congress and become law. The Committee fashioned a bill which provided import quotas on textiles and shoes and included provisions covering every trade proposal made by the President. This task was not made easier by the President's announcement during the Committee's work that he would veto the trade bill if its provisions went beyond import quotas for textiles alone. The President thus placed the Congress in an almost impossible situation: On the one hand, everyone knew that a bill containing quotas on only textiles could not be reported and could not pass the House. On the other hand, he would veto a bill which did contain shoe quotas. As many of you know, the vote in the House was extremely close due in part to support by Administration officials of a move to amend the bill along the lines approved by the President; that is, import quotas for textiles alone.

With the continued insistence by the President's spokesmen for a trade bill providing import quotas solely for textiles and nothing else, the fate of the House-passed bill in the Senate was as predicted by many of us.

With the end of the 91st Congress and further discussions with the Japanese at a complete standstill, I became increasingly concerned that no action of any kind was being taken, or contemplated, to stop the further rapid growth in imports of textiles. I reintroduced the trade bill as passed by the House in the previous Congress as an indication and indeed a hope that successful negotiations could proceed with Japan.

These negotiations had been going on for a period of two years. There were no developments which could change my assessment, and that of a majority of the Ways and Means Committee members, that trade legislation providing quotas for only the textile industry could not pass the Congress. When it was suggested to me that the Japanese textile industry itself might be willing to undertake voluntary restraints which would be monitored by the Japanese government under its own trade law, I indicated that I would be willing to support that move as a beginning and meaningful step in achieving reasonable controls on imports of textiles into the United States. Bear in mind, my friends, that no other action was being taken or appeared possible.

I believe my position to be consistent with all the past statements I have made in support of a healthy and growing textile industry in the United States. I believe that such initiative on the part of the Japanese textile industry would convince other major exporters to take similar action.

I still hope that arrangements can soon be reached which will provide immediate restraints on imports of textiles into the United States. I expect Japan to effectuate its Declaration not later than July 1st. In the face of increasing imports, such restraints are needed as soon as possible. Under such an arrangement we can be responsive to the long-run interest of the textile industry and avoid the risk of world confrontation on trade policies which would serve no one's interest.

I have discussed this situation with leaders in the textile industry. I understand the reasons for the industry's reluctance to embrace the Japanese textile industry's initiative as a step in the right direction. On the other hand, I have expressed the hope that the declaration of the Japanese textile industry be given an opportunity to work and that the continued lack of decisive response to increases in imports of textiles will turn to statesmanlike decisions both on the part

of the Japanese and our own government. I repeat, nothing else had been accomplished. I am deeply concerned that if we continue without some restraints, the adjustment problems will grow larger and meaningful accommodation far more distant.

It may well be that in the end, the Congress will have to approve statutory controls on textile imports. Over 30 years of experience in the Congress and 13 years as Chairman of the Committee on Ways and Means indicate to me that such a step is not possible without providing similar restraints on imports of other products, which could mean a complete reversal of this country's trade policy. As I have stated, the President apparently knows of another way to obtain the protection which the textile industry is seeking and, at the same time, prevent other protectionist developments from accompanying that relief, but I do not. He has not shared his views in this regard with us.

Under the impasse we now face, we are unable even to amend the provisions of our trade law which would afford effective relief to our domestic producers seeking relief from injurious import competition.

I would say again that I respect the views of this legislature on the issues confronting the textile industry for I am aware of the importance of this industry not only to the State of South Carolina but to our national economy.

I will continue to work for an acceptable international arrangement which will provide the needed restraint on imports of textiles. I am hopeful that such an arrangement will be worked out very soon. If such an arrangement is not forthcoming, I renew a pledge that I gave in Greenwood three years ago—"I did not become Chairman of the Ways and Means Committee to preside over the destruction of American industry. Thus, you can be assured that I do not intend to see this great textile industry go down the drain."

#### FEDERAL INSURANCE ADMINISTRATION COMES THROUGH

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. LENT. Mr. Speaker, the Federal Insurance Administration within the Department of Health, Education, and Welfare has just come forth with a comprehensive program for making "crime insurance" available to the people of this Nation at moderate rates.

I applaud this incentive and look forward to its implementation on August 1.

Although I would much prefer that the problems of crime insurance be solved by the private insurance industry, their reluctance forced the Congress into taking action.

This much-needed and timely program was recently announced by Federal Insurance Administrator, George K. Bernstein, and, after reviewing the program thoroughly, I feel it is a worthy solution to an acute problem in many areas, most notably in New York.

I am sure I speak for many of the people of my district and in many other communities when I say that I welcome the reappearance of crime insurance, this time at "affordable" rates.

#### THE AUTOMOBILE INDUSTRY AND PROGRESS

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. CEDERBERG. Mr. Speaker, we have been hearing a lot these days about the automobile industry and its purported lack of responsibility to the Nation. Some would have us believe that the corporate leaders in the industry are ogres of some sort who sit in oak-paneled offices plotting against the American auto-buying public in terms of both the cost and safety of their product.

I would like to bring to the attention of my colleagues the transcript of a press conference which was held recently in Flint, Mich., the home of General Motors and, I believe, a community which should be able to give a sense of what the automobile industry means to a community.

The participants in the conference include community leaders, GM stockholders, and hourly rated employees in Flint plants. The thrust of the conference was not to extol any auto manufacturer as a paragon of virtue nor was it that this industry is the personification of crass materialism at the expense of the buying public. The individuals involved merely attempted to outline some of the often overlooked aspects of the production of automobiles and the relationship that industry can have with a community.

The truth, in fact, is that the automobile industry has been, and is, trying to better the communities in which it is situated. That it is trying to perfect, at reasonable cost to both the consumer and the manufacturer, devices which will make the auto a more safe and efficient, and less environmentally damaging, means of transportation. Obviously there is a long way to go. But it has been a long way from the Tin Lizzie to the sleek and comfortable cars of today. The automobile industry can and will continue to make progress in providing Americans with the safest and best land transportation available in the world. And it will continue to contribute immeasurably to the health and well-being of the communities in which it operates.

I heartily recommend the following transcript to my colleagues for their consideration:

#### PRESS CONFERENCE—STAND-UP AND SPEAK-OUT FOR GENERAL MOTORS

LARRY FORD. At this time, I would like to call on Mr. Arthur Summerfield who will address you.

ARTHUR SUMMERFIELD, Sr. Members of the Stockholders' Committee, guests, and members of the press: Flint was the first city to greet General Motors as it arrived on the American industrial scene. General Motors was born here in Flint. In the past half century, we have been reflected generously in its growth to become the world's greatest manufacturing business. Now we see vicious attacks from questionable sources and disruptive forces. As the city where General Motors was founded, Flint aligns itself in the front ranks of those opposing abusive

censure of the automobile industry—censure is generated largely by rabble rousing tactics and this statement is made by a group of citizens whose faith in General Motors is firm and abiding and is reciprocal of a General Motors investor to many years in Flint and to the nation's well being. And we invite all those in the court to join in the spirit and in action at this crucial point of time in our nation's history and we invite them to stand up and to speak out and to speak up. Now the attacks do more than assault General Motors. Following the classic unscrupulous pattern, they pinpoint General Motors primarily because it is the largest. They are also corrective of the entire automobile industry—Ford, Chrysler and American Motors. Inevitably, the assault embraces the concept of free enterprise as we know it. Thus it is aimed at the vital fabric of all ways and our way of life itself. It chisels away at the foundations of constitutional government and erodes our democratic system. Its technique prefers taxation to stability and discontent to harmonious industrial peace and progress. If this vicious practice is allowed to continue, it could only mean the loss of confidence in all the industries of America which provides jobs and strengthens the cinemas of our country. Now while we address our concerns to the entire nation, we focus our remarks on Flint because Flint is the most important link in the General Motors industrial chain from the standpoint of investment, employment and manufactured products. And to paraphrase St. Paul, we are citizens of no main city. Let us speak to all the people and we have the credentials.

From Flint, as concepts business giants as Durant, Chrysler, Dort, Nash, Mott, Curtis, and a host of others who helped lead this nation in the greatest standard of living progress that this world has ever known. In the Flint area, the number of General Motors employees exceeds 72,000 men and women. The General Motors annual payroll is nearly \$600,000,000 in this area. Some 24,000 persons in this area own General Motors shares and more than 75% of them own less than one hundred shares. The average weekly wage is \$191.00, placing these employees in the top one-third income group in the entire country. In 1970, General Motors paid local governments and the school districts in Genesee County a total of \$28,000,000 in taxes. Contrary to being reluctant tax payers, as industry is all-too-often pictured to be, General Motors has prepaid its taxes to help a unit neighbor, it has been in the forefront and our efforts on behalf of the funds for schools, recreation, for health services and to us in Flint, General Motors is as much people as it is products.

Now we do not delude ourselves that General Motors is paternal toward Flint where all wise are faultless. We too reserve the right to dissent and to criticize. We recognize unfinished tasks and the need for constant improvement. We stand four square behind the constructive efforts of industry and the private sector to improve our environment and to promote the longevity and the safety of all. Nevertheless, we do not let shortcomings of the present becloud the progress that we have made nor dull the promise of a bright future under the free enterprise and democratic system.

Now it is with these thoughts in mind that we, citizens of Flint, stockholders of General Motors and other corporations in this industry, consider ourselves as aroused adversaries, adversaries against disruption and arrogant agitators, agitators whose radical goals would tear down our corporate system and our fundamentals of business freedom. Their primary target strikes at the transportation industry which provides one job

out of every six in America and indirectly generates employment in related businesses and those who have destroyed our system have contributed least to progress as we know it. The substitute systems that they offer has failed dismally to produce a quality of life even approaching the well being we enjoy in America today.

Unfortunately, their inflammatory and false challenges are receiving attention in the halls of congress and in some courts of the law. We protest their use of America's legislative chambers as podiums to spread their poison across this nation and we are fearful that recent legislation, partially politically by these dissidents which will bring and could bring economic chaos to the nation itself. Now there is a strong attachment in allegiance between Flint and General Motors and our traditions and routes are intertwined and very deep. We have a mutual stake in the future: Our reciprocal respect and growth achieve, not by destroying, but rather by building and we pay more heed to craftsmanship than we do to baseless criticism. We believe that what we have in this land of America is worth fighting for and that's why citizens of Flint are proud to stand up and speak out for General Motors in the automobile industry.

And here is what we propose to do: The annual meeting of General Motors and shareholders takes place a week from today in Cobo Hall in Detroit and last year's meeting was a travesty but saw a small well-organized minority led by a group which collectively owned reportedly twelve shares of General Motors stock attempt to intimidate directors and shareholders into establishing policies and directorate which could only be detrimental to General Motors and the free enterprise system is of special importance to the citizens of the Flint area, we propose to be present at next Friday's meeting to show that our voices can be heard in support of our way of life. And we are asking that those Flint area shareholders in General Motors Corporation join us next Friday in a Calvacade to Cobo. Transportation will be provided and other necessary arrangements will be made. Others will provide the details. Again, let me repeat once again—time my friends is running out. If we are to preserve our way of life and the free enterprise system and the well being of the Flint area, we must now stand up and speak out. Thank you very much.

LARRY FORD. Thank you, Mr. Summerfield. Next, I would like to call on Mayor Francis Limmer to make a few remarks. Mayor Limmer.

MAYOR FRANCIS LIMMER. First of all, I, as the mayor and a citizen, am interested in safety devices, anti-pollution devices and improved bumpers. Furthermore, I am interested in what General Motors means to the city of Flint and to Genesee County, because without General Motors Genesee County would be the poor farm of the entire state of Michigan. I say and I can back this up because of what happened in recent weeks that the silent majority does not speak out, and I am here, I believe, as a representative of the silent majority; and that is to work with General Motors and not against them. I agree that they are not perfect, but I believe that they are working to become as perfect as they can. And I want to pledge my support for what they are trying to do because I know what they mean to us. Thank you.

LARRY FORD. Our next speaker is the Chairman of the County Board of Supervisors, Mr. Harold Hayden.

HAROLD HAYDEN. Thank you, Larry. I am here with a double capacity, primarily as Chairman of the County Board of Commissioners and as a hourly-rated employee of

Chevrolet for the past 26 years. As the mayor indicated here, nobody is professing, not one person would say that General Motors is a utopia as far as inter-activities are concerned but I for one who has been an hourly-rated employee for 25 years have negotiated with General Motors as a union representative can readily say that I know that as far as the County is concerned, as far as the City is concerned, as far as the growth of free enterprise is concerned, that General Motors has led the way. I give reference to services that are provided for residents of Genesee County. I look at Burton Township, Flint Township, Genesee, Grand Blanc, City of Swartz Creek and I have looked at the amount of tax dollars that General Motors contributes day in and day out to the growth of these areas of government as far as Genesee County is concerned, then the ultimate end is obvious—over \$28,000,000 which is more than the operating budget of the city of Flint, is more than the single operating budget of Genesee County. This amount of money, tax based is poured into Genesee County annually. I'm concerned about jobs at Genesee County. I'm concerned about jobs in the City of Flint. As a life-long resident of this area and as the representative of the government, I look and view with increasing alarm when 40% of automobiles sold in California are foreign made. I'm alarmed when 16% of the automobiles that are sold in this country are foreign made because each percent that are sold represents a significant amount of jobs for union people in the United States. Now, if you want to get biased about it, when you start talking about unions, when you start talking about management, talk about income, and for each percent you relate to approximately 20,000 jobs.

Now this is significant because in Genesee County there are approximately 70 some thousand General Motors employees. So if you relate that to 3 or 3½%, that would wipe out the whole total employment force of Genesee County. This is alarming to retired members of the General Motors family whose livelihood and income is based solely upon the income of their retirement pensions that they receive from General Motors. These people have given their lives—the better part of their lives—30, 35 years; 20, 25 years; 15 years of employment in an organization they had faith and confidence in. If they didn't, they wouldn't have been there. I believe that the disagreements, I believe that the misunderstandings of the difference of opinions that may be within the confines of the General Motors family can be worked out with them there and I, as a member of that family, have constantly striven in that direction and I have never, never, found one individual, and I don't care whether he is a plant manager, or whether he is a foreman on the line who was reluctant to stand and collectively bargain fairly to improve the working conditions of the workers of the plants and to produce a better product than anybody else. We in the General Motors family and I say we, because our employees take pride, in our employment as far as General Motors is concerned because we are part of the team and we will fight among ourselves that as in the navy, let somebody else talk about your ship, then you will find out where the loyalties lie. So, I take pride in being a part of this interview this morning as a member of the Genesee County Board of Commissioners and as its Chairman, but more as a citizen of Genesee County and as an employee of Chevrolet Motors Commission. Thank you.

LARRY FORD. Thank you, Mr. Chairman. Our next speaker is of course the fairest of them all, all of us, that is, Mrs. Madge Day.

Thank you very much. I speak simply and I hope humbly for the thousands of women

in this city and this country who get out and pound sidewalks, ring doorbells, raise money from boutiques and cake sales, and so on, in an effort to be good citizens. They do this in addition to their families and domestic responsibilities and they do it because it is a part of their lives. It is a part of everyone's life to become involved in the community in which they work. In this sometimes monumental effort, the greatest possible aid and assistance through the years that I have lived in Flint and know anything about civic efforts here, has been the complete dependence that we have in many ways on the corporation. Money is, of course, of a very great importance but even more so is the calibre of leadership and assistance and advice that we are able to draw from the corporate management of Flint. I will not go into the question of the importance of the economic system as far as jobs are concerned because there are others on the panel who can give you statistics. I can only say that as a woman, what is more threatening to a security of an economy, even though we have the cake sales and we have the doorbells and we have the things to give us a coherent picture, than to feel that our men are employed and our economic picture is safe. For this reason, it does behoove us to support this corporation which has meant so much to Flint in all of the years that are passed and certainly must continue to do so.

LARRY FORD. Our next speaker is certainly no stranger to us, Mr. Harding Mott.

HARDING MOTT. I am pleased to be on this committee that stands up and speaks out for General Motors. My father, Mr. C. S. Mott, will be 96 years old June 2. Certainly his life has been intertwined with the General Motors growth and prosperity. He had made a fortune in this business but has remained in Flint and intends to do so and to reinvest the returns from his business life back into the enrichment of Flint. He has chosen Flint as a model city and I think the group here will endorse the type of spirit which exists in Flint when we can close ranks with our public and private sector and stand up for what is right in America, we have no fear of the future. Now, as you all know, the principal income of the Mott Foundation comes from dividends paid regularly by General Motors. In addition, General Motors pays \$28,000,000 in taxes. Certainly, if their business were destroyed or lessened by threats of legislation that was indiscriminate, the future of Flint would be very dismal as well as the Foundation. So I am glad to be affiliated with this effort. Certainly, if you look at the annals of General Motors' social responsibility, you will find that they are in the forefront of all industries for improvement of social conditions. They have, I believe, over 2,000 people working on a mission on antipollution devices and I can assure you that General Motors will do what is proper. We don't say that they are perfect, but we do say that they are being maligned to an extent of where it threatens the very integrity of themselves and the business world. I hope that all people in the City of Flint who are free on Friday will join the cavalcade to Cobo and stand up and speak out.

LARRY FORD. Our next speaker is Mr. Syd Melet.

MR. MELET. I appreciate very much the opportunity to be a member of this Committee because of the strong feelings that we, particularly the merchants of Flint, are concerned. I speak as a representative of this particular group. However, I would like to put on a different base or just rather confine it to Flint. I think this applies not only to Flint, not only to General Motors. I think it applies to the entire automobile industry and to all cities throughout the country. And I was particularly interested when hope-

fully that this would gather and attract national attention.

Now, as business people, we certainly are knowledgeable to the fact that constructive criticism is good, it helps, it's normal, but we talked to a lot of people on the street. We talked to the men who work on the lines, their wives, the members of all segments of the normal city structure, and they aroused to the point that they feel it's time that the silent majority, so as to speak, stand up and speak out because of the unfairness of the situation as it exists today.

I think that General Motors and the automobile industry in itself, has responded beautifully to the constructive criticism that has been brought up. Now I think it's passed the point of constructive criticism. I think it has gone to the point where they are using the industry itself as a whipping boy. I think that we gained national prominence. There may be individual projects that people are using this for selfish projects that they have in mind. So it's passed the particular point where it has been helpful. And it has given license to so many people to buy foreign cars.

We speak of foreign cars taking the increase in registration each and every year. This adds to it and I think if we reflect on the automobile industry per se, I think we will find that it becomes the key of the economy of the backbone not just of Flint, not just of the State of Michigan, but the nation as a whole. So, we are very anxious and very thrilled that this Committee is going down to the annual meeting of stockholders in Detroit and hopefully to be the Stand Up and Speak Out for the majority, the silent majority, which it's time that it makes itself heard. Thank you.

LARRY FORD. Our next speaker, Mr. Peter Kleinpell.

PETER KLEINPELL. Thank you, Mr. Ford. If the term doesn't scare you too much, I think of myself here this morning as a consumer advocate. I'm an advocate for the interests of 47,000 school children in our public schools. I'm an advocate for their nearly 100,000 parents, many of whom are employed by General Motors. They are all consumers of the benefits of General Motors' citizenship and General Motors' residency in the City of Flint. I might add that it would probably be interesting to you to realize, if you don't already, that as president of a debt free, bond free solvent school district, a lot of people wonder how we got that way. It has been said before that General Motors is a large contributor of taxes. Many people don't realize how large.

Forty-two percent of the total taxes collected within the school district in the City of Flint are paid by General Motors. In 1970 and 1971, our school district will collect approximately \$11,500,000 of the 27.2 million that will be collected in the City of Flint. This will come from General Motors Corporation.

In addition to being our largest taxpayer, people have alluded to the civil and social responsibility of this great corporation. Let's take a look at that and see how it relates to our schools. Among others, we have an ecology program in the Flint School System where student representatives from our high schools meet on a regular basis with Chevrolet officials to discuss ecological problems and how General Motors is attacking them.

We have a program with Buick which is a work experience program for our P.P.P. students. The entire cost of this program is picked up by the Buick Motor Commission. We have a Co-op program with Chevrolet which is also a work experience program similar to the one at AC and at Buick. We have a similar work experience program with General Motors Parts Division. These are things that the Corporation does that they

don't have to do. This is part of good citizenship.

Also during Michigan Week, General Motors Institute will host 50 students from each of our Junior high schools and 100 students from each of our Senior high schools for a career exploration project. The students will tour GMI and become acquainted with career opportunities and engineering, computers, technology sales, marketing and so forth.

I also should mention that a major share of money available for the world famous community education concept comes through the Mott Foundation which Mr. Mott alluded to a moment ago and are administered through the Mott Program which is an important part of education: \$5,000,000 a year. You can see why the school district is glad to stand up and be counted and speak out. We're General Motors supporters and we're Flint supporters and I'm sure you can all see why.

LARRY FORD. Thank you. Our next speaker is Mr. Bud Summerfield.

BUD SUMMERFIELD. Thank you, Mr. Chairman. Ladies and Gentlemen, I'm speaking as a citizen and also as an automobile and truck dealer. Let me say at the outset that I personally am certain that I reflect the feelings of this group that we stand foursquare for the conservation of our resources with improved and ever-improving safety of the products that we have been selling for many years for a continuous steady improvement as far as the omissions of gas pollution and also for improvement as far as pollution of waters, rivers and lakes. We hope that we can in this great industrial society preserve a balanced ecology for the sake of our children and our grandchildren.

But I personally feel very strongly in our industry and therefore all industry because it is such a big industry and has been singled out somewhat excessively with a little too much attention as to some of the shortcomings as to where we are today, where we'd like to be, but very little is said about the progress that has been made without government interference and without undue pressures.

From the dealer's point of view and as an employer, as well as a wage earner, the important problem of course is a difficult one for all of us, and apparently a growing problem which therefore means it is going to have a greater deal of effect on the standard of living and the prosperity of our entire nation.

Mr. Hayden referred to the sixteen percent of the vehicles apparently being sold in the United States are imported automobiles. He also referred to the recent sales on the West Coast where approximately 40% of recent sales are imported cars, not American manufactured cars. And I would like to point out that in the main, that the foreign car and truck manufacturers have not even begun to work out a distribution system of any large scope in the so-called Middle West, between the Appalachians on the one hand and the Rockies on the other and that, of course, is the largest market in the United States.

So if this is allowed to continue, again it has effects to go far beyond our city here and far beyond the automobile industry as such. I know engineers, a safety engineer, and ecology engineer, we are reasonably technically oriented, but the legislation on these very, very technical problems has been, to say the least, somewhat disturbing because we feel, or at least I feel, that it hasn't been done on an entirely cooperative basis and the selection of arbitrary deadlines by well intentioned but certainly not technically oriented people in Washington has been, we think, a case of legislation that certainly is a little hasty and certainly needs amendment as far as the popular important matter of air pollution.

In a pamphlet that General Motors put out and sent to every college campus in the country last year, according to their own engineers, the total amount of tons, not percentages, the total amount of tons of air pollutants being emitted from automobiles began declining back in 1967.

Now that comes from some of the innovations that were put into the vehicles starting back in 1960 and 1961, and as the older cars were gradually retired, then you had less per car, obviously. Now, it's not perfect yet. Heavens no! And it needs to be worked on and hard, but it needs to be done in a framework of cooperation and in a framework of working towards a mutual objective.

I think one of the most disturbing things about this whole effort that is directed toward our industry is that it does seem somewhat inconsistent and somewhat disjointed. For instance, you have on one hand the unrestricted imports coming into this country. Of course, those countries don't allow the reverse. I'm sure you realize that. We have the unrestricted imports and yet you have this great improper balance of payments situation. There's been so much about it in the papers that it is effecting our very currency on an international basis.

There seems to us to be an inconsistency there and can have effects far beyond the City of Flint and far beyond this industry. The cause as I understand, according to the press, based on a federal court ruling, approximately a year ago, despite the great pressures on one hand to work on air pollution and get this thing solved within the framework of the Muskie bill by '75 or '78, the Clean Air Bill, that under penalty of criminal action, the automobile corporation is not even allowed to work together on this program. We cannot exchange things. We cannot even work together. Somehow, something needs to be adjusted there.

Legislation, I think, is therefore on technical things cannot be arbitrary and then more recently, utilizing the halls of congress which is obviously a very fine springboard. The remarks are getting more violent, and I refer to a reporter's remarks in the press. Of course, I wasn't there last week, but when this industry or the people in it are accused of fraud, that's a pretty strong word, and district attorneys, congressmen and senators, apparently, nobody can find anybody with, I think I'm quoting accurately, "any guts".

But I don't think that's what made this country great, nor do I think it's the way out of our problems. We need constructive cooperative efforts to improve our products. This includes management, labor, all employees, dealers, those of us in distribution, and those employees in government. Our country already has been beset with a number of tensions in the complex world we live in and we certainly want to continue to see it improve, but fighting among ourselves, inflammatory talk, poor legislation, inconsistencies such as I just mentioned is certainly an important thing for this whole country to take a look at and reassess.

So, I personally am pleased to be a small part of this little local committee of a big country, and all we're asking is that, in my opinion, a more constructive approach to these problems become the way and the method in which we solve them. I thank you.

LARRY FORD. Dr. James Dooley. Dr. Dooley, would you come forward now.

DR. JAMES DOOLEY. I am very pleased to be here this morning, to speak in defense of General Motors, especially in our community here in Flint. I believe I speak not only as a citizen, but as a physician and certainly I think the things I wish to express are representative of the opinions of the 375 doctors of Genesee County Medical Society which I represent. The contribution of Gen-

eral Motors in this community and certainly in most any community in the country in which it's involved in recreation. They are intimately involved in education and most certainly in the health of the citizens of this community. In that last category is, of course, where my primary interest lies. General Motors is under criticisms by a number of people. Most of this revolves around safety.

In my opinion, it's incongruous to give any validity to this criticism, when we consider on one hand, General Motors is contributing millions of dollars throughout this country to improve work standards of its employees and the health of its individual employees. As a physician, who has practiced in this city for 16 years, I can tell you that the plants of this city and the personnel of General Motors are genuinely interested in their employees. For if we do not keep our employees healthy, then the corporation not only loses an employee, but the citizens as a whole, that is, you and I, pick up the loss in work days, man power and the cost of the individual being off his job.

I think that more importantly, General Motors has brought to this community, with its total involvement, unquestionable economic advancement, that the citizens in this community who are employed in General Motors Corporation and this is true, of course, of those employed in other cities, have experienced an economical growth that has allowed them peace of mind and security in our present chaotic age.

This is important when you view it as a physician. This allows people to plan their future and more important than that, it allows them the opportunity to plan with some degree of certainty the future of their children, which of course we are all primarily interested in. The mental health of this community and of any community in which we are involved, I am sure is better because of their presence. I believe this county and this state and this entire nation needs concerned industry, such as this.

LARRY FORD. Our last speaker, but certainly not least, Mr. Ron Warner.

RON WARNER. Thank you Mr. Ford. Ladies and gentlemen, I am pleased to be here and to participate in this effort to be part of this action. I appear here as the president of the United Fund.

I have been privileged to be chosen to serve this organization and unite in the benefit of all the people in this area for the second year. I think the record will show and I think it's a pretty good thing to look at the record, that I have personally been involved in this community, in this state, in the nation, in social responsibility long before it was a popular thing to do.

Now I am a retiree of General Motors and I don't want to emphasize that but because I worked for General Motors for 36 years and have been involved in social responsibilities, I am in a pretty good position to measure what has been done by them—economic activity is the basic supporting element of all progress and we are an industrial nation.

Therefore, we have an interest in what has been happening and want to speak out because we know, as an industrial nation, we require energy and there is an energy shortage in this nation, and, if we are going to continue to grow and to continue to be a number one nation in the world then, we've got to have more power to run the industry as we grow and this energy must be generated for the most part, by the burning of fossil fuels or by atomic energy.

Now, it's going to take some time to do this, but we've got to have the time and to set standards that can be met in recognition of the problems to resolve these issues. Now, I'd like to look at the social scene because as president of the United Fund, that's where my work is confined and I'm working full time as a volunteer in this effort.

Now I would like to look at the social scene just briefly. Change is accelerating in an unprecedented rate. Transport urbanization has caused a dispersal of contributors, insulated many citizens from our most crucial social problems. This dispersal has resulted in the loss of sense of community. There has been a rise in bureaucracy, and institutional complexities have increased. Bureaucracy has created duplication in ways to resources. Confusion has seriously affected our decision making and our sense of values. That's some of things we are talking about today.

Personal as well as social problems appear gigantic in size and unmanageable in their complexities for many of our citizens. Now that sounds very dismal, doesn't it? Now I look to the future with confidence. We as a community, whether we consider ourselves a city, a state or a nation, have the resources of people and money needed to do what we wish to do. True, we have not indicated this by our most recent record of performance. It's quite evitable that we haven't had agreement on our objectives and our priorities need re-examination.

We have the strength, but it is fragmented. We are sorely in need of community organization efforts which will mobilize the strength of our nation and give it direction. This is where the United Way can come in. Incidentally, the United Way is in the process of re-organization nationally as well as in this community and you'll be interested to know, although Mr. Edward Cole, the president of General Motors, does not need another advocate, he is a member of the Board of Governors of the United Way as re-organized and when he was asked to serve, he said if you just want my name, forget it.

If you're going to give me a chance to function and be a part of the action in the united people of this nation, then I want to be a part of it. Now, the United Way has much to contribute. Widely different groups can coalesce under its banner of free association. It can speak for the community from a non-political base and help identify social goals, long range needs of people and current problems that need objective resolutions.

It is the vital alternative to bureaucratic government control and the most effective method in developing solutions to our social ills. Now that's my position, ladies and gentlemen, and I am happy to be a part of this effort to speak up and speak out.

NATIONAL INSURANCE WOMEN'S  
WEEK, MAY 16-22, 1971

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

MR. BEGICH. Mr. Speaker, on the occasion of National Insurance Women's Week, May 16 through 22, I wish to take this opportunity to offer my sincere congratulations to the distaff side of the insurance industry. During the past 100 years, women have come a long, long way in establishing their right to careers in the business and professional world. Who ever heard of celebrating a National Insurance Women's Week in the year 1871?

Therefore today I salute the more than 11,000 women who are life insurance agents and the many others who handle other types of insurance, as well as all those women who are in any way connected with the insurance in writing and

research, advertising, secretarial duties, and administration.

It is no wonder that women are making their mark in the insurance field. With specific reference to life insurance, about \$155 billion or 15 percent of all life insurance is taken out on the lives of women. Furthermore, six out of 10 women have life insurance of some kind.

Dr. A. Leslie Leonard, president of the College of Insurance, said recently that the insurance industry no longer can afford the luxury of underutilizing the tremendous talents of women in the insurance business.

Let us bear in mind the following pertinent thought quoted from a report entitled, "American Women, 1963-68":

For the majority of American women there are greater opportunities than ever before; the issue is to what extent they will use them.

And these opportunities surely include the field of insurance.

MASSACHUSETTS STATE SENATOR  
JOHN F. PARKER

**HON. SILVIO O. CONTE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. CONTE. Mr. Speaker, being a member of the minority in any legislative body, I am sure my colleagues on this side of the aisle will agree, is certainly not the best of all possible worlds. Nevertheless, many of our better public officials have learned to live with such adversity and to flourish in spite of that obvious handicap. I want to draw the attention of this body today to one such gifted legislator, State Senator John F. Parker of Taunton, Mass., the very talented and respected minority leader of the Massachusetts Senate.

John Parker's longevity in the Massachusetts Senate is such that he can remember those long ago days when his party was the majority. And while he certainly would prefer such a setup, he has nonetheless proven that the minority side, given proper leadership, can be an effective force for progress.

Senator Parker has long provided that leadership and, through nearly 20 years of service in the Senate, has also managed to become one of the most beloved, as well as respected, public officials in the entire Commonwealth of Massachusetts.

The affection with which this man is held will be demonstrated Wednesday night, May 26, when 1,000 of his friends and colleagues will gather at the Venus de Milo Restaurant in Swansea, Mass., to pay tribute to this outstanding public official. Doubtless the crowd would be even larger were all his many friends to attend, but it is limited by the physical dimensions of the selected site.

We in this Chamber, Mr. Speaker, have heard much rhetoric over the years concerning the glory of public service, the need for dedicated officials at all levels

of government, and the duties and responsibilities of citizenship.

In view of this, I think it is appropriate that we take a moment or two here to recognize one who has spent nearly all his life in the public arena and dedicated all his actions to the commonwealth.

Born and educated in Taunton, Mass., John Parker entered public life at a very early age when he was elected to his hometown's school committee. After 9 years of service there he was elected mayor of Taunton and served 7 years until his election as State senator.

Perhaps it should be mentioned here that prior to entering public life he was a sports writer for the Taunton Daily Gazette. There are some who would say that this is a pretty good preparation for the sometimes raucous world of Massachusetts politics.

He later combined the writing talents he honed as a ballpark reporter with the lessons he learned in politics to produce a most enjoyable book titled, "If elected, I Promise . . ." It was more humorous than Dave Meggyesy's book, more revealing than Jim Bouton's, and more fun than just about any I have ever read.

John Parker surely is a man of many talents. Having served in the Senate with him from 1953 through 1958, I can bear witness to that. Above all things, however, he is a serious, dedicated, and talented public official.

He has waged long campaigns in the State for prison reform and against exorbitant costs of hospitalization. For 5 years he fought for a price tag bill in the legislature that would require all bills requiring a State expenditure in excess of \$100,000 to carry estimated cost figures when they come before the legislature for debate.

Just this year his perseverance paid off. The price tag bill is now law in Massachusetts.

John Parker was born with a natural talent for debating. His active public life has sharpened that talent to the point where today he is generally considered one of the best, if not the best, debater in the entire Massachusetts Legislature which numbers 280 members.

The unique qualities of this man have been recognized by his constituents for years. But they have also been recognized by his fellow Bay State Republicans who chose him for their State chairman in 1965 and 1966, and by his colleagues in the senate who chose him their minority leader in 1967 and have returned him to that post ever since.

For all his service and all his accomplishments, his friends are honoring him tomorrow night. But, most of all, they will come out to pay tribute to John because he remains today one of the warmest and best liked men in the Commonwealth.

This appreciation dinner is certainly well deserved and, I am confident, it will be one more glorious milestone in a career that already boasts many and will garner many more in the years to come.

Mr. Speaker, it has been an honor for me today to pay tribute to my former colleague, my warm friend, and a great public servant, Massachusetts Senator John F. Parker.

SOLAR ENERGY, HAS ITS TIME  
COME?

**HON. TENO RONCALIO**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. RONCALIO. Mr. Speaker, the House will soon consider a resolution to create a Select Committee on Energy Resources to conduct a complete investigation of all aspects of the immediate and long-range problems in meeting the power demands of the Nation.

I am pleased to submit for consideration an extensive and alarming report on the energy crisis by E. J. Hoffman, associate professor at the University of Wyoming and research engineer with the Natural Resources Research Institute.

While several of his comments directly relate to Wyoming's resources, I believe the overall implications are relevant to consideration of the House resolution.

In a related area, Professor Hoffman has been helpful in suggesting how the University of Wyoming can contribute to the solution of these problems through participation in programs contemplated in H.R. 7248 to improve mineral conservation education.

The legislation, which is presently before the Education and Labor Subcommittee on Education, would fund conservation institutes in training and research related to the problems the Select Committee on Energy Resources will examine.

I believe both of these measures are timely opportunities for the House to support a rational and positive approach to the complicated and urgent issue of maximum beneficial utilization of energy resources without impairment of environment or exorbitant consumer prices.

The following article appeared in the May 16 issue of the Laramie, Wyo., Boomerang:

WYOMING PROFESSOR SAYS PRESENT FUEL SUPPLIES SHORT; MAN WILL HAVE TO RELY ON SOLAR-DERIVED ENERGY SOON

A grim picture of vacant factories, silent machines and heatless homes has been painted by a University of Wyoming professor who warns industrial and government leaders alike that we are running out of fuel.

Citing the need for increased funding of research directed toward more efficient use and conservation of fuels, E. J. Hoffman, associate professor and research engineer with the Natural Resources Research Institute (NRRI) at the University of Wyoming, told Congressional leaders recently, "We are only buying time . . . in the end, we are going to have to rely on solar-derived energy."

"A synthetic fuels industry along with power generation may ultimately account for nearly 10 billion tons of coal per year. Inasmuch as our present estimated stripable reserves are only 114 billion tons, this ready resource could be exhausted within 10 years," he said.

Hoffman called for a "pattern of energy conservation," saying there should be emphasis on more efficient use of fuels, even rationing, and more efficient means for power generation. He proposed that a comprehensive energy policy be instituted and followed, with the necessary funding, to obtain the optimal use of all energy resources.

Traditionally, government funding is required," Hoffman said. "On the other hand,

more immediate applied research and development is ordinarily generated by private industry, oriented to the consumer. Thus, if the private sector is in the business of acquiring coal reserves, for instance, it should probably also be in the business of funding and supporting coal conversion research and development. The alternative may become the rationalization of the fuels industry."

The United States is estimated to have some 3,000 billion tons of coal reserves, of which only 114 billion tons are strippable. The balance would be much more difficult to mine and would probably require in situ methods, that is, the coal would have to be converted to liquid or gaseous fuel on the spot.

Wyoming has the greatest reserves of coal in the country, with 546 billion tons. Of this, only 23 billion tons are considered strippable.

"The present fuels demand, if it came all from coal conversion, would require six to seven billion tons per year. And this is expected to double in less than 10 years. Thus, there is a situation which, theoretically, could exhaust Wyoming's strippable reserves in three years; the country's in only a little more than a decade," Hoffman pointed out.

"Our own governmental officials from Wyoming are very aware and concerned that a fuels crisis is imminent," he said, adding that he could not speak for other states. "In the fuels industry, though, which should be most concerned, there seems to be a communications gap with top management. In other words, the policy makers have not yet got the word. At the higher levels of management, it is sometimes believed that a technology of coal conversion already exists, and that they can sign a contract tomorrow for a coal conversion plant. Such is not the case."

With regard to other natural fuels, Hoffman said, "we used to speak of some oil-producing state as Colorado, Wyoming, or Oklahoma having reserves to last the country x-number of years. Now these reserves would not even last one year.

"Reserve-production ratios show a steady decline. Present reserves of crude oil amount to about 30 billion barrels and we are using nearly four billion barrels per year. The north slope amounts to maybe 10 billion barrels. At a predicted doubling in rate, we would have to have a north slope discovery every one or two years just to keep even.

"We rely significantly on imports, and, while abetting our own resource consumption, over-reliance could stagnate the country's own fuel industry. It is a 'tightrope' sort of situation which has to be kept in balance."

"The way it boils down is that a crisis or emergency has to actually occur before anything will be done. This seems to always be the case in any matter. But," he warned, "there may come a day when we will be satisfied just to keep warm."

More efficient means of converting coal to electricity are required, Hoffman believes. "At the present, in round figures, two-thirds of the fuel burned is dissipated as waste heat—only one-third goes to electricity. This means that only one-third of the potential power is realized while two-thirds is injected into the surroundings. This is not only a waste, it is a source of pollution and an unnecessary one, at that."

"Efficiency is one of the mitigating factors in resource and ecology conservation. We need a double-pronged attack—we need vehicles and appliances that operate at reduced levels of consumption and at increased efficiency—and we need to consume less power individually and develop power generation facilities that operate more efficiently."

In calling for increased awareness of the fuels crisis and increased participation in research to solve it, Hoffman charged that

nuclear energy has been accorded a "Cinderella" status and caused work on fossil fuel conversion to be put off.

"Whether this disproportionate emphasis on atomic energy development was due to guilt feelings derived from creation of the bomb is now beside the point," he said. "But the fact remains that the atomic energy program has been funded at levels of the order of half a billion dollars a year, while coal conversion has been funded at about 15 million—reportedly less than the amount spent on public relations for atomic energy."

Hoffman feels the potential for development of nuclear energy has been idealized. "When we are told there is more energy in a block of granite than a similar-sized block of coal, or that a cubic mile of sea water contains some fantastic amount of energy, these are ideal values. Not brought into perspective is the efficiency of recovering and using this energy. It could be very possible that more energy could be spent in separation and recovery than is generated for end-use. What is needed to be known is how much other energy is introduced into the system in recovery, refining, etc., as compared to what is retrieved—not just what is hypothetically intrinsic."

A complete re-cycling of carbonaceous materials—which are, in effect, just stored solar energy—is envisioned by Hoffman whereby waste heat would be used to heat buildings or houses and also, combined with waste carbon dioxide from coal or other energy conversion processes, could be used to stimulate plant growth under controlled conditions as in greenhouses.

In his work with the NRRI, Hoffman and associates have succeeded in converting low-grade coal into liquid fuel and gas. He has also used shredded waste paper and rubber tires, cow manure and polyethylene plastic containers—all carbonaceous materials—to produce a synthetic fuel.

"While the organic waste materials might be put to better use as fertilizer, or recycled, it is nevertheless possible that processes and technology developed for coal conversion can be used eventually to aid in air pollution control and in solid-waste disposal and, at the same time, be integrated with agriculture. Greenhouses could use the carbon dioxide and waste heat to grow crops and the residue left from the conversion process could be turned back into the soil as nutrients or converted to additional fuel. In final analysis, solar energy—which is stored in all carbonaceous materials—may be the ultimate energy source."

#### A TRIBUTE TO THE REVEREND E. B. PHILLIPS

#### HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 6, 1971

Mr. REUSS. Mr. Speaker, the Reverend E. B. Phillips of Milwaukee, soon will retire from the pulpit of the Greater Galilee Baptist Church. During his 18-year ministry in Milwaukee, he has founded a day-care center and Headstart program, developed a youth program which brings 500 teenagers together for weekly events, and has tripled the membership of his church.

There follows an article from the May 8 Milwaukee Sentinel:

THE NAME BUT NOT THE MAN WILL STAY AT  
PHILLIPS CENTER

After May 31 the E. B. Phillips Day Care Center and Head Start Program will be

without a familiar figure—the Rev. E. B. Phillips.

The pastor of what is believed to be the largest black church in the city will retire from the pulpit of the Greater Galilee Baptist Church, 2432 N. Teutonia Ave., after an 18 year ministry here.

He founded the day care center named for him in 1962 in the basement of his church. Not only that, he tripled the membership of the church to 2,400 men, women and youths and led in several clergy projects.

The congregation, which celebrated its 50th anniversary in 1970, has planned a full week's "farewell program" for the Phillips beginning May 16. He has served the church longer than any other pastor.

Ernest Blake Phillips was born in 1906 in Banks, Ark., and entered the ministry in June, 1934. He had four years of theological training in St. Louis at the John W. Wilkerson Institute, from which he was graduated in 1937. He also spent two years at the Ideal Bible College in Chicago.

#### CHANGES NOTED

He was a pastor seven years in St. Louis and 12 years at the St. Paul Baptist Church in Terre Haute, Ind.

When he and his wife, Gertie, came to Milwaukee in 1953, the black population was much smaller than it is today. So was the collective voice raised in behalf of racial equality.

A few clergymen and social workers would occasionally nudge the consciences of white Milwaukee about racial discrimination. Those who did speak up emphasized "blacks and whites together."

Then came black militancy and "black power," the open housing marches, street protests and school boycotts. "Black power" spoke louder to some people than integration.

But Phillips preferred integration throughout.

"Blacks and whites won't succeed in anything by hating each other," he commented. "Until we have an integrated society we're not going to have progress or peace. When race hatred becomes broken down it will be done through the church."

#### "I AGREE—OBJECT"

Phillips said the militant leadership of Father James E. Groppi has neither helped nor harmed his community work through the children's centers, youth and adult programs.

"I agree with his goals, but I object to his methods," Phillips said.

"As a gospel preacher, my method is the peaceful way—working through committees, conferences, workshops, education, teaching human relations.

"Black power? Well, if it means economic, educational, political and yes, church power, I'm for it. But to clench your fist, get out in the street and yell 'Black power' and be destructive—that's no good."

Through his day care center and Head Start program he sees "black power" forming early in life. But it does not have to be "black power," for white children are just as welcome as blacks in the programs.

#### PROGRAM REACHES OUT

"The programs are for the underprivileged, for pre-school children, whose parents are middle class preschoolers learn," he said.

But the success of the program has caused some problems.

School teachers have told him that when children from his program get to kindergarten they find it "old stuff."

Phillips himself does not operate the children's programs. That is reserved for the black and white teachers. He often comes down to watch them, however.

"The church also ought to be an educational center for such things as home and money management and a motivation and

inspiration for service and achievement," he said.

White churches have a long way to go to achieve integration," he said. "But so have black churches. They, too, could do more to welcome whites into their membership.

#### MEMBERSHIP TRIPLED

"Of course, the singing and the services are different in the black church, but that's from tradition and misunderstanding. It should be no bar to integration.

Phillips has not only tripled the membership, but developed a youth program which brings 500 teenagers together for several events during the week.

He said his members have helped in this. "When I came here there were only two professional people in the congregation," he said. "Now I have the help of 35 professional people who help with the youth program, music and administration."

Phillips, who reached 65 in March, will spend his retirement as a free lance evangelist and pastoral counselor with headquarters in Marion, Ill.

#### "SET TO KEEP GOING"

"I can't let myself deteriorate by doing nothing," he said. "I've got to keep going by conducting evangelistic meetings. I have done this during the past year."

Also, he said, he will have more time for family life. The troubles of other families—those of parishioners and nonparishioners—have cut into his days and nights.

"It's not unusual to get a phone call at 2 a.m. to come right over and help some couple," he said. "And when they have that much confidence in you, why, you have no choice. You've got to get up and go."

COST \$13,000

He talked about the early days of the center for children when he and Mrs. William E. Finlayson launched it.

"There were no problems at first. But remodeling the building to come up to city standards, required an expenditure of \$13,000," he said.

The United Community Services, the day care center and the church divided the expenses to put the building into shape. It housed a Jewish congregation, until the Baptist church purchased it in 1961.

As he watched the children with their toys, games and songs, he said much remains to be done. The two programs reach a little more than 100 youngsters, and there are 500 in the immediate neighborhood who need the programs.

#### PROGRESS REPORT ON A BRICK-MAKER-DIPLOMAT

### HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. MIZELL. Mr. Speaker, I am sure many of my colleagues will recall the specialty, if not immediately the name, of Mr. George Black, a 92-year-old resident of Winston-Salem and one of my most notable constituents.

Some months ago, in his "On the Road" segment of the CBS Evening News, Charles Kuralt "discovered" Mr. Black, a master of the brickmaking profession, plying his craft in a simple workshop near his home.

The exposure was greater than Mr. Black, or probably Mr. Kuralt, ever dreamed possible, and in February, Mr. Black was brought to the White House for a conference with President Nixon.

Shortly thereafter, in mid-March of this year, Mr. Black became an American ambassador of sorts, when he was asked to show the people of Guyana, a developing nation in South America, the secret to his handmade bricks.

Mr. Black's diplomatic mission won the acclaim of the Guyanese Prime Minister, Mr. Forbes Burnham, and it also won the admiration of his fellow citizens in the Fifth District of North Carolina and throughout America.

Many articles have been written about Mr. Black's journey into the diplomatic world, and I have selected one, written by Rick Edmonds of the Winston-Salem, N.C., Twin City Sentinel, which provides particularly good insight to the remarkable man and his remarkable mission.

At this time, I include the text of that article in the RECORD of today, for the benefit of my colleagues:

#### BRICKMAKER DOES WELL AS DIPLOMAT

(By Rick Edmonds)

Winston-Salem brickmaker George Black is four weeks into his diplomatic mission to Guyana and by all reports is doing just fine.

When the 92-year-old Black left here in mid-March, his relatives called the State Department in Washington, a bit anxious about how the long flight to South America would affect his health.

"They told us that a band was playing and people were applauding as he got off the plane," Mrs. Delores McGee, one of Black's granddaughters related. "The first thing he said was 'When do we get to work?'"

Miss Evelyn Abrams, another granddaughter who is along on the trip, has written home that the party is being "treated like royalty." The equatorial climate apparently agrees with Black, and a slight cough he had when he left in March has cleared up.

Black did go right to work teaching the Guyanese people brickmaking. Within a week of his arrival a brickmaking kiln like the one behind his house on Dellabrook Road had been set up in a coconut field near Guyana's capital, Georgetown.

Black has been eating meals daily with the prime minister, Forbes Burnham, and the mud mill has been visited by various dignitaries including the American ambassador.

The prime minister's wife, Mrs. Burnham, even stopped by one day and tried her hand at shaping a brick.

The brickmaking project, sponsored by the U.S. Agency for International Development, is highly organized. The Guyanese government assembled a group of students who are learning the craft from Black and will in turn teach it to others.

Miss Abrams writes that the five-year-old nation, formerly British Guiana, is physically quite underdeveloped. There are few brick buildings, and one of the hopes of the project is that Black's relatively simple technique can generate a building boom all over the new country.

Black, Miss Abrams, and 17-year-old Thomas Brabham, Black's brickmaking assistant, plan tentatively to return to Winston-Salem the first week in May, probably by way of Washington where Black was greeted by President Nixon in February.

Charles Kuralt, who brought Black to sudden fame this winter with a CBS-news report on his craft, has been in Guyana with a camera crew, filming a follow-up story.

The Knight Newspapers dispatched South American correspondent Don Bohning to look in on the project and Bohning in a Charlotte Observer article March 29 found Black as garrulous and cheerful as ever.

"I never been made over so much in my

life," Black told Bohning. "I just feel good over the way people are treating me now. I've never met finer people. I haven't heard an oath since I've been down here."

"In my hard struggles I always asked the Lord to let my last days be my best days. I feel like He's answering my prayers."

#### CARLTON GOODLETT ASSAILS GULF OIL POLICIES

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DELLUMS. Mr. Speaker, Carlton Goodlett of San Francisco, is undertaking a novel approach to combatting prejudice and racism. He has purchased five shares of stock in approximately 30 leading corporations, and hopes to bring about institutional change through the voting rights accorded stockholders.

One company singled out for initial action is Gulf Oil. For its late April stockholder meeting, Dr. Goodlett prepared an overall statement and a nomination of minority directors. His efforts were rebuffed, but I find his statement and nominating speech quite interesting, and I insert them in the RECORD at this point:

STATEMENT TO THE STOCKHOLDERS OF GULF OIL CORP., ATLANTA, GA., APRIL 27, 1971

(By Carlton V. Goodlett)

#### I. GENERAL STATEMENT OF CONCERNS

Mr. Chairman, it is apropos to paraphrase the statement of a young black army inductee headed for the hell-hole of Vietnam, who said, "Why should black people and chicanos sacrifice their lives ten thousand miles from home, foolishly killing yellow men with whom they have no quarrel, for racist white America, when America, to which I'll be returning, will remain the same old hell-hole with business as usual and racism as usual?"

The United States of America continues to be a polarized country composed of two nations, one white and one black, both separate and becoming daily more unequal. The black population ranges between 23 and 25 million persons, with an estimated gross product of \$45 billion per year, 4.5 per cent of the nation's total \$1 trillion. In many metropolitan areas where a number of our stations are located, blacks comprise from 80 to 90 per cent of the population; and upon a cursory survey, contribute substantially to the gross revenues of our corporation.

#### Employment discrimination

Despite the fact that blacks have perennially patronized Gulf service stations, the policy of Gulf Oil Corporation has not been one of reciprocal response to the needs of the black community for jobs and advertising in its community newspapers, so as to reflect our corporation's appreciation of its responsibility in a free economy to observe, on one hand, fair and equitable employment policies and, on the other, fair and equitable expenditure of advertising dollars.

The insensitivity of corporate enterprise to its responsibility to obey fair employment laws is amazing and in many instances distressing. We readily condemn the felon who violates the law; however, is a corporation which violates fair employment statutes less guilty, and is not the violence which the corporation inflicts upon the hopes and aspirations of non-whites as grave to society

as the deeds of the felon who robs and steals? Racism is a disease which will destroy the human personality; and similarly, institutional racism will destroy a great nation.

We are demanding full equity in the employment of women and racial minorities, with no differentials in salary or opportunities for upgrading because of covert forms of discrimination.

It is regrettable that Gulf Oil Corporation is one of America's 50 largest corporations with an excess of 2,500 top executive positions, none of which are filled by a single black person.

The fair employment practices statutes demand that there shall be no discrimination in employment based upon race, color, creed, sex or age: racial minorities, especially blacks, chicanos and oriental Americans, and also women, be integrated in all jobs categories of Gulf Oil Corporation, from the Board of Directors room all the way down to the janitor's closet. This, we believe, Gulf Oil Corporation has failed to do. Moreover, the conditions cited for the black population reflect similar forms of covert institutionalized racism practiced against chicano and oriental Americans.

#### ADVERTISING DISCRIMINATION

For the past quarter of a century, blacks have patronized our service stations; the response of Gulf Oil has not been reciprocal to the black community's needs, by providing sustained advertising in the black community newspaper so as to reflect our awareness of the responsibility to allocate an equitable expenditure of our advertising dollars to the community which contributes to our profits. The black community cannot develop a viable press as long as corporations such as Gulf continue to practice a policy of discrimination and insensitivity to the black community's demands for a proportionate share of Gulf Oil Corporation's advertising dollars.

It is the right of every black purchaser to demand that promotional money derived from black customers be returned to the black community, so that the black nation may maintain a black-owned communications media which reflects its \$45 billion purchasing power.

No person in this meeting will accept personal responsibility for the discrimination which Gulf Oil Corporation practices upon black Americans in job opportunities and allocation of advertising dollars. However, our continued silence and inaction on these problems represent a silent conspiracy against the constitutional mandate of freedom, equality and justice.

To rectify these wrongs three recommendations are made in the form of motions:

1. That management be instructed to issue within the next 6 months a full report to our stockholders of its distribution of employees based upon race and sex, delineating policies of promotion in the main job categories.
2. That stockholders be given a report on the expenditure of advertising dollars in both the white and the black press.
3. That a stockholders' fair employment and fair advertising committee be appointed to assess the data and recommend to management a remedial program in fair employment and fair advertising, which will allow our corporation to lead the oil industry in meeting the serious challenges of the crisis-threatening '70's.

#### II. DIRECTORS NOMINATIONS

Mr. Chairman: One of the important purposes of this annual meeting of stockholders is the election of 10 directors. Inspection of the roster of officers and directors of our company reveals that those who have selected the 10 nominees to serve as directors until the next annual meeting of stockholders remain either uninformed or unconcerned about two of the most important and controversial issues now threatening the

corporate tranquility: (1) the lack of women in management and direction of private enterprise, and (2) the lack of opportunities provided members of racial minorities: notably black Americans, Chicano Americans and Oriental Americans, to participate meaningfully in the process of distillation so necessary for the development of the new directional thrust required of corporate enterprise in a nation polarized by social revolution.

First, let us consider the question of participation by women in our operation and management. One of the most discriminated-against groups in our society happens to be women. The majority of stockholders in all U.S. business enterprises are female, and I doubt that Gulf Oil Corporation differs from the national pattern. Male chauvinism is the cause of Gulf's failure to utilize more women in operation and management.

Now let us consider the matter of racial minority participation in operation and management, a question which daily becomes more crucial. We live in a society which is being destroyed by racism, and our company is a microcosm reflecting that society. We must begin, at the highest level of operation and management, by deeds and not words alone, to end discrimination based upon both sex and race. One of the great obstacles to racial harmony in the Nation is the refusal on that part of private enterprise to recognize the genius and skills of the racial minorities. Black Americans have a unique contribution to make in the thrust that private enterprise must create if peace and tranquility are to be restored in the revolutionary social upheaval now threatening the Nation.

Mr. Chairman, a grave question disturbs many stockholders of our company: namely, the covert and insensitive role it plays in supporting Fascist regimes such as Portugal and South Africa, particularly the former, in their oppression of the indigenous people who form the national liberation movements of Angola, Mozambique and South Africa. If racial minorities and women were members of the policy-making boards of our company, we believe that Gulf would more adequately recognize its international responsibilities, and refrain from being a party, overtly or covertly, to the support of racists who build and maintain colonial empires and thwart the will of millions of people of color throughout the world to throw off the yoke of white U.S. imperialism.

#### Nomination of directors

As an initial effort to correct the inequities of representation on our boards of directors, which reflect male chauvinism and racism, I nominate two additional persons as directors of our company.

Mrs. Aileen Hernandez, the female nominee, is a free-lance business consultant and lecturer on urban affairs. Mrs. Hernandez is the new president of the National Organization of Women, a civil rights group formed in October, 1966, to bring women into the mainstream of American life "in truly equal partnership with men." Professionally, Mrs. Hernandez has advised business, labor, government and private groups on groups on programs for utilizing the talents of minority groups and women, and assuring these groups full access to education, housing and employment opportunities. She has served as deputy director, California fair employment practices commission, and as commissioner, U.S. equal employment opportunity commission. Among many civic and political affiliations, she serves in the Urban League, the American Civil Liberties Union, steering Committee of the National Urban Coalition, and Board of Directors of San Francisco Mount Zion Hospital.

Willie L. Brown, Jr., Esq., attorney at law, state assemblyman 18th district, San Francisco, is the second nominee. Mr. Brown is a distinguished Californian who is a mem-

ber of the San Francisco black community, a graduate of San Francisco State College, 1956, and the Hasting College of the Law, 1958. He presently serves as chairman of the Ways and Means Committee in the California Assembly. His legislative interests include employment opportunities, civil rights and liberties, conservation and ecological issues, consumer protection and criminal law reform.

Mr. Chairman, in the belief that the election of these two distinguished Americans to such positions of importance will be beneficial to our company, these two names: Mrs. Aileen Hernandez and Willie L. Brown, Jr., Esq., are submitted as nominees for the board of directors.

We are being judged, by both women and blacks, not for our platitudinous statements but for our deeds.

## CONGRESS VERSUS THE PRESIDENT, SOME ARGUMENTS

### HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. LENT. Mr. Speaker, James Reston, political columnist of the New York Times, recently wrote of the struggle between the Congress and the President in foreign policymaking. I believe Mr. Reston captured the pertinent arguments of this fundamental matter of prerogative and I subscribe to his conclusion. So that my colleagues and constituents may have the benefit of this farsighted article, I enter it here:

[From the New York Times, May 15, 1971]

#### UNBALANCED GOVERNMENT

(By James Reston)

WASHINGTON, May 15—The ancient dilemmas of American politics are back in the headlines again: How to give the President the powers necessary to defend the nation in a time of nuclear weapons and international ballistic missiles, and still maintain the control of Congress. How to keep him strong enough to govern the nation without allowing him to impose his will on the people and their representatives in the Congress.

There is another question that is central to the present debate: How to keep the President from using the authority he clearly must have in a major nuclear crisis—when the nation could be devastated before the Congress could even be assembled—in more limited emergencies like the Vietnam war.

This is the new element in the old struggle between the executive and legislative branches. The invention of nuclear weapons and intercontinental ballistic missiles has clearly destroyed the old concept of an "equal balance" between the President and the Congress, and another invention—national television—has added to the President's advantage in the ancient struggle. But the struggle goes on because President Johnson and President Nixon have been assuming that the new Presidential powers of the nuclear missile age may be applied to limited emergencies.

This is the assumption that is now being challenged by Senators Mansfield, Fulbright, Javits and others.

Unfortunately, Mr. Mansfield and Mr. Fulbright have not done much better than Presidents Johnson and Nixon in clarifying this distinction between Presidential power in primary emergencies and Presidential power in secondary emergencies.

In his conduct of the Vietnam war, for

example, President Nixon has asserted his right, as he sees it, to invade Cambodia and Laos even without prior consultation with the Congress, and Senators Mansfield and Fulbright, among others, fearing that the Congress may be losing all effective control over Presidential power, are now trying to compel him to get all American troops out of Vietnam by the end of this year and cut the American forces in Europe.

So there is a new and more subtle aspect now to the old struggle of executive vs. legislative power. It is not merely who rules—the President or the Congress—but when and under what circumstances.

Even before the invention of nuclear weapons and intercontinental ballistic missiles and national television, this was an endless and unresolved controversy.

Only very rarely in the history of the Republic have the White House and the Congress managed to establish the mutual trust, self-restraint and cooperation that are essential to give the President adequate power and the Congress adequate control.

During the critical days before the two World Wars, when United States influence might have been used to prevent the tragic divisions of Western civilization, the American Presidents were too weak to conduct an effective diplomacy for peace.

During the Civil War, the complaint was not of Congressional but of Presidential dictatorship.

The Senator of that day were much more outspoken against the dominance of the President than Senators Fulbright or Javits are today. Many of them back in the war between the states believed that the 37th Congress in 1863 would actually be the last to meet in the Capitol in Washington. Senator Wade, according to George W. Julian's memoirs, "said the country was going to hell, and the scenes in the French Revolution were nothing in comparison with what we should see here." Even in his gloomy moods, which are not infrequent, Senator Fulbright never went quite that far.

Nevertheless, the controversy goes on and will continue to do so, for the Founding Fathers, when they were allocating power between men at Philadelphia, were consciously and purposely ambiguous.

They knew conditions would change. They wanted the Executive and the Congress to struggle for power and to clarify the problem in the struggle.

That is what is happening now in Washington. On the ultimate questions of life and death of the nation, the President will inevitably prevail. But in lesser emergencies, as Vietnam has proved, the need for Congressional oversight and veto is obvious.

Passing bills to give the Congress more power to restrain the President is not likely to be more effective than the power the Congress already has over money, and refuses to use.

So, although candid and trustful consultation between the White House and Congress is, and always has been, hard to come by, there is really no more effective compromise, particularly after the inventions of the atomic bomb and the long-range missile.

Since then, the President cannot be deprived of decisive power. As Walter Lippmann said back in 1941, even before the invention of the atomic bomb, "this difficulty can be resolved, but only by the display of self-restraint, objectivity of mind, and magnanimity which are rare indeed in public life. The difficulty will never be restored by those who, if they like the President, are for him regardless, who if they do not like him, incite Congress to resist him. . . . It is no good depriving him of necessary power. It is no good arguing that mechanical provisos and limitations are a real substitute for consultation, common council, and continuing accountability."

That is a fairly good description of where

the President and the Congress are in May of 1971.

#### AN OPEN LETTER TO WALTER CRONKITE

HON. BARRY M. GOLDWATER, JR.  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. GOLDWATER. Mr. Speaker, in this week's edition of the Republican National Committee's weekly publication, Monday, there is an excellent reply to Walter Cronkite's recent charge that the Nixon administration is guilty of a conspiracy to destroy the credibility of the press. I hope my colleagues will take the time to read the following piece.

The article follows:

#### AN OPEN LETTER TO WALTER CRONKITE

DEAR WALTER: Let's face it. When it comes to criticism, you big boys at the top can dish it out but you just can't take it.

Last week, sounding like the main speaker at a John Birch Society rally, you accused the Nixon Administration of "a grand conspiracy to destroy the credibility of the press." You said it was impossible precisely to know the motives of this conspiracy, but you took a wild stab at it anyway. You asked: "Is it too much to suggest that the grand design is to lower the press' credibility in an attempt to raise their own and thus even—or perhaps tilt in their own favor—the odds in future electoral battles?"

The answer is: yes, it is too much to suggest unless you include as co-conspirators all those who criticize the press in which case you would number among them. While you may see an Administration media critic under every bed, the sounds you hear are merely echoes of your own criticisms over the years. For example:

#### CRONKITE CRITICISMS

In an address before the Association of Industrial Advertisers in New York City on May 5, 1967, you said: "The press—and by that generic term I mean all of the reporting media—has not been without its sins in Vietnam. As the military has more than once complained, we have indeed, taken individual squad or platoon actions out of context and blown them up to appear to be the story of an entire battle—an error which can seriously mislead the public as to the nature of victory or defeat." This is, of course, the precise criticism President Nixon made of media coverage of the Laotian incursion, coverage which concentrated on only four of 22 South Vietnamese battalions involved in the operation.

In this same speech, you suggested that the way to restore credibility to the media would be by stripping away "the veils of secrecy and in exposing to full public gaze the works and decision making processes. . . ."

In another address before the William Allen White School of Journalism at the University of Kansas on March 24, 1969, you said of television that "our cameras and our lights and our tape trucks and even our microphones are obtrusive. It is probably true that their presence can alter an event. . . ."

#### PRESS NOT PERFECT

In November of last year, at the Sigma Delta Chi convention, you said that "a fair portion of what we do is not done well. There are things we are not doing we ought to do. There are challenges that we have not yet fully met. We are a long way from perfection. Our problems are immense, and they are new and unique."

Another puzzling aspect of your blast is

why you are so upset over what Administration media critics are saying since they are, for the most part, repeating what has been said by non-governmental people both inside and outside of your own industry. In an article on the press in TIME magazine in September of 1969, a Lou Harris poll showed criticism of the press "undoubtedly on the upswing" and your own CBS News Chief, Richard Salant was quoted as calling it not a conspiracy but "a healthy skepticism."

#### INHERENT LIMITATIONS

Just last December in a speech before an honorary leadership fraternity at Washington and Lee University, your CBS Washington correspondent, Roger Mudd, said that "the inherent limitations of our media make it a powerful means of communication, but also a crude one which tends to strike at the emotions rather than the intellect. . . ." He stressed that for the television journalist "this means a dangerous and increasing concentration on action which is usually violent and bloody rather than on thought; on happenings rather than issues; on shock rather than explanation; on personalization rather than ideas."

"Our broadcasts have not improved," Mudd declared. "If anything, their quality has declined. The tube has become a trip, a national opiate, a baby sitter who charges nothing, something to iron by and to shave to and to doze over."

#### TV GROUP THEATER

Joseph P. Lyford, professor of journalism at the University of California at Berkeley, has put it differently: "Today television is relaying versions of a group theater. . . . The purpose of the new play is largely the play itself. The script has concerned itself with proclamations and ultimata rather than questions. The language is loud and verbose and increasingly aimed at destruction rather than the restoration of the dialogue. . . . Time given by television and the press to the staged event is time taken away from reporting the happenings that are not contrived. . . . If the day comes when television is freed from its dependence on what this or that angry crowd is doing, we will get a very different perspective on what is going on inside this country and inside our heads."

The most liberal member of the Federal Communications Commission, Nicholas Johnson, has put it another way: "Radio and television mold minds, 200 million of them, in numerous ways every day. It is long past time that we find out just what it is these potters are making out of the clay they knead inside our heads."

#### WHO'S THE MESSENGER?

It is currently popular for individuals such as yourself, Walter, to look upon the media critics, as you put it in your speech, as "enemies of freedom," to martyrize yourself as merely the messenger being executed because he is the bearer of bad tidings. Perhaps it is time you gave serious thought to just exactly who IS the messenger being executed because he's bringing bad news: you or the media critics?

Sincerely,

#### PROTEST ACTIVITY INSULTS VETERANS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, during the last week of April, Washington experienced one of the many demon-

strations against the war in Vietnam which has become "old hat" with most Washington residents. The local papers were full of articles and pictures of the Vietnam veterans throwing their medals away and other visible means of protest. Similar pictures appeared on the front pages of papers all over the country.

Meanwhile, on about page 7 of one of the leading papers of this country, appeared the following AP article which no doubt speaks for the many thousands of Vietnam veterans who believe differently than those who appeared in Washington:

#### PROTEST ACTIVITY INSULTS VETERANS

DENTON, TEX.—Four ex-servicemen who are now college students—two of them Vietnam veterans—said Monday they believe the veterans against the war protesting in Washington, "owe the majority of American veterans an apology for pretending to represent us."

"The vets against the war have finally pushed us enough," Ray Pistole, 23-year-old junior at North Texas State University and spokesman for the group, said. "When they threw their medals at the Capitol and called us murderers for going to Vietnam, that's all we could take," Pistole said.

"They called us murderers of innocent children, which we weren't, and they pretend to represent all of us, which they don't," Pistole said.

"And they attempt to oversimplify the issue at hand. If you are going to simplify it, it would not be whether we should or should not be in Vietnam, but whether the United States, as the vanguard of the free world, should insure emerging nations the right to self-determination."

Pistole, who said he served 10½ months in Vietnam, and J. D. Green, Denton junior, and Fred Gonzales, Dallas sophomore, are all members of the some 50-member, NTSU Ex-Marine Association.

"We are not representing the organization, but rather ourselves," Pistole said. Green is an officer veteran of Korea and Gonzalez, a Green Beret now in the reserve, serves as president to the NTSU ex-Marines.

The fourth veteran, John McCann, a University of Dallas student, said he did represent the feeling of the veterans association at his school.

"We decided to air the other side of the war issue to the news media," Pistole said at the afternoon news conference.

Pistole, who said he owns several combat ribbons, said he served as a scout during his tour with the 1st battalion, 5th Marines in Que Son and Hue.

"In Washington we saw this past weekend, waving our Capitol, the Viet Cong flag. Obviously, the people waving this flag did not know what it represents. It represents the assassination of elected officials, the intimidation of a country's people and the denial of their right to determine their own form of government."

As for the throwing of medals on the Capitol steps, Pistole said "they must not have sweated, bled and cried in the name of that medal that I and many others have. If they had, they would have more respect of what the medals speak for."

#### CONGRESSMAN AT LARGE

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DINGELL, Mr. Speaker, pursuant to permission granted I insert into the

CONGRESSIONAL RECORD with pride and warm affection a fine article about a distinguished Member of this body, the Honorable WRIGHT PATMAN, entitled "Congressman at Large" which appeared in the Credit Union magazine of May 1971:

#### CONGRESSMAN AT LARGE

"Scourge of the big bankers."

"The bankers' nemesis." "The last of the Populists." "Something of an idealist." "He fights and fights and fights."

These are some of the ways in which headline writers have referred to Rep. Wright Patman (D-Texas). Privately and sometimes not so privately, some of the people with whom Mr. Patman has not seen eye to eye have made much stronger references to his actions, his beliefs, and his character. These have included bankers, politicians (as high as you can go), members of the Federal Reserve Board of Governors, foundation officials, and many others.

Something else he has been called, and with good reason, is "Mr. Credit Union," and he is frequently referred to as "the best friend credit unions have ever had in Washington."

Mr. Patman is chairman of the House Banking and Currency Committee, ranking member of the House Select Committee on Small Business, vice-chairman of the joint House-Senate Economic Committee, and chairman of the joint House-Senate Committee on Defense Production.

But he probably is best known for his more than 40 years of continuous battling for plentiful credit on reasonable terms and against high interest rates and tight money policies imposed by the Federal Reserve System.

#### WHAT KIND OF MAN?

At 77, Mr. Patman is a big man, well over six feet, and huskily built. His face shines with the pinkness of health, and his manner is always courteous, gracious, almost grandfatherly. He is admittedly, old-fashioned in many of his ways and beliefs, and his speech—usually gentle, with more than a touch of Texas drawl—is completely lacking in pseudo-intellectualisms, legalistic double-talk, or affected Washingtonese.

His English is plain, straightforward, and when appropriate, has an edge of rural simplicity about it. He likes a good joke and a good story, and a gentle rustic humor often comes through what he's saying. His courteous, homey attitude is an honest representation of the man, but it should not be mistaken for artlessness.

Someone who knows Mr. Patman well relates that he has seen him questioning a witness who obviously was a little contemptuous of Mr. Patman's abilities—and maybe of his intelligence. "This guy was being evasive and very clever and superior, and maybe not quite honest and responsive to questions. Mr. Patman led him out on a long branch, excusing himself for his plain speech and sort of admitting his lack of finesse, and then all of a sudden he sawed that branch right off." While Mr. Patman may seem to take a kind of simple, downhome approach to things, he is a long, long way from being naive, as many an adversary has found out.

It goes without saying that Mr. Patman is a shrewd and accomplished politician. He has been elected to the House 22 consecutive times; only one man, Rep. Celler of New York, has been in the House longer. Mr. Patman has been elected to office 26 straight times, locally and nationally, and is proud of the fact that he won every time by a clear majority; no runoff election ever has been necessary. You don't do that by being politically inept.

#### WHAT ONE MAN CAN DO

Mr. Patman is tough in other ways, too. It takes courage for one man to challenge

the President of the United States (especially when he's a member of the same party); to attack and attempt to impeach the Secretary of the Treasury, when his name is Andrew Mellon; to defy and threaten the biggest banks in the country; and take on single-handedly the whole powerful Federal Reserve system—but Mr. Patman has done all of these and more.

One of the accomplishments he's proudest of was his successful fight for the so-called veterans' bonus back in the 1930s. After World War I a law was passed entitling veterans, based on numbers of days served in this country and overseas, to adjusted compensation for their service. These payments were to mature in 1945, but during the Depression much pressure was put on the government to pay the adjusted compensation in a lump sum. The argument was that veterans needed the money right then, and should not have to wait until 1945.

Mr. Patman agreed, and also believed that the lump-sum payment would inject a much-needed shot in the arm to a lagging economy. Though he was considered a "mere upstart from Texas" at the time, and though it made him "very unpopular on the hill," he fought for several years for his bill providing immediate payment to veterans. President Roosevelt vetoed such a bill in 1935, and Mr. Patman fought him on it, although he had campaigned hard for FDR and of course was a fellow Democrat.

Finally, in 1936, the President's veto was overridden and the then enormous sum of \$2.49 billion was promptly disbursed to ex-servicemen.

While this was a long time ago, its effects extend right down to the present day, and may well explain Mr. Patman's long-standing feud with the Federal Reserve Board. Shortly after the bonus payments were made, the Federal Reserve doubled reserve requirements on U. S. banks. "I have never forgiven them for that, and I don't believe I ever will," Mr. Patman said. "They tightened up the money supply when my legislation was specifically aimed at loosening it. It prolonged our recovery from the Great Depression."

Mr. Patman's championing of the bonus bill—like most of his activity in Congress through the years—points out his consistent and long-standing support of the "little man" and his opposition to the rich, the powerful, and the privileged.

Probably the most dramatic example of this came in 1932 when he got up on the floor of the House and demanded the impeachment of Secretary of the Treasury Andrew W. Mellon for "high crimes and misdemeanors" that included conflict of interest and indifference to the will of the people. Mellon never was impeached; before he had to answer Mr. Patman's charges he was saved by President Hoover, who made him ambassador to Great Britain.

Mr. Patman has been in innumerable legislative battles and legal fights since he first decided to run for public office, but probably the closest he came to actual physical harm was back in the 20s when he was district attorney. It was a rough area in those days around Texarkana, Texas; because four states come together there, crime was rampant and escape from the law was made easier by crossing one state line or another. Mr. Patman was determined to solve the problem of hold ups and robbery, and learned that there was a connection between all this violence and the houses of ill fame that abounded in the area.

In one day he padlocked 24 such places. In short order it developed that there was a very definite connection between vice and crime in Texarkana and certain unsavory characters in Chicago, and Mr. Patman learned from the governor of Texas that an assassin was on the way from Chicago to liquidate him. The governor sent a body-

guard of Texas Rangers to protect Mr. Patman as long as necessary, and the Rangers gave him a six-shooter and made him learn to use it.

"I never had to use it," he said. "I never wanted to use it, and I'm glad I never had to. I still have that old six-shooter around somewhere."

#### A THOUGHT TO PONDER

Fighting for what may appear to be unpopular causes doesn't bother Mr. Patman in the least if he's convinced he's in the right. Many years ago he memorized a bit of favorite verse—he doesn't know the author—and he likes to recite it to himself occasionally even today, sometimes, he says, in the middle of the night:

"He has no enemies," you say.

My friend, your boast is poor.

He who hath mingled in the fray of duty  
that the brave endure  
Must have many foes.

If he has none, small is the work that he has done.

He has hit no traitor on the hip; has cast no cup from the perjurer's lip;

Has never turned the wrong to right;

"Has been a coward in the fight."

Mr. Patman is well known for voting the way he thinks, not necessarily the way his party, or even the folks back home, would want and expect him to. He's also well known for working himself and his staff very hard, indeed, and there's a connection between the two.

"When I first came to Congress I sincerely and honestly believed Congress was made up of good people, the best in their districts; educated, cultured people, and that I'd have to work an hour or two a day extra to keep up with the smarter ones. My first impressions have held up; I have worked with 3,000 or 3,500 people in Congress since I came to Washington, and while there is an occasional rotten apple in every barrel, they are the exception, and these people have proved to be fine, hard-working, honest representatives of the people."

Mr. Patman hasn't changed his mind about the character of people who serve in Congress, and he hasn't given up putting in a "little extra time" to keep up with the best of them.

He averages at least 10 hours a working day, and Saturday is "cleanup day" and he's in the office along with part of his staff. On Sundays he's likely to be found in his office before he attends services at Washington's First Baptist Church—and often on Sunday afternoons too, when there's work he feels must be done. He lives 2½ miles from his office in the Rayburn Building, and usually walks either to or from the office, sometimes both ways.

He reads and attends to all the mail that comes into his office, and there is a lot of it. Only a small portion, interestingly, comes from his own district; because of his reputation as a friend of the ordinary or average man, he receives mail from all across the country. He is proud of this mail, and proud of the fact that he often is considered "Congressman-at-large" for people wherever they happen to live.

He reads everything available about credit unions, including publications and other materials from Credit Union National Association, and he also regularly receives a number of league publications. His staff is instructed to keep up on everything pertaining to credit unions, and to follow up on any credit union matter that needs attention.

Why does he sometimes not vote the way the people back home expect? "I consider that the people sent me here to do what they would do if they were here and voting," he

said. "The folks back home must trust me to know more about how to vote than they do; I'm on the scene, I read and study reports, hear debate, keep up with the matter on a day-to-day basis; I must know more about it than they. I have to risk reelection every two years to convince them I was right. They do trust me, as the record shows."

#### A LONG LIST

The Congressman from Texarkana has sponsored, or co-sponsored a lot of major legislation through the years, some of which he is especially proud. Besides the "bonus bill" these include: coauthorship of the Robinson-Patman Act of 1936, its purpose the protection of small business; authorship of the resolution in 1941 creating the House Committee on Small Business and of most major small business legislation that has passed the House for 20 years; co-authored the Smaller War Plants Corporation Act of 1942; authored the Veterans Emergency Housing Act of 1946; co-authored the Full Employment Act of 1946; co-authored the Area Redevelopment Act of 1961; author of many housing bills including the Housing and Urban Development Acts of 1965 and 1968; and authored much legislation dealing with banks, savings and loan institutions, and the general financial community.

Of course of special interest to the credit union movement is his longtime interest in, support, and sponsorship of legislation for the benefit of credit unions.

It goes back to the Federal Credit Union Act of 1934. "My first credit union connection was back in the early 30s," Mr. Patman recalled, "when I met those fine gentlemen Mr. Filene and Mr. Bergengren. Senator Morris Sheppard of my own state was sponsoring a federal credit union bill, and I told him if he could get it through the Senate I would do my best to get it through the House." Under his co-sponsorship, the bill passed in 1934, and since then Mr. Patman has authored and supported more credit union legislation than any other lawmaker. For this he has earned the movement's highest honor, the Credit Union Distinguished Service Award, and he is one of only three persons ever to receive it. And he has earned credit unions' profound respect and gratitude.

Most recent legislation supported by Mr. Patman, and very important to the future of the movement, was the Independent Agency Bill of 1970, which he originally conceived and of which he was the author. This act established the National Credit Union Administration as a separate agency and gave federal credit unions the same organizational level status and banks and savings and loan associations.

#### WHY LITTLE MAN?

Why has Mr. Patman always stood up for the little man, and always taken his part whenever he saw a confrontation between special interests and the people's interest?

"Because the big boys have everything," Mr. Patman said. "They can afford the best lawyers, the brainiest people, the best public relations people. They certainly don't need me. But what about the middle and low-income people? They just don't have anyone especially charged to protect their interests; they're discriminated against because they just don't have the help and support in Congress they should."

"As a Congressman I think I'm here to help people; I've always had that attitude, though sometimes I've been almost alone in the positions I've taken. I've taken a lot of heat and unpopularity over the years, but this hasn't deterred me. Somebody has to stand up for the little man."

And that's what chairman Patman does, seven days a week.

## CONGRESSMAN McCLORY'S PEACE PROPOSAL

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, today my good friend and colleague from Illinois (Mr. McClory) has offered a Vietnam peace proposal in the form of a House concurrent resolution—a proposal which I feel deserves the serious attention and careful consideration of this Congress, and the administration. The resolution states that it is the sense of the Congress that a date certain of November 30, 1971, should be set for the withdrawal of all American forces from South Vietnam, subject to three conditions. Those conditions are: a total cease-fire by August 15, 1971, to be supervised by a U.N. military observer group; an exchange of all prisoners of war by September 1, 1971, to be supervised by the U.N. Commission on Human Rights; and commitments by North Vietnam and all other governments having military forces in South Vietnam to withdraw by November 30, 1971, to be supervised by a U.N. military observer group.

I do not find the recommendations embodied in the McClory resolution to be inconsistent with the principles and preconditions for peace enunciated in the various pronouncements of the President. You will recall that in his Vietnam message of October 7, 1970, the President proposed a "cease-fire-in-place" to be "supervised by international observers," "the immediate and unconditional release of all prisoners of war held by both sides," and negotiating a timetable for the complete withdrawal of all forces from South Vietnam.

In his Vietnam report of April 7, 1971, the President made the following statement:

Our goal is a total American withdrawal from Vietnam. We can and we will reach that goal through our program of Vietnamization if necessary. But we would infinitely prefer to reach it even sooner—through negotiations.

In that report, the President also rejected the unconditional and unilateral American announcement of a date for total withdrawal, because, in his words:

We would remove the enemy's strongest incentive to end the war sooner by negotiation.

The McClory resolution also rejects such a unilateral and unconditional announcement, but it does suggest setting November 30 of this year as the target date for the withdrawal of all foreign troops from South Vietnam, contingent also on a total cease-fire by August 15, and the release of all prisoners by September 1.

The McClory resolution would thus seem to bridge the gap between those who set a date for the unconditional and unilateral withdrawal of all American troops, and those who insist on certain

prior conditions and who would rather not discuss a date at this time. The McClory resolution thus provides an additional incentive for achieving a negotiated settlement at Paris by setting a timetable for a mutual cease-fire, a mutual exchange of prisoners, and a mutual withdrawal of all foreign troops from South Vietnam.

I therefore commend the gentleman from Illinois on his initiative, and again urge the Congress to give this concurrent resolution its careful consideration.

#### SOIL STEWARDSHIP WEEK

### HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. SEBELIUS. Mr. Speaker, since the terms "conservation" and "environment" have become household words, I think it is appropriate for those of us from rural and small town America to point out to the growing number of citizens who are becoming aware of the need to have and improve our environment that this goal has always been a concern of the American farmer. Farmers are, in fact, the pioneers of our Nation's newly discovered program to save our environment.

This week, May 16-23, is Soil Stewardship Week in which we recognize the dedicated conservation efforts by farmers, ranchers, and our State and county conservation committees and employees for their personal commitment to our natural resources. These dedicated stewards have made it possible for the American farmer to utilize and conserve our limited soil and water resources in such a way that, for the first time in history, man has a realistic chance to win the war against malnutrition and hunger.

Today one farm worker produces food and other farm commodities for himself and 44 others. Through the American farmer, the U.S. consumer is provided the highest quality diet at the lowest cost in the history of the world. Our ability to produce food and fiber can and should be our greatest weapon in our Nation's efforts for peace.

Mr. Speaker, the Kansas wheat belt is referred to as the "breadbasket of the Nation." Kansas farmers have earned this title through effective conservation programs and are truly pioneers in our Nation's conservation program.

Prompted by the dust bowl days of the 1930's, Kansas conservation has initiated 79,906 individual plans for conservation practices on 26,639,222 acres. The Kansas team of trained soil scientists, volunteer leaders, and concerned farmers has produced 268,754 miles of terraces and diversions; 278,458 acres of grassed waterways; 90 watershed applications; 1,663,337 acres of range seeding; 85,889 farm-ponds; and 1,320,044 acres of cropland converted to other uses. This astounding record illustrates a united effort involving Federal, State, and local cooperation directed by local citizens. Yet, there is still much to be done. Only 36 percent of the 29,623,793

cropland acres in Kansas has been treated adequately for conservation and erosion control.

A constant challenge faces Kansas farmers and American agriculture in spite of conservation investments and technological advances. How to feed a hungry and troubled world? As a result of the population explosion, land development, and widespread abuse of our limited soil resources by nonagriculturalists, only 8 inches of topsoil are left across the United States for farmers to use in providing either "feast or famine." This fact is even more dramatic in view of projections by U.S. Department of Agriculture economists that consumers will spend about \$206 billion for food in 1980—an increase of \$97.8 billion, almost 100 percent, over similar expenditures for 1970.

The keystone to success in satisfying this great demand for food and fiber is adequate farm income. The great disparity between agriculture and the rest of our affluent society must be eliminated if we expect farmers to continue to invest in soil and water conservation practices and if we expect our younger generation to make the same commitment. Since the average age of farmers is 52, this truly is a turning point in our history.

I am hopeful that the 92d Congress will enact legislation to perpetuate conservation efforts and to guarantee economic prosperity for family farming units throughout America. Without the efficiency and productivity of the family farm operation, our whole economy would suffer.

Mr. Speaker, the farmer must commit himself to saving and improving his environment, because his livelihood depends upon it. I think during Soil Stewardship Week it would be most fitting for our urban citizens to pause and reflect upon what kind of commitment they should make to this cause.

What each and every American is willing to do in fulfillment of this responsibility will determine the state of our environment. It is important to realize the environment is not someone else's responsibility. Our environment is each citizen's front yard, sidewalk, road, air or water. It is the character of rural or small town America and of urban America.

The farmer believes that he has the responsibility to save and improve our environment. Let us hope during Soil Stewardship Week that all Americans can come to realize this basic responsibility.

#### OUTSTANDING SERVICE RENDERED AT MARION, ILL., VA HOSPITAL

### HON. KENNETH J. GRAY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. GRAY. Mr. Speaker, we are prone to take for granted the good work of our public servants and employees who labor unnoticed in our public institutions such as hospitals, nursing homes, educational

institutions, and other places so important to our welfare.

I am fortunate to have a U.S. Veterans' Administration hospital in my district at Marion, Ill. A friend and constituent, Mr. John L. Norris of Marion, Ill., has called to my attention the good work being performed by the officers and employees at the Marion hospital.

Under previous leave granted me, I am inserting in the RECORD the letter Mr. Norris wrote to Administrator Donald E. Johnson concerning the fine service rendered at Marion:

MARION, ILL.,  
May 15, 1971.

Mr. DONALD E. JOHNSON,  
Administrator, Veterans' Affairs,  
Washington, D.C.

DEAR SIR: In view of all the controversy about what is wrong with the Veterans Administration and the Veterans Administration Hospitals, I think it is time someone spoke out as to what is right with the VA Hospitals and the Veterans Administration.

I have been a patient in the Marion, Illinois VA Hospital a number of times in the past few years. The treatment I received on every occasion was above reproach. Not only from the medical standpoint but administrative as well. The personnel of the Veterans Administration and this hospital had nothing to gain from me financially, politically, socially or in any other manner, yet the treatment extended to me from the entire staff was excellent.

Everyone is extremely busy yet they have time to extend courtesies and personal needs. It would be wholly unfair for me to single out any one person for praise because they are all doing a wonderful job.

The place is spotlessly clean and functions as a well organized business.

Speaking from the point of a disabled veteran, I salute you and your entire organization. Thanks again.

Very truly yours,

JOHN L. NORRIS.

P.S. You may feel free to quote this letter in its entirety or any part thereof.

#### DOD CITATION FOR RICHARD G. CAPEN, JR.

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. KEMP. Mr. Speaker, it is an honor and a privilege to call to the attention of my colleagues, the DOD Distinguished Service Citation awarded to Richard G. Capen, Jr., the former Deputy Assistant Secretary of Public Affairs. Dick Capen certainly played a key role in maintaining the critical lines of communication to and from the Department of Defense.

It is difficult to add to the eloquent praise directed toward my good friend, Dick Capen, by Secretary Laird, so at this point I include the official citation:

#### DEPARTMENT OF DEFENSE

To RICHARD G. CAPEN, JR., for distinguished service in the Department of Defense from January 1969 to May 1971 as Deputy Assistant Secretary of Defense for Public Affairs and as Assistant to the Secretary for Legislative Affairs.

Dick Capen's energy, intelligence, and good judgment have been a primary stimulus for positive results in numerous defense programs. In particular, his relations with mem-

bers of the Senate and the House of Representatives have won broad congressional support for the critical defense legislative programs. During a particularly challenging period of reduced military spending, changing priorities, and shifting world affairs, he has deepened public and congressional understanding of the many difficult and complex issues faced by the Department of Defense. His dynamic and positive attitude coupled with a warm and sensitive personality have enabled him to perform with rare distinction duties of the greatest importance in maintaining our national security posture. His perception and accurate evaluation of congressional attitudes have made it possible for him to provide invaluable advice to senior officials of the department.

His high sense of duty and loyal and dedicated service have been an inspiration to all with whom he has been associated. It is with great pleasure and deep appreciation that I award to Richard G. Capen, Jr. the Department of Defense Distinguished Civilian Service Medal.

MELVIN R. LAIRD,  
Secretary of Defense.

APRIL 26, 1971.

ALL AMERICA CITY AWARD PRESENTED BY ASTRONAUT ALAN BEAN AT DALLAS, TEX., LUNCHEON

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, it was my pleasure to attend a luncheon marking the presentation of the designation of Dallas, Tex., as an All America City, on Monday, April 19, 1971. Astronaut Alan Bean was the principal speaker. I am inserting Captain Bean's address:

PRESENTED BY ALAN L. BEAN, NASA ASTRONAUT, ALL AMERICA CITY PROGRAM, DALLAS, TEX., APRIL 19, 1971

Thank you. It's a great honor for me to be invited here today to take part in the ceremony in which you as citizens of Dallas receive the All America City award. This is a monumental achievement, particularly at this time in our country's history when so many unresolved problems confront the city.

The short-sightedness of worrying only about the "now" permeates our country. Many forget too easily that to be the most prosperous nation in the world has taken the foresight, commitment, and perseverance of preceding generations. But many people find themselves unwilling and unable to commit to sensible, well-thought-out long-range plans, and carry them through.

Too often the citizens only react to change and events as they occur rather than acting to control those that are bound to happen and can be foreseen. As members of this community, you have an option to design the future rather than let the future impose on you its whimsical, often destructive design.

You have the power to set clearly defined goals—the basis of which seek to satisfy the precept that:

"The paramount goal of a city is to guard the rights of the individual, to ensure his development, and to enlarge his opportunity."

I feel that our nation's space program has similar long-range goals—more specifically: "To enlarge individual opportunity, to im-

prove the quality of life." Many critics expose the point and view that, "for the sake of humanity we must sacrifice our space program." I would like to share with you my feeling that "in the name of humanity we must maintain a strong space program."

I feel that our space program is important to us as individuals and to us as a nation for four important reasons:

1. It sets the pace for much of our technological growth.
2. It motivates our young people to excel at a critical time in their life.
3. It influences the rest of the world in a positive way with regard to the United States.
4. It provides a perspective of man's place in this vast universe.

Before we look at those individually, I would like to talk about the money each of us as taxpayers spends on space . . . and, show a short film clip of the flight of Apollo XIV.

The cost of our space program is perhaps the most misunderstood aspect of our space exploration. For example, this year:

3.2 billion dollars—1.4% of the total Federal budget (Russia spends about twice as great a percent of its budget).

This per person is about:  
(Figures determined by dividing each Federal budget by 200 million)

Space, \$16 per person.  
Defense, \$387 per person.  
Foreign aid, \$20 per person.  
Agriculture, \$29 per person.  
Community development, \$98 per person.  
Human resources:

(Welfare and social security—\$303; health, education, and manpower—\$124; veterans—\$53).

\$480 per person (30 times the space budget).

We spend \$16 per person on cosmetics, \$35 per person on alcoholic beverages, \$17 per person on tobacco.

It becomes clear if we had no space program at all, the effect on the other programs would be hardly noticeable. Remember, we have not spent, nor do we plan to spend, any of this money in space or on the moon.

Let's look at what we receive for our investment in the future:

Our space program is our best spur to technological growth.

Except for DOD what other candidates are there?

Trying to return to a simpler life is wishful thinking.

We cannot drop out of world society; it is competitive whether we like it or not.

Advancements in technology offer our best, maybe our only hope—problems getting tougher.

Still servant, not master. Strength overshadows our weakness. Success overshadows our failures.

Not technology or space exploration vs. mankind.

Better off than we have ever been:

Freer from disease (polio, measles).

Work hours.

Per capita output.

Mind not muscle.

New wealth, not distributing existing wealth.

Give a man a fish and you feed him for a day; teach him to fish and you feed him for a lifetime.

Discover new ways to fish and new fishing grounds and you improve his life, his children's lives, and his children's children's lives.

Our space program motivates young minds. See boys and girls.

Understanding that their world will be complex.

Does anything else motivate these eager minds?

Their concern for our earth, its people, its air, this was brought about, I feel, by view

of earth from space—first on Apollo 8—this may be the most important contribution of the space effort.

Our space program has a positive effect on the world.

When Pete Conrad, Dick Gordon, and I . . . people criticized us because of: Vietnam

Deplorable condition of our ghettos  
Plight of our poor  
Racial inequalities

They all loved us for Apollo exploration:  
Positive step for all men  
Freely and openly done

Apollo 11—Hundreds of millions of people stirred because they were human beings on this planet.

Apollo 13—The world was joined in praying and hoping for the safety of the crew as it made its way back to earth.

In fact, we as Americans are happy with ourselves.

We can relate to ourselves (as individuals and other elements in our society).

We can relate to others (other individuals and other countries).

Our space program provides perspective on our future in the universe.

World grim, empty place for many people. No goal or vision except material advancement.

Difficult to build your life around an empty heart and mind.

As I was on the way back from our visit to the ocean of storms:

Only things visible—earth, moon, sun, and stars.

Man and man's accomplishments invisible.

All these visible forever chained to predictable paths.

Only man free to move . . . to think. Whenever his imagination and his dedication . . .

The space program inspires the nobler instincts in man.

It revives the human spirit.

A poet once said: "There is something in man that surpasses man."

I feel these words are meaningful when we view our space program.

Important, too, today when we view the efforts that you citizens have put into this building of a greater Dallas, a future Dallas which will be for the mutual benefit of all its citizens.

This all-American city award is only the beginning of a critical, continuing journey for all Dallas citizens as changes and challenges will be present in the future just as they were in the past—just as our first landing on the moon by Neil Armstrong and Buzz Aldrin was just the beginning of a long and difficult journey for our country in space exploration. It will require a renewal of commitment by each of us to think and act in terms of the overall and future well being of all of us.

Each must ask himself:  
"What am I personally doing as an individual and, equally important, what are the organizations of which I am a member doing to support programs and policies that I believe are worthwhile on a community and a national level?"

What am I personally doing today to support them?

### LEST WE FORGET

### HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 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.

Sp4c. Richard Bauer, U.S. Army, 574-24-2576, Anchorage, Alaska. Single. The son of Mr. and Mrs. Gene Bauer, Anchorage, Alaska, 1968 graduate of Diamond High School. Officially listed as missing November 4, 1969. As of today, Sp4c. Bauer has been missing in action in Southeast Asia for 567 days.

**NOISE IN NEW YORK: OR I CAN'T HEAR YOU WHEN THE SUBWAY IS RUNNING**

**HON. WILLIAM F. RYAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. RYAN. Mr. Speaker, few New Yorkers need much convincing that their city is the noisiest in the world. Their ears and their nerves have been telling them that for years.

Today, the ambient noise level in mid-Manhattan is already over 80 decibels—and rising. While knowledge of the effects of noise on human beings is far from complete, we know that this level is certainly high enough to contribute significantly to physical damage and mental stress. These hazards of noise cannot be overstated. Excessive exposure to loud noise can result in temporary and even permanent hearing loss. It disrupts sleep, causes annoyance, interferes with speech. Research has shown that high levels of noise can have adverse respiratory, glandular, cardiovascular, and neurological effects. Noise can reduce a worker's efficiency and is a cause of industrial accidents. It can even affect property values.

Yet, in New York City subways, passengers are routinely subjected to noise levels of 90 to 98 decibels. "Curve squeal" averages 103 decibels, while an express train passing in a local station can blast passengers waiting on the platform with 109 decibels.

Some 2 million automobiles and more than 100,000 trucks move daily in and about the city creating noise levels in excess of 95 decibels.

Construction sites—New York City has 10,000 construction projects and 80,000 street repair jobs annually—can generate localized noise levels in excess of 100 decibels. Pedestrians walking by a row of air compressors may encounter noise as high as 110 decibels.

Add to this the clamor of vendors, household appliances, air conditioners, sirens, and jet aircraft flying overhead. The result is an urban noise disaster.

It is essential that something be done to combat this crisis. As a Member of Congress long concerned about noise and its control, I have introduced a legislative package for a comprehensive Federal program of noise abatement. These proposals are put forth in my Noise Abatement and Control Act of 1971 (H.R. 6986 and H.R. 6987), my Noise Disclosure Act (H.R. 6988 and H.R. 6989) my Occupational Noise Control Act of 1971 (H.R. 6990 and 6991), and my Office of Noise Abatement and Control appropriations bill (H.R. 5043 and 6984 and H.R. 6985). I am pleased that dozens of my colleagues in the House of Representatives have joined in cosponsoring this legislation.

These bills would provide much-needed funding for the newly established Office of Noise Abatement and Control within the Environmental Protection Agency and would provide funds for State and local governments to combat the hazards of noise.

This legislation would give greater protection to workers from the dangers of on-the-job noise.

It would direct the head of the Office of Noise Abatement and Control to set strict noise standards to protect the public health and welfare and would insure that these standards were enforced.

It would require that all noise-producing machinery shipped in interstate commerce be labeled as to their operational noise level so that the consumer could take the noise the machine creates into account when he consider buying it.

And it would direct the Federal Government to use its tremendous procurement and purchasing power to promote a more quiet environment.

However, if the rising menace of excess noise is to be combated effectively, it will take more than Federal action alone. State and local governments, as well as individual citizens, must all take an active role in fighting noise pollution.

New York City has made a start in that direction. A Bureau of Noise Abatement has been established within the Environmental Protection Administration. The aim of this new bureau, headed by Robert Bennin, is to set priorities on the types of noise to be controlled; to establish guidelines for city agencies in purchasing and licensing machinery; to educate the public on the dangers of noise; to encourage research on noise effects and control technology; to encourage noise reduction considerations in urban planning and land-use management.

Most significantly, however, the city is preparing a comprehensive Noise Control Code for presentation to the city council, based in large part on the recommendations of the mayor's task force on noise control issued in January 1970. In testimony before the ad hoc congressional hearing on noise pollution which I held in New York City on February 8, 1971, Environmental Protection Administrator Jerome Kretchmer outlined the focus of the proposed code. At that time he said:

We expect the Code to take a three-pronged approach to the noise problem:

It will (1) incorporate the general "unnecessary-noise" standards that are usual in today's noise control ordinances; (2) establish specific sound level standards for a wide variety of such sources as air compressors, pavement breakers, large air conditioning systems, refuse compacting vehicles and the like; (3) mandate the establishment of ambient noise quality zones for the entire City . . . We believe this code will become a model for the rest of the Nation.

Hopefully, this noise control code will be completed in the very near future and adopted by the New York City Council. The noise in our cities can no longer be ignored. As a problem it ranks in seriousness with the pollution of our air and our waters. It must be attacked vigorously by all levels of government, by industry, and by individual citizens. For the sake of our health, our sanity, and the well-being of our cities, we have no other choice.

I include the letter of recommendations dated January 1970 to Mayor John V. Lindsay by his Task Force on Noise Control. I commend it to the attention of my colleagues:

**TASK FORCE LETTER OF RECOMMENDATIONS TO MAYOR JOHN V. LINDSAY**

DEAR MR. MAYOR: Your Task Force on Noise Control submits in this letter its Recommendations derived from its study of the problem of noise in the City of New York. Accompanying these recommendations for effective action against noise are supplementary reports of individual Task Force subcommittees preceded by an explanatory Preface.

Moved by a concern for the future of New York City, the Task Force believes that noise has reached a level intense, continuous, and persistent enough to threaten basic community life.

More than at any time in the City's past, there seems to be no escape for City resident and worker from daily acoustical assaults on these senses. Vehicular traffic, jet aircraft, subway trains, construction equipment and air-conditioners, as major noise sources, degrade the health and well-being of New York residents.

The economic health of the City suffers as well. New York based businesses find that the noisy environment hampers work and inhibits employee recruitment. This contributes to their movement to the quiet of the suburbs.

Firmly convinced that noise is not an intractable problem and that it can be brought under adequate control, the Task Force sets these objectives for its study:

1. To define the problem.
2. To identify the chief sources of noise in the City.
3. To investigate the various means and resources by which noise may be reduced.
4. To establish acoustical criteria, taking into consideration the needs and requirements of the City, for its present and future residents.
5. To test whether principles and methods, learned in the course of the investigation, could be actually applied, i.e., by this temporary group in at least one or more limited cases.

This report contains the results of our pursuit of these objectives, with details given in the reports of the subcommittees. An overall pictorial summary presentation is given in the center-fold of the report.

As a result of its study, the Task Force makes the following Recommendations:

**GENERAL RECOMMENDATIONS**

1. The city must provide leadership. The City Administration must provide the imaginative and bold leadership necessary to a large-scale and comprehensive program of

noise control. As a leader among the world's cities, New York must exert leadership in meeting urban environmental problems.

It cannot be stressed too strongly that success or failure of a noise abatement program will be determined by the City Administration. No other governing body is so closely tied to the lives of New Yorkers. No other force can do so much to improve the environmental quality of the City.

Such leadership must not be short-lived; rather it must be sustained and purposeful in order to overcome temporary setbacks or waning expression of interest.

#### 2. Noise control must be basic to planning

Noise control must be recognized as an essential element of basic City planning and development. The physical environment—homes, roads, parks, subways, factories and offices—must be thought of as indivisible from the total organic system which makes up the community. Consequently, noise abatement, like air or water pollution control, must be regarded as an environmental problem integral to the complex of urban life.

#### 3. New sources of noise must be prevented

In planning and developing noise abatement programs, the City should give first priority to preventing new sources of noise from encroaching on the environment. Prevention of new noise sources is considerably easier than abating old, well-established sources, since prevention costs less and encounters less bureaucratic red tape and fewer vested interests.

To this end, the City Administration must use its purchasing power to insure that new equipment and replacements that it buys for its own use incorporate noise control features. This can be a most persuasive form of leadership and serves as an incentive to research and development by suppliers of such products.

On the subject of noise prevention, the Task Force wishes to draw the City's attention to the serious problems raised by new increases in air travel. This matter is made more urgent by the approaching introduction of larger and more powerful aircraft and the prospect of supersonic transport. We ask for an intensification of the study being made to devise better airplane approach systems, runway location and orientation, and only to the extent felt necessary, rezoning or possible condemnation of property areas surrounding metropolitan airports.

#### 4. The public and private sectors must cooperate

A creative partnership must be established between public agencies and private enterprise. Business must be made aware that when it rejects or delays noise control measures, it contributes to urban blight and degrades the community on which it depends. The argument that noise control is too expensive for business is no longer valid, if it ever was. The deterioration of the environment is too expensive for business.

One can not expect business to initiate noise abatement programs on its own, however, until the City Administration demonstrates that such programs are indeed feasible and permanent. By taking serious steps toward this end, the City can help create an attractive environment which will encourage new businesses to locate here and deter established firms from joining the suburban exodus.

The City's Environmental Protection Administration should enlist the support and collaboration of local businesses, such as real estate, construction and public utilities, which have the clearest fundamental stake in an improved City environment.

#### 5. Effective acoustical design must be adopted by business

Business must be encouraged to incorporate effective acoustical design features in its

products. When product noise control becomes a basic design parameter, everyone benefits. The consumer and bystander appreciate the quieter operation, and business itself profits from better sales. Examples of improved sales resulting from quieter products are refrigerators, automobiles, and outboard motors.

The theory that noise synonymous with power and that consumer acceptance is poor unless a product roars is not generally true. While a young sports car enthusiast might revel in the roar of his car, the vast majority of the public does not. The Rolls Royce concept that high performance, quality craftsmanship and quiet operation are all ingredients of product excellence has done much to influence automotive design in Detroit. Noise control has become a basic design factor in the automotive industry, and it has been demonstrated that the general public wants quiet and is willing to pay for it.

Given the experiences of businesses which have successfully marketed quiet products and the example set by the noise reduction program of the City Administration, enlightened business can change noise control from a hope into a reality.

#### 6. The city must exercise its full powers to effect noise control

The City Administration must press for realistic noise criteria and encourage sustained noise controls. However, the Mayor lacks crucial enforcement power over some vital services performed by such agencies as the Transit Authority, the Port Authority and all Federal agencies. These limits of jurisdiction can be substantially overcome by full exercise of all noise abatement powers that the City commands, and by the persuasion to action that such leadership implies. Federal, state, and independent agencies might well be moved to greater effort by the example of the City and by the direct appeal by City officials that they do so.

#### 7. The Environmental Protection Administration must be authorized to regulate and control, and the Environmental Control Board to adopt and amend rules to eliminate disturbing noises

The local law establishing the EPA fails to express this authority or jurisdiction. Lest this program go by default of responsibility, the law needs amendment in parallel language currently in the law to regulate and control air pollution. (See Specific Recommendation No. 1.)

#### 8. The Environmental Protection Administration must determine acoustical values

The Environmental Protection Administration must establish standards by which noise limits may be set, regulations may be developed, and controls may be enforced throughout the City.

The Task Force recommends the following acoustical criteria on which the community's noise regulations might be based:

1. Noises above the hearing conservation criterion of 85 dB(A) on a continuous basis are injurious and should not be permitted.

2. Noises interfering with the normal level of speech—above 52 dB(A)—should be reduced as soon as possible.

3. A desirable limit for noise in wholly residential areas is 40 dB(A) in daytime hours and below 30 dB(A) during nighttime hours.

These criteria are based on the individual's needs for safety, social communication, and rest.

To illustrate the City's noise problem, we have shown in the centerfold chart some typical noises to which the citizen on the sidewalk is exposed.

#### RECOMMENDATIONS FOR AN EPA PROGRAM

We propose the following recommendations as the first steps toward an eventual comprehensive program to be mounted by

the Environmental Protection Administration, which will have to be strengthened so that it will be authorized to control noise effectively. To achieve the most beneficial long-range results from an attack on noise on all fronts, implementation of the recommendations should be concerted and simultaneous.

Specifically, we urge that a special department of noise control be established within the EPA and authorized to carry out the proposed program.

1. The EPA should continue the liaison work, originally begun by the Task Force, between City government and the business community, to encourage business to assist government to make this a "Quieter City." Noise abatement by business is essential and should be sought voluntarily. Among the groups most receptive to EPA initiatives might be the following:

(a) The designers and manufacturers of machines and vehicles which are sources of noise and which are purchased by the City and independent authorities operating within the City.

(b) The users, other than the City, of such machines and vehicles, such as the construction industry, private cartage and private transportation. The present New York Business Environment Council is expanding its activity to embrace all dimensions of environmental concern—air, noise, water, solid waste disposal—and we recommend that this Council be invited to continue its liaison work between government agencies and the City's business community.

2. In line with the above Recommendations, the EPA should take over the work done by the Task Force as formal liaison among branches of City government, independent authorities and Federal agencies operating within the City. The EPA should guide the actions of these agencies in implementing noise control measures. EPA's authority over noise specifications should extend into the following areas:

(a) Purchasing, leasing, operating, maintaining and retrofitting machines and vehicles used by City agencies and authorities.

(b) Controlling machines and vehicles owned by private organizations who operate under City licensure or permit or who perform work under City contracts.

(c) Providing such noise abatement specifications for inclusion in codes administered by other City agencies.

3. The EPA should undertake a comprehensive survey of noise in the City. This survey should:

(a) Investigate existing acoustical levels in various areas of the City.

(b) Determine major sources of noise.

(c) Establish cumulative and temporal noise characteristics from multiple sources.

(d) Determine contribution of major noise sources to the total noise level.

(e) Investigate the influence of architectural forms such as site utilization, choice of materials, and building shape on noise levels.

The only previous attempt at a survey in New York was undertaken in 1930. Since then, advances in scientific measurement, in addition to sweeping changes in the City's environment, have made these findings obsolete and grossly inadequate to the present noise problem. Therefore, we recommend that a noise survey be conducted periodically, every five years. Such a survey is essential to the environmental inventory of the City.

4. The EPA should also maintain a continuous supervision of noise conditions in the City by doing the following:

(a) Setting up a continuous monitoring system, similar to the current air pollution daily index, to provide a daily noise profile for the City.

(b) Receiving, analyzing and acting upon the public's complaints, both specific and general; and encouraging public interest and

participation in the development of effective noise abatement programs.

(c) Establishing an inspection system which would include the following activities:

(1) training a staff of inspectors in the use of noise measuring instruments and noise data;

(2) assigning to the staff of inspectors the tasks of responding to public complaints, checking City and private machines and vehicles, and otherwise assisting in the enforcement of the regulations controlling noise.

5. The EPA should establish a research organization within the department of Noise Control responsible for providing the EPA Administrator, the Mayor, and other governmental officials with authoritative information on the latest technological and economic developments in noise control.

The organization should collect and maintain a library of noise and vibration information, abatement measures, detailed data on sources, and regulatory action taken in other parts of the world.

This research organization would also be charged with establishing acoustical criteria to be used in formulating a policy of noise control for the City.

#### SPECIFIC RECOMMENDATIONS

A. The Task Force believes that there are provisions in the present laws governing noise control which need to be changed. We are aware that this would require a sustained and vigorous presentation of amendments before appropriate city and state bodies. But the City of New York can do no less for its citizens if the crescendo of noise is ever to be brought under adequate control. Therefore, we urge the following for speedy adoption:

1. *Corrective amendment to EPA law.*—The present law which established the EPA should be amended. In its present form, the law gives jurisdiction over the City's noise problem to the EPA. However, it fails to express the authority of the EPA and the Environmental Control Board in the vital area of adopting and amending rules regulating and/or prohibiting harmful or objectionable noise.

In analogy with the express power over air pollution, the "Functions" of the EPA with respect to noise abatement, except as otherwise provided by law, must be broadened in Paragraph 1403, subsection 3 of Local Law No. 3 of 1968, to include jurisdiction "to regulate and control noise disturbances." The jurisdiction of the Environmental Control Board to adopt and amend rules not inconsistent with other provisions of law in Paragraph 1404, subsection 2, by adding a sub-paragraph (c) should include

(c) regulating or prohibiting noise disturbances from any sources whether fixed or movable."

2. *Corrective amendment to State motor vehicle statute.*—The Task Force finds that vehicular traffic, especially truck traffic, is the single constant source of pervasive noise in the City.

The Task Force is convinced that the State's open highway regulation permitting trucks to operate at a noise level of 88 dB(A)—measured at 50 feet from the center of the lane in which the truck is traveling and based on a speed of 35 m.p.h.—is completely unrealistic for conditions in the City. This law was intended to control noise on the open highway and not in the City where the building lines of many streets are only 60 feet apart, meaning that the permissible noise level on the sidewalks of New York under the State statute is well above the hearing conservation criterion.

3. *City ordinance to prohibit excessive truck noise.*—In the event that the state law is not amended to meet the needs of the State's urban population, New York City should promulgate its own standards in an ordinance or regulation to limit the noise of

motor vehicles. While working to obtain corrective state legislation, or to develop a City regulation, which might require permission from the State legislature, sometimes a long and arduous process, the City should seriously consider routing truck traffic away from noise sensitive areas.

B. Jet aircraft noise increasingly threatens the peace and quiet of City residents and there seems to be no immediate prospect that the situation will improve. The abatement of such noise presents legal problems entirely different from those of regulating vehicular traffic noise. Truck noise is presently regulated by State statute. Aircraft landing and takeoff are regulated, respectively, by the Federal Aviation Administration and the New York Port Authority. The City Administration has no formal jurisdiction over either agency.

This can probably be resolved only at the federal level where aircraft noise is the subject of federal administrative control. Aside from lobbying for adequate federal legislation and regulation, the City can exert its influence on independent agencies that control airports and air traffic and noise levels over the City. It can also control aviation noise by not permitting City property to be used for heliports and short take-off and landing (STOL) ports until there is acceptable evidence that the aircraft meet the City's noise control standards. It can be more persuasive if it has established a practical noise abatement program for the whole City. By the force of such example and achievement, the City may properly request cooperation and obtain strong public and press support.

#### CONCLUSION

The more the Task Force studied the problem of noise in the City, the more its members were impressed with the urgency of alleviating this form of pollution of the environment. However, we also realized that urgency is not synonymous with emergency. Since New York seems to be in perpetual crises, to raise the spectre of another crisis would be self-defeating. Rather, we place our hope in the leadership of the City Administration.

We believe that a climate of public acceptance of that leadership already exists among the people, and that the public hopes for and expects a proper resolution of noise issues now before the City.

Among the issues we refer to is the conflict over the location of short take-off and landing (STOL) or helicopter ports in the City. In this case, the overriding public interest for noise control is being opposed by powerful private interests.

We wish also to call critical attention to the construction industry's practice of ignoring the availability of new, less noisy construction equipment. Demolition and construction are permanent features in the City, but they can be made less irritating if available and elementary noise controls are required.

Once again we wish to stress the importance of planning adequately for the introduction of supersonic transport (SST). If the City waits to determine its noise limits until after the SST has been developed and is in operation, it may be too late and too costly to the aviation industry to make the correction. And if the SST is then operating from other cities, it may be highly adverse to the City's transportation requirements to prohibit the SST here. That is why the City must establish and publish acoustical standards as early as possible as part of a comprehensive plan that would balance private and public interests.

If the Task Force had one goal in this study, it was this: to help our City achieve a desirable environment in which noise levels would not interfere with the well-being of its people.

Our study naturally makes us very consci-

ous of the enormity and complexity of the task of controlling noise. Yet we recognized that the problem is not confined to noise alone or to its sources. It has a broader perspective. In essence, it is part of our efforts to clean streams, lakes, and the air, to replace slums with better housing, and to improve the quality of life.

Armed, at first, only with our conviction that much of the technique for noise control is already available and waits upon the simultaneous awareness of buyer and manufacturer, the Task Force has made progress in some very practical areas. We have recommended cooperation between government and business as essential; and we have succeeded in several instances in bringing that cooperation about. The story of our accomplishments is found in the Preface to the Subcommittees' Reports which accompanies this letter.

The Task Force is very grateful for the time and energy our many contributors from both private and public life have unstintingly given us. We acknowledge our debt to them in the Appendix to this letter.

We have been especially fortunate in having, Mr. Mayor, your steadfast interest, concern and support for this project. Your approval of the new Building Code, with its noise control provisions, is an important step forward. Also, we wish to thank members of your administration who, with your support, have shown remarkable foresight in establishing the Environmental Protection Administration.

Mr. Mayor, in a new awareness of the gradual deterioration of urban life and in a new determination to reverse the trend, our city has begun to improve itself, to restore the wholesomeness of its air and water and the cleanliness of its neighborhoods. Excessive noise can and must be brought under control just as the other forms of pollution are being controlled.

Your Task Force is convinced that our people, our government, and our industry can, with your good leadership, produce the *diminuendo* we need to recover and conserve the quality of urban life.

Sincerely,

NEIL H. ANDERSON,  
Chairman.

#### THE MAYOR'S TASK FORCE ON NOISE CONTROL MEMBERS

Neil H. Anderson (Chairman); Executive Vice President, New York Board of Trade, Inc.

Benjamin B. Bauer; Vice President, CBS Laboratories.

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## THE DISASTER LOBBY

### HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DON H. CLAUSEN. Mr. Speaker, Thomas R. Shepard, Jr., the distinguished publisher of *Look* magazine, recently spoke before the Soap and Detergent's Association's annual meeting in New York.

In my judgment, this speech gets to the heart of many of today's controversies and I urge my colleagues in the House to read carefully what Mr. Shepard has to say about "The Disaster Lobby":

#### THE DISASTER LOBBY

One morning last fall, I left my office here in New York and hailed a cab for Kennedy Airport. The driver had the radio turned to one of those daytime talk shows where the participants take turns complaining about how terrible everything is. Air pollution. Water pollution. Noise pollution. Racial unrest. Campus unrest. Overpopulation. Underemployment. You name it, they agonized over it. This went on all the way to Kennedy and as we pulled up at the terminal the driver turned to me and said—and I quote—"If things are all that bad, how come I feel so good?"

Ladies and gentlemen, I wonder how many Americans, pelted day after day by the voices of doom, ever ask themselves that question: "If things are all that bad, how come I feel so good?"

Well, I think I have the answer. We feel good because things aren't that bad. Today, I would like to tell you how wrong the pessimists are, and to focus an overdue spotlight on the pessimists themselves. These are the people who, in the name of ecology or consumerism or some other ology or ism, are laying siege to our state and Federal governments, demanding laws to regulate industry on the premise that the United States is on the brink of catastrophe and only a brand new socio-economic system can save us. I call these people The Disaster Lobby, and I regard them as the most dangerous men and women in America today. Dangerous not only to the institutions they seek to destroy but to the consumers they are supposed to protect.

Let's begin with a close-in look at that drumbeat of despair I heard in the taxicab and that of us hear almost every day. Just how much truth is there to the Disaster Lobby's complaints?

Take the one about the oxygen we breathe. The Disaster folks tell us that the burning of fuels by industry is using up the earth's oxygen and that, eventually, there won't be any left and we'll suffocate. False. The National Science Foundation recently collected air samples at seventy-eight sites around the world and compared them with samples taken sixty-one years ago. Result? There is today precisely the same amount of oxygen in the air as there was in 1910—twenty point nine five per cent.

But what about air pollution? You can't deny that our air is getting more fouled up all the time, says the Disaster Lobby. Wrong.

I can deny it. Our air is getting less fouled up all the time, in city after city. In New York City, for example. New York's Department of Air Resources reports a year-by-year decrease in air pollutants since 1965. What's more, the New York City air is immeasurably cleaner today than it was a hundred years ago, when people burned soft coal and you could cut the smog with a knife.

Which brings us to water pollution. The Disaster Lobby recalls that, back in the days before America was industrialized, our rivers and lakes were crystal clear. True. And those crystal clear rivers and lakes were the source of the worst cholera, yellow fever and typhoid epidemics the world has ever known. Just one of these epidemics—in 1793—killed one of every five residents of Philadelphia. Our waterways may not be as pretty as they used to be, but they aren't as deadly either. In fact, the water we drink is the safest in the world. What's more, we're making progress cosmetically. Many of our streams will soon look as wholesome as they are.

Perhaps it's the fear of overpopulation that's getting you down. Well, cheer up. The birth rate in the United States has been dropping continuously since 1955 and is now at the lowest point in history. If the trend continues, it is remotely possible that by the year four thousand there won't be anyone left in the country. But I wouldn't fret about underpopulation either. Populations have a way of adjusting to conditions, and I have no doubt that our birth rate will pick up in due course.

I now come to the case of the mercury in the tuna fish. How did it get there? The Disaster Lobby says it came from American factories, but then the Disaster Lobby believes that all the evils in the world come from American factories. The truth, as scientists will tell you, is that the mercury came from deposits in nature. To attribute pollution of entire oceans to the nine hundred tons of mercury released into the environment each year by industry—that's less than forty carloads—is like blaming a boy with a water pistol for the Johnstown Flood. Further proof? Fish caught forty-four years ago and just analyzed contain twice as much mercury as any fish processed this year.

Speaking of fish, what about the charge that our greed and carelessness are killing off species of animals? Well, it's true that about fifty species of wildlife will become extinct this century. But it's also true that fifty species became extinct last century. And the century before that. And the century before that. In fact, says Dr. T. H. Jukes of the University of California, some one hundred million species of animal life have become extinct since the world began. Animals come and animals go, as Mr. Darwin noted, and to blame ourselves for evolution would be the height of foolishness.

Then there is the drug situation. Isn't it a fact that we are becoming a nation of addicts? No, it is not. Historically, we are becoming a nation of non-addicts. Seventy years ago, one of every four hundred Americans was hooked on hard drugs. Today, it's one in three thousand. So, despite recent experimentation with drugs by teenagers, the long-range trend is downward, not upward.

Another crisis constructed of pure poppycock is the so-called youth rebellion, to which the Disaster Lobby points with mingled alarm and glee. But once you examine the scene in depth—once you probe behind a very small gaggle of young trouble-makers who are sorely in need of an education, a spanking and a bath, not necessarily in that order—you can't find any rebellion worth talking about. A while back LOOK commissioned Gallup to do a study on the mood of America. Gallup found that, on virtually every issue, the views of teenagers coincided with those of adults. And on those issues where the kids did not see eye-to-eye with their elders, the youngsters often tended to be more conservative.

The same assessment can be made of the putative black rebellion. There isn't any. Oh, there are the rantings of a lunatic fringe—a few paranoid militants who in any other country would be behind bars and whose continued freedom here is testimony to the fact that we are the most liberated and least racist nation on earth. But the vast majority of black Americans, as that same Gallup study revealed, are staunch believers in this nation.

How about unemployment? The Disaster people regard it as a grave problem. Well, I suppose even one unemployed person is a grave problem, but the record book tells us that the current out-of-work level of six per cent is about par. We've had less, but we've also had more—much more. During the Kennedy Administration unemployment topped seven per cent. And back in the recovery period of Franklin Roosevelt's second term, unemployment reached twenty-five per cent. So let's not panic over this one.

That word "panic" brings me to the H-bomb. Some people have let the gloom-mongers scare them beyond rational response with talk about atomic annihilation. I can't guarantee immunity from the bomb, but I offer the following as food for thought. Since World War II, over one billion human beings who worried about A-bombs and H-bombs died of other causes. They worried for nothing. It's something to think about.

One final comment on the subject. Members of the Disaster Lobby look back with fond nostalgia to the "good old days" when there weren't any nasty factories to pollute the air and kill the animals and drive people to distraction with misleading advertisements. But what was life really like in America a hundred and fifty years ago? For one thing, it was very brief. Life expectancy was thirty-eight years for males. And it was a gruelling thirty-eight years. The work week was seventy-two hours. The average pay was \$300. Per year, that is. The women had it worse. Housewives worked ninety-eight hours a week, and there wasn't a dishwasher or vacuum cleaner to be had. The food was monotonous and scarce. The clothes were rags. In the winter you froze and in the summer you sweltered and when an epidemic came—and they came almost every year—it would probably carry off someone in your family. Chances are that in your entire lifetime you would never hear the sound of an orchestra or own a book or travel more than twenty miles from the place you were born.

Ladies and gentlemen, whatever American businessmen have done to bring us out of that paradise of a hundred and fifty years ago, I say let's give them a grateful pat on the back—not a knife in it.

Now I'm not a Pollyanna. I am aware of the problems we face and of the need to find solutions and put them into effect. And I have nothing but praise for the many dedicated Americans who are devoting their lives to making this a better nation in a better world. The point I am trying to make is that we are solving most of our problems . . . that conditions are getting better, not worse . . . that American industry is spending over three billion dollars a year to clean up the environment and additional billions to develop products that will keep it clean . . . and that the real danger today is not from the free enterprise Establishment that has made ours the most prosperous, most powerful and most charitable nation on earth. No, the danger today resides in the Disaster Lobby—those crape-hangers who, for personal gain or out of sheer ignorance, are undermining the American system and threatening the lives and fortunes of the American people.

When I speak of a threat to lives, I mean it literally. A classic example of the dire things that can happen when the Disaster Lobby gets busy is the DDT story.

It begins during World War II when a safe, cheap and potent new insecticide made

its debut. Known as DDT, it proved its value almost overnight. Grain fields once ravaged by insects began producing bumper crops. Marsh land became habitable. And the death rate in many countries fell sharply. According to the World Health Organization, malaria fatalities dropped from four million a year in the nineteen thirties to less than a million by 1968. Other insect-borne diseases also loosened their grip. Encephalitis. Yellow fever. Typhus. Wherever DDT was used, the ailment abated. It has been estimated that a hundred million human beings who would have died of one of these afflictions are alive today because of DDT.

But that's not the whole story. In many countries, famine was once a periodic visitor. Then, largely because of food surpluses made possible by DDT, famine became relatively rare. So you can credit this insecticide with saving additional hundreds of millions of lives.

Then in 1962, a lady named Rachel Carson wrote a book called "Silent Spring", in which she charged that DDT had killed some fish and some birds. That's all the Disaster Lobby needed. It pounced on the book, embraced its claims—many of them still unsubstantiated—and ran off to Washington to demand a ban on DDT. And Washington meekly gave them their ban, in the form of a gradual DDT phase-out. Other countries followed the U.S. lead.

The effects were not long in coming. Malaria, virtually conquered throughout the world, is having a resurgence. Food production is down in many areas. And such pests as the gypsy moth, in hiding since the nineteen forties, are now munching away at American forests.

In some countries—among them Ceylon, Venezuela and Sweden—the renaissance of insects has been so devastating that laws against DDT have been repealed or amended. But in our country the use of DDT, down to ten per cent of its former level, may soon be prohibited entirely.

The tragedy is that DDT, while it probably did kill a few birds and fish, never harmed a single human being except by accidental misuse. When the ultimate report is written, it may show that the opponents of DDT—despite the best of intentions—contributed to the deaths of more human beings than did all of the natural disasters in history.

In addition to endangering human life, the Disaster Lobbyists are making things as difficult as possible for us survivors. By preventing electric companies from building new power plants, they have caused most of those blackouts we've been experiencing.

By winning the fight for compulsory seat belts in automobiles, they have forced the sixty-seven per cent of all Americans who do not use seat belts to waste two hundred and fifty million dollars a year buying them anyway.

By demanding fewer sizes in package goods on the ground that this will make shopping easier for the handful of dumbbells in our society, they are preventing the intelligent majority of housewives from buying merchandise in the quantities most convenient and most efficient for their needs.

And I don't have to tell anyone in this room what the Disaster crowd has done and is doing to make washday a nightmare in millions of American homes. By having the sale of detergents banned in some areas and by stirring up needless fears throughout the country, they have created the kind of chaos that may set cleanliness back two generations. And again, as in everything they do, they have missed the point entirely. As Vice President Charles Buellman of the Soap and Detergent Association recently pointed out, detergents with phosphates are perfectly safe, eminently effective and admirably cheap. And if they foam up the water supply in some communities, the obvious remedy

is an improved sewer system. To ban detergents is the kind of overkill that might be compared with burning down your house to get rid of termites.

But of all activities of the Disaster Lobbyists, the most insidious are their attempts to destroy our free enterprise system. And they are succeeding only too well. According to Professor Yale Brozen of the University of Chicago, free enterprise in the United States is only half alive. He cited as evidence our government's control of the mail, water supplies, schools, airlines, railroads, highways, banks, farms, utilities and insurance companies, along with its regulatory involvement in other industries.

And his statement was made prior to introduction in Congress last year of a hundred and fifty bills designed to broaden government influence over private business.

Fortunately, most of the bills were defeated or died in committee. But they will be back in the hopper this year—along with some new bills. And they will have support from the darlings of the Disaster Lobby—Senators like Moss, Proxmire and Hart and Representatives like Rosenthal of New York.

If so many important people are against free enterprise, is it worth saving? I think it is. With all its faults, it is by far the best system yet devised for the production, distribution and widespread enjoyment of goods and services. It is more than coincidence that virtually all of mankind's scientific progress came in the two centuries when free enterprise was operative in the Western world, and that most of that progress was achieved in the nation regarded as the leading exponent of free enterprise: the United States of America.

For in the past two hundred years—an eye-blink in history—an America geared to private industry has conquered communicable diseases, abolished starvation, brought literacy to the masses, transported men to another planet and expanded the horizons of its citizens to an almost incredible degree by giving them wheels and wings and electronic extensions of their eyes, their ears, their hands, even their brains. It has made available to the average American luxuries that a short time ago were beyond the reach of the wealthiest plutocrat. And by developing quick-cook meals and labor-saving appliances, it has cut kitchen chores in most homes from five hours a day to an hour and a half . . . and as a result has done more to liberate women than all of the bra-burning Betty Friedmans, Gloria Steinems and Kate Milletts combined.

But the practical benefits of free enterprise are not my principal reason for wanting to preserve the system. To me, the chief advantage of free enterprise is in the word "free". "Free" as opposed to controlled. "Free" as opposed to repressed. "Free" as in "freedom".

I am always amazed that members of the Disaster Lobby—libertarians who champion the cause of freedom from every podium, who insist on everyone's right to dissent . . . to demonstrate . . . to curse policemen and smoke pot and burn draft cards and fly the flags of our enemies while trampling our own—these jealous guardians of every citizen's prerogative to act and speak without government restraint are also the most outspoken advocates of eliminating freedom in one area. When it comes to commerce, to the making and marketing of goods, our liberty-loving Disaster Lobby is in favor of replacing freedom with rigid controls.

And let us not minimize the value of this freedom of commerce to every man, woman and child in our country.

This is the freedom that makes it possible for the consumer to buy one quart of milk at a time—even though a government economist may think gallon containers are more efficient and quarts should be abolished.

This is the freedom that enables the consumer to buy rye bread if he prefers the taste—although someone in Washington may feel that whole-wheat is more nutritious and rye should be outlawed.

This is the freedom that allows the consumer to buy a refrigerator in avocado green despite some bureaucrat's desire to have all refrigerators made in white because it would be more economical that way.

For in a free economy, the consumer—through his pocketbook—determines what is made and what is sold. The consumer dictates the sizes, the shapes, the quality, the color, even the price.

And anyone who doubts the importance of this element of freedom ought to visit one of those grim, drab countries where the government decides what should and what should not be marketed.

But this is the direction in which the Disaster Lobby is pushing our country. What surprises me is how few of us seem to recognize the enormity of the threat. Instead of fighting back, we keep giving in to each inane demand of the consumerists—in the hope, I suppose, that if we are accommodating enough the danger will go away.

Well, ladies and gentlemen, it *won't* go away. If I accomplish nothing else today, I hope I can make that fact transparently plain.

Take the Nader group, for example. I have heard many businessmen dismiss Ralph Nader and his associates as well-meaning fellows who sincerely want to help the consumer by improving business methods. Forget it. Mr. Nader isn't interested in seeing American industry clean house. What he wants is the house—from cellar to attic. His goal is a top-to-bottom takeover of industry by the government, with Mr. Nader, himself, I would guess, in charge of the appropriate commission.

Find it hard to believe? Then listen to this Associated Press report of a speech he made last September, and I quote. "Consumer advocate Ralph Nader has proposed that corporations that abuse the public interest should be transferred to public trusteeship and their officers sent to jail." End of quote.

Well, we all know which corporations abuse the public interest in the eyes of Mr. Nader, don't we. All of them. The automobile companies. The tire companies. The appliance companies. The drug companies. The food companies. And yes, indeed, the soap and detergent companies.

What Mr. Nader really desires, ladies and gentlemen, is for the government to take over your companies and to toss all of you into the calaboose, presumably without a trial. At least, he never said anything about a trial.

Does anyone still think Mr. Nader and the rest of the Disaster Lobby are just some harmless do-gooders? Those who know them best don't think so. Federal Trade Commissioner Paul Rand Dixon, for example. Not long ago, he said of Mr. Nader—and I quote—"He's preaching revolution, and I'm scared."

So let's start fighting back! It's not an impossible task because the Disaster Lobby is, by and large, not too bright and far too preposterous. All we have to do to win over the American people is acquaint them with the facts.

We must show them that the consumerists are for the most part devout snobs who believe that the average man is too stupid to make his own selections in a free marketplace.

Our Disaster group opponents also have the most cockeyed set of priorities I have ever encountered. To save a few trees, they would prevent construction of a power plant that could provide essential electricity to scores of hospitals and schools. To protect some birds, they would deprive mankind of food.

To keep fish healthy, they would allow human beings to become sick.

One curious feature of the Disaster Lobby is an almost total lack of ethics. I say "curious" because these are the people who demand the maximum in ethics from private industry. Not long ago, an organization favoring clean air ran an ad soliciting funds from New Yorkers. It was full of half-truths and non-truths, including this sentence: "The longer you live with New York's polluted air and the worse it gets, the better your chances of dying from it." But we know that New York's air is *not* getting worse. Just let some private company run that ad and see how fast the consumerism boys would have a complaint on file with the FTC.

Immaturity is also a characteristic of the Disaster man. His favorite question is, Why can't we have everything? Why can't we have simon-pure air and plentiful electricity and low utility rates, all at the same time? Why can't we have ample food and a ban on pesticides? I recommend the same answer you would give a not-too-intelligent five-year-old who asks, "Why can't I eat that cookie and still have it?" You explain that you just can't under our present technology.

Just recently, the Coca-Cola Company felt it necessary to reply to environmentalists who demand immediate replacement of glass and metal soft drink containers with something that will self-destruct. "A degradable soft drink container sounds like a fine idea," said Coca-Cola, "but it doesn't exist. And the chances are that one can't be made."

And Edward Cole, president of General Motors, responding to a government mandate for drastic reductions in exhaust emissions within the next four years, stated: "The technology does not exist at this time—inside or outside the automobile industry—to meet these stringent emission levels in the specified time."

This inability of the Disaster people to accept reality is reflected in their frequent complaint that mankind interferes with nature. Such a thing is patently impossible. Man is *part* of nature. We didn't come here from some other planet. Anything we do, we do as card-carrying instruments of nature. You don't accuse a beaver of interfering with nature when it chops down a tree to build a dam. Then why condemn human beings for chopping down a lot of trees to build a lot of dams . . . or to do anything else that will make their lives safer or longer or more enjoyable?

When it comes to a choice between saving human lives and saving some fish, I will sacrifice the fish without a whimper. It's not that I'm anti-fish; it's just that I am pro-people.

The Disaster Lobbyist's immaturity shows up again and again in his unwillingness to compromise . . . to understand that man must settle for less than perfection, for less than zero risk, if he is to flourish. Failing to understand, they demand what they call "adequate testing" before any new product is released to the public. But what they mean by adequate testing would, if carried out, destroy all progress. If penicillin had been tested the way the Disaster Lobby wants all products tested—not only on the current generation but on future generations, to determine hereditary effects—this wonder drug would not be in use today. And millions of people whose lives have been saved by penicillin would be dead.

We simply cannot test every aspect of human endeavor, generation after generation, to make absolutely certain that everything we do is totally guaranteed not to harm anybody to any degree whatsoever. We must take an occasional risk to do the greater good for the greater number. But that, is a rational, mature evaluation—something of which the Disaster Lobby seems utterly incapable.

So this is the face of the enemy. Not a very impressive face. Not even a pleasant face. We have nothing to lose, therefore, by exposing it to the American people for what it is.

The time for surrender and accommodation is past. We must let the American public know that, once free enterprise succumbs to the attacks of the consumerists and the ecologists and the rest of the Disaster Lobby, the freedom of the consumer goes with it. His freedom to live the way he wants and to buy the things he wants without some Big Brother in Washington telling him he can't.

Truth and justice and common sense are on our side. And Americans have a history of responding to these arguments. All we have to do is get the story out . . . as often as possible, in as many forms as possible. And let's not vitiate our efforts by talking to each other—one businessman to a fellow businessman. The people we must reach are the consumers of America, and they're out there right now listening to propaganda from the other side . . . and, as often as not, agreeing with it. But why shouldn't they? They have yet to hear the truth.

It's a bit late to make a New Year's Resolution, but I suggest this one for anyone willing to chip in with a tardy entry. Let us resolve that nineteen seventy-one will be the year we help convince the people of America that our nation is a great one, that our future is a bright one and that the Disaster Lobby is precisely what the name implies. A disaster.

#### NATIONAL TRANSPORTATION WEEK, 1971

#### HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. BEGICH. Mr. Speaker, the present week, May 16 through 22, 1971, has been set aside by Presidential proclamation as National Transportation Week. I deem this an observance of more than ordinary importance, and I desire to comment on it.

It is entirely right and proper that we pause to give thought to the vital, everyday function of transportation. It is one of the most basic of human activities, and one of the most universal. Transportation is the nerve center of commerce, and the underpinning for virtually all economic endeavor. It embraces a taxi ride or a transcontinental train movement of fruit. It is all encompassing.

The proclaiming of National Transportation Week is an acknowledgment of the contributions to our national life made by men and women who move people and goods throughout the country, and around the world, night and day. A major purpose for setting aside this, the third week of May as National Transportation Week is to focus attention of the public on the importance of transportation to our economy and our well-being, and to the achievements and accomplishments of all forms of transportation.

Our transportation system has given us a degree of mobility unequalled in all of history. Paced by transportation, we have transformed a vast wilderness area into a strong, dynamic nation in a relatively few decades. And it has accorded us a full measure of national security.

Transportation has met the challenges of the past. Now, it faces newer, greater challenges in the decades which lie ahead. The burdens will be substantial, and the responsibilities will be grave. They are burdens and responsibilities which must be met. Only a well coordinated, balanced transportation industry, manned by dedicated people, will be able to satisfy the demands the future will bring.

It is in this light, Mr. Speaker, that I join with others all across the land to salute our transportation industry and all its people.

HON. THOMAS J. DODD

#### HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. STEELE. Mr. Speaker, Tom Dodd, whose public service began in the FBI and was crowned with two terms in the U.S. Senate, died Monday at his home in Old Lyme. Born on May 15, 1907, in Norwich, he graduated from Providence College and Yale Law School, class of 1933. He then devoted his life to public service. As Jack Zaiman, political editor of the Hartford Courant, so fittingly describes this man once known as the Crusader from Connecticut:

No man looked more like a United States Senator than Thomas J. Dodd. His bushy white hair gave him a sort of regal bearing, and his booming old-style political oratory made him sound like someone whose natural place was in the Senate.

Mr. Speaker, Tom Dodd lived with his wife, Grace, in the district I now represent. He will be missed by all who knew him. Therefore, under leave to extend my remarks in the RECORD, I include the following editorial from the Hartford Courant which, in quiet words, succinctly but warmly tells of Tom Dodd's dedicated service to Connecticut and his Nation:

THOMAS J. DODD

Thomas J. Dodd was described as "a gentle sort of man" by an interviewer some years ago. But beneath his soft-spoken manner, dwelt the spirit of a fighter for causes in which he believed. And though he seldom raised his voice, he nonetheless said what he thought, whether it was popular with his party of many years, the Democrats, or anyone else. Perhaps that is why he often received more mail than any other member of the Senate during his two terms with that body, and why he once asserted that he had been accused of being both a left- and a right-winger. That his latter years were clouded by his Senate censure in 1967 for financial misconduct should not diminish the many contributions Mr. Dodd made both to his state and his nation.

Many of the crusades upon which Mr. Dodd embarked first focused nation-wide attention upon conditions and issues which were to become uppermost in our priorities. Juvenile delinquency, drug abuse, civil rights, crime and gun controls were among these. Always an advocate of justice, law and order since his days with the Division of Investigation, the forerunner of the Federal Bureau of Investigation, Mr. Dodd knew at first-hand crime's causes and effects. His experience as

state director of the National Youth Administration helping young persons to get jobs and training during the Depression, surely gained him insight to understanding their problems, adding expertise to his chairing the Senate Subcommittee on Juvenile Delinquency. From that position he contributed his knowledge to formulation of bills to stem delinquency and drug abuse.

Other distinctions in Mr. Dodd's long career of public service must include his leading the International Military Tribunal's case against 21 major World War II criminals at Nuremberg which gained him a Presidential citation, the Medal of Freedom and, from Italian President Gronchi in 1958, that nation's Commander of the Order of Merit.

Soon after his election by Connecticut's First District to the House of Representatives, Mr. Dodd received the unusual honor for a junior Congressman of being named to the House Foreign Aid Committee. And he served his nation overseas as a representative to Latin America and to the Congo. In addition, Mr. Dodd worked for years toward passage of the Nuclear Test Ban Treaty and was an avid adherent of Mr. Nixon's Vietnam policy collecting and delivering petitions of support from some 40,000 Connecticut residents last year.

Thus, he lived, a man committed to public life, proud of his patriotism and proud to serve his country, selecting what he thought was right, no matter what the party affiliation of its other proponents, and giving no quarter until he had seen the cause through to the end. Thomas J. Dodd must be remembered for that while Connecticut and the nation mourn the loss of a tireless worker for its good as he saw it.

POLICEMEN OF THE YEAR

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. MIZELL. Mr. Speaker, it is with great pride that I announce to my distinguished colleagues in this House the names of four outstanding citizens of my congressional district who have been named Forsyth County, N.C., Policemen of the Year.

They are Chief Deputy Walt Speas, State Highway Patrolman C. L. Peeler, and City Policemen J. B. Foy and W. R. Wall.

The awards were made recently at a Police Week banquet sponsored by the Sertoma Club.

I believe, Mr. Speaker, at a time when law enforcement officers are so often the targets of attack, both verbal and physical, it is good for us to remember what a vital and unselfish service to their communities and to the Nation they serve.

And it is a special honor, indeed, to announce these four men whose service has gone beyond the daily courage and devotion to duty that distinguishes every officer, to be singled out by their own fellow officers for these coveted awards.

I am sure my colleagues join me in congratulating each of these gentlemen for a job well done.

Following is the text of an article from the Winston-Salem Journal of May 14, 1971, describing the contributions of each of these gallant men:

FOUR NAMED POLICEMEN OF THE YEAR

Chief Deputy Walt Speas, State Highway Patrolman C. L. Peeler and City Policemen J. B. Foy and W. R. Wall were named Forsyth County officers of the year at the annual Police Week banquet last night.

About 600 people, many of them area law enforcement officers and their wives, attended the dinner at Mount Tabor High School and heard Joseph I. Woods, a former Cook County, Ill., sheriff, speak.

Speas, who has not missed a day of work in 34 years at the Sheriff's Department because of sickness, was a near unanimous choice by his fellow officers. He joined the department Dec. 7, 1936, when Ernie G. Shore was elected sheriff and is considered one of the best criminal investigators in the state.

PFAPFTOWN JAYCEE

Peeler, a State Highway Patrolman since July 1, 1960, was characterized by fellow officers as a man with courage, enthusiasm and integrity. He is a graduate of Salisbury's Boyden High School, U.S. Air Force veteran and Pfafftown Jaycee.

Foy, who was named police officer of the year, is a veteran of 25½ years with the department. He was described as a quiet, patient man who is unselfish, sincere and a backbone of the department. He has been a foot patrolman, radio dispatcher, jailer and uniformed officer.

Wall, who was selected as rookie of the year, joined the police force July 16, 1969, and served six months on the police reserve. He is a native of Forsyth County and is married and the father of two girls.

HARD WORK AND SELF RELIANCE: BANKER'S ADVICE ON PROBLEMS

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DANIEL of Virginia. Mr. Speaker, most of us are so involved with the intricacies of living, that we seldom take time to think about life. We meet a man who has achieved a degree of success, who appears happy and satisfied, and the thought crosses our minds: How does he do it?

This past Saturday, May 22, the Danville Register of Danville, Va., carried an interview with just such a man, Mr. M. C. Martin, Negro bank board chairman of First State Bank in Danville. In simple words, Mr. Martin restated a code and a pattern which has guided his life:

I have always liked working. In the beginning, I studied hard and worked long hours. I felt that I should also give the community the best service I could, because I owed the city and community my living.

A better formula for a good life I have never heard.

It is traditional in interviews such as this to seek advice for coming generations. In this regard, Mr. Martin stated:

I don't think violence is the way out, but preparation for earning a livelihood. Trying to become as nearly independent as possible, I think, will go a long way toward reaching the goal that most young people set for themselves.

I do not believe more honest, straightforward advice can be given or heeded by anyone—old or young, rich or poor, black or white.

In the thought that my colleagues in the Congress will be interested in this story, it is offered for reproduction in the CONGRESSIONAL RECORD:

HARD WORK AND SELF RELIANCE: BANKER'S ADVICE ON PROBLEMS

(By John H. Brubaker III)

The Chairman of the Board speaks thoughtfully in the late afternoon from behind his desk at First State Bank. Another day of business completed, he looks forward to working carefully through the next one.

A successful man who has worked hard to achieve that success, M. C. (for Maceo Conrad) Martin believes that hard work can solve many problems and that an individual must take responsibility for his own improvement.

"As I grew up on the farm," Martin says, "my father instilled in me the fact that a man usually gets what he works for. I have found that it's true."

Martin was raised in Pittsylvania County by his father, Romey O. Martin, a farmer and school teacher. He attended public schools there, graduated from Pittsylvania Institute at Gretna and attended Virginia Union University in Richmond for two years.

While at Virginia Union, Martin, received his first banking experience as an employee of Richmond's Mechanics Savings Bank.

Martin returned to Pittsylvania to teach in the public schools for two years.

When the First State Bank in Danville opened in 1919, Martin's father and his former principal at Pittsylvania Institute served as directors. They recommended Martin for a position with the new bank.

Martin started as an assistant cashier and was made cashier six weeks later. He smiles as he remembers the bank's staff at that time. It included the president, Martin and a part-time janitor.

In 1930 he was promoted to vice-president and cashier, and in 1952 he became the bank's fourth president. Last year he "retired" to serve as chairman of the board.

Respected throughout the profession, Martin has acted as secretary of the National Bankers Association for 23 years and as president of that organization for five years.

He is a trustee of Virginia Union University, a member of the YMCA board of managers, a past president of the Virginia Council on Human Relations, chairman of the Danville Community Improvement Council, chairman of the finance committee of Calvary Baptist Church and a member of the Virginia Commission on Higher Education Facilities.

He has been Grand Treasurer of the M. W. Prince Hall Grand Lodge of Virginia, F. & A. Masons since 1928, and currently serves as Imperial Treasurer and Past Imperial Treasurer of A.E.A.O. Nobles of the Mystic Shrine of North and South America and as chairman of the executive board of the Virginia State Association, Order of Elks.

Martin's primary interest, however, always has been in banking.

He has seen many changes take place at First State since he began work there. The number of employees has been raised to 12, the number of machines has been increased substantially and the bank has renovated its interior several times.

Most significantly, Martin notes, the bank-customer relationship has changed. "When we started," he says, "the extension of credit was relatively simple because we knew practically everybody—who was honest and who was not. Now it's a little more difficult."

Something which has not changed is Martin's attitude toward his work. "Banking is my life," he says. "I enjoy meeting people and advising them and guiding the bank along what I consider to be sound lines of operation."

First State and M. C. Martin both have

been successful. To what does the board chairman attribute his success?

"I have always liked working. In the beginning I studied hard and worked long hours," he remembers. "I felt that I should also give the community the best service I could because I owed the city and community my living."

His foremost effort throughout his career has been seeking to improve the quality of life of members of his race.

"All my life there has been some dissatisfaction among the young people, and among older people too," he says. "We sought to better them by helping them not be dependent on anyone else, to be self-supporting."

In the past 10 or 15 years, Martin notes, impatience, particularly among young blacks, has increased and has been expressed outwardly in a number of ways.

However, he says, "I don't think violence is the way out, but preparation for earning a livelihood. Trying to become as nearly independent as possible, I think, will go a long way toward reaching the goal that most young people have set for themselves."

"Also, I feel that their participation in political life and in civic areas can mean a lot," he adds.

Martin says that he strongly believes that blacks should make an effort to see that equal opportunities are open to all people for making a respectable living.

"However, I think we have to feel the responsibility ourselves," he concludes, "and not expect anything to be handed to us without putting forth our best effort. Hard work can solve a lot of our problems that now remain unsolved."

M. C. Martin intends to go on working hard as chairman of the board for as long as he can. "I think I possibly could work for another 10 or 15 years," he smiles.

With the energy of a man dedicated to hard work, Martin will return daily to his desk at First State for as long as he is able, enjoying the business of helping other people.

#### FROM SEA TO SHINING SEA: UNDER ASPHALT AND CONCRETE

### HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. BRASCO. Mr. Speaker, America is choking on city traffic and accompanying pollution. Masses of vehicles, ever-growing in numbers, are clogging our arteries of commerce, communication, and individual movement. As this phenomenon mounts in volume, menace, and intensity, it seems that the Nation is deliberately turning its back on the only possible answers.

Detroit will never provide one. They are actually still feebly trying to deny that their cars are killing what is left of the clean air of the Nation. How could we even think that autos, trucks, and buses cause air pollution?

Look at the skies over New York. Keep it in mind next time you ride or get caught behind some belching polluter of this automotive gender. Only the stench is worse than the filth.

To accommodate this flood of internal combustion engine-powered monstrosities, America is slowly but surely disappearing under ribbons of low-cost concrete and asphalt. The liver and lights of scores of cities have been torn out and

trampled in the name of expressways, freeways, and other transportation disasters. All accommodate vehicles at the expense of people, the quality of urban life and destruction of property and historical sites.

As air pollution mounts, so do waste difficulties at the other end of the cycle. Autos are junked in growing numbers. Their eventual disposal poses a major problem.

Instead of answers that make sense, such as mass urban transit, we hear demands for an SST. For the first time recently, an aroused public and an aroused Congress soundly defeated this ultimate in noise pollution and taxpayer subsidization of fast travel for the very rich. In order to reform transport, at least we will not keep the jackass in the cart. Yet we still lack a clearly enunciated transportation policy. And first and foremost on any agenda comes mass urban transit, above and below ground.

For years, the highway interest organizations, to say it kindly, have been able to tap the Federal highway trust fund. Overseen by the Department of Transportation, it thrives because of contributions in the form of user taxes. Money is doled out to States on a quarterly basis. Then it is allocated to various projects. This is how the Interstate Highway System has been built.

Why cannot the same principle be applied to urban mass transit? I have joined with a number of Members who have introduced such legislation.

Our cities are facts of life. They contain a growing massive majority of our people. The cities produce the lion's share of our national wealth. They provide Government with most of its annual revenue—in particular the cities of a few States. Why then must cities sit silently and suffer in patronized isolation, begging for a mere jot and tittle of their own money? The people those cities represent deserve to have their interests catered to.

My home State of New York pays in more than \$23 billion annually to the Federal Treasury. It receives in return less than \$3 billion annually in Federal moneys. New York City contains more than 8 million Americans. Yet, it cannot obtain adequate Federal aid for its mass transit situation. Right here in the Nation's Capital, a subway system is in jeopardy, held captive to the demands for more highways through existing neighborhoods. The Three Sisters Bridge is perhaps a classic example of an unnecessary piece of work at the people's expense. Why dump more cars into this city? It is totally at war with logic to attempt such a feat.

Urban Congressmen have gone along with nonurban programs for far too long. We have begged and pleaded for our causes for too long in vain. We must have significant Federal subsidization of subways and high-speed trains. The Metro-liner success is but a small indication of the success we can have.

It is time to siphon massive quantities of existing Federal highway trust fund moneys into mass urban transit building. The problems have been studied to death. We know their dimensions and the an-

swers to them. Further so-called studies merely put facts to death.

Cities, suburbs, and rural areas are like three people who have been thrown overboard tied together. Without cooperation, all will drown. So unless one or two of them can breathe under water, I suggest they work together. It would be the best form of travel ever discovered.

#### U.S. STRATEGY BEYOND VIETNAM

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. CRANE. Mr. Speaker, there is a growing national concern over U.S. involvement in Indochina, the procurement of military manpower, and the frequency and manner of demonstrations related to the Vietnam war. The U.S. News & World Report recently carried an exclusive interview with the Secretary of Defense, Melvin Laird, on these matters. I would like to include it in the RECORD at this time.

As the national security is an issue which far transcends these sporadic and emotional aberrations, such as we witnessed in the Nation's Capital recently, Mr. Laird's remarks are especially valuable.

The article follows:

#### U.S. STRATEGY BEYOND VIETNAM

(Exclusive Interview With Defense Secretary Melvin R. Laird.)

The time has come, says America's defense chief, to stop arguing over the war—with all its mistakes and frustrations. Instead: Start paying attention to future U.S. security.

An onrushing Soviet Union is only one Pentagon worry. Convincing Congress that defense is worth 80 billion dollars a year is another. Mr. Laird came to the conference room of "U.S. News & World Report" for this interview.

Q. Mr. Secretary, the Nation has just witnessed another period of demonstrations against the war in Vietnam. In your opinion, what is the underlying basis for this opposition?

A. When you get right to the heart of it, I think the answer is that the American people are tired of war. They are understandably frustrated and concerned over the length of time we have been engaged in a costly war. They want peace.

When I became Secretary of Defense, I said that my service should be judged on whether or not I was able to help restore and maintain peace. The quickest way to do that remains through negotiations, but Vietnamization will also terminate American involvement in the fighting.

I believe if there is one lesson to be learned from Vietnam, it is that we must have a national-security strategy that will prevent all forms of war—not just nuclear war. We don't want any more Vietnams. That is why we must have a realistic posture as far as U.S. strength is concerned, and that is why we have changed our long-term national-security strategy.

Q. Do you think the opposition will fade?

A. I am confident that as the American people come to understand our new strategy of "realistic deterrence," and as we focus more on the problems that confront us beyond Vietnam, opposition to defense programs will diminish, and support for an adequate military posture will increase.

Q. Would there have been less opposition to Vietnam if the war had not required so many young draftees to go over there to fight?

A. I think the decision in 1965 to use the draft to furnish much of the manpower for Vietnam was a mistake. It would have been better to call up the Reserve and the National Guard to help fight the war. That was a political decision, rather than a military decision, that was made at that time.

However, I do not believe it does us any good at all at this time to go back and debate all the past decisions on whether we should have gotten involved as we did on the ground for example, or whether we should have used the Reserve and National Guard and not Selective Service. The fact is that those decisions were made.

Since becoming Secretary of Defense, I have tried to change the public debate and dialogue in America from "Why Vietnam?" to "Why Vietnamization?" I think it is beneficial that in this country today we're debating whether we should be out in 6 months, in 12 months or in 18 months. This is an entirely different dialogue from the one that existed two years ago. Now I believe the time has come once again to shift the dialogue from "Why Vietnamization?" to "Beyond Vietnam"—to focus instead on the question: "What's in store for us, from the national-security standpoint, beyond Vietnam?" I'm concerned about where this country is going to be after Vietnam.

Let me put it another way: The Vietnamization program is attaining our objectives as far as Southeast Asia is concerned. We have successfully planned and made provision to terminate American involvement in the war. The fastest way to disengage, of course, is still through negotiations in Paris, but we needed an alternative should Paris fail. So we planned and pursued Vietnamization as the alternate path for American disengagement—and Vietnamization is working.

Again I want to stress that the national-security problem that concerns me most today as Secretary of Defense is not Vietnamization. That is now set. What concerns me as Secretary of Defense is what's going to happen after Vietnam—and what we need to do in our planning and programming to meet the tremendous weapons momentum of the Soviet Union.

Q. What is it about the U.S.S.R. that is so worrisome?

A. Since 1965, the Soviet Union has been in a better position than the U.S. to muster its resources in the national-security field and apply them to a tremendous build-up in the strategic area as well as to an expansive modernization program for their Navy and to improvements and modernization in their ground forces.

During this same period, we reached the point where we were devoting up to 22 billion dollars' worth of our assets in a single year to the extra costs associated with the Vietnam conflict, while the Soviet Union's annual cost for supporting that war ranged from half a billion to over 1 billion dollars.

They were able to conduct their defense planning with a military-budget level that was close to that of the United States. They were able to use far more of their defense resources on programs that carried them to their present position of rough equality as far as strategic weapons are concerned and that permitted them to go forward with naval modernization and ground-force modernization.

This has given them a tremendous advantage—while we have been tied down to Southeast Asia since 1965. They also have other advantages.

One of our big problems is the cost of military manpower. Our budget this year—the budget now before the Congress—has about 52 per cent devoted to pay and related

manpower expenses. In 1964, the same items took only about 34 per cent of our budget. As we project through 1974, manpower-personnel costs will probably climb over 60 per cent.

Let me emphasize that this amount—more than half of the defense budget—does not include buying any weapons, ammunition, ships, research and development or anything else. It doesn't provide us any investment or modernization, either.

The manpower costs in the Soviet Union's defense budget claim close to a third of their defense resources instead of the more than half that ours claim. So when you take a comparable amount of total-resource effort devoted to military programs, you can see what the Soviet Union can do to improve its over-all strategic position compared with what we can do. And that is precisely what they have done during the past six years.

Q. Just how well have the Soviets done while we've been tied down in Vietnam?

A. As I mentioned, they have reached a position of more or less parity in the strategic-nuclear-weapon area. I believe that the American people perhaps would be willing to accept a position of parity in strategic nuclear weapons, but I am also convinced that they will never accept a position of inferiority. Certainly I won't, as Secretary of Defense. But that seems to be the direction we're headed for in the strategic field unless there is success in the strategic-arms-limitation talks now under way, or unless we take further remedial action. This is what concerns me.

I have been serving as Secretary of Defense during a period when defense-budget requests by the Administration have generally been going down and, on top of that, when the Congress has been reducing even those requests which the President has made. This was not the situation that existed in the 1960s when defense budgets were going up—not down.

Q. What has caused this turnaround in Congress?

A. The turnaround is due to several considerations, but certainly one of them has to be the frustration over the war. This is why it is so important to get into a public discussion in this country over what faces us beyond Vietnam in other vital areas—and for the public to understand the issues that lie ahead.

Q. Mr. Secretary, are you concerned about the way the Soviet Union is extending its military reach in the Mediterranean area?

A. The Soviets are extending their naval and air power not only in the Mediterranean area but throughout the world. And they have recently shown an interest in deploying not only planes and ships but also military men and hardware in various areas.

One of the areas is the Indian Ocean, and I think that over the last few weeks the experience in Ceylon may give us a signal of what their intent is in that area. They have actually gone forward in a very short period of time and arranged for the stationing of jet-fighter aircraft in Ceylon at a time when a jet warplane is not the best instrument to help in quieting the kind of insurrection that's going on in Ceylon.

In the Mediterranean area as well, they've gone ahead and inserted several squadrons of new aircraft and new, sophisticated military equipment and manpower.

I believe that this is being done not only because of the Arab-Israeli problem but also because of their desire to have increased capability in the Mediterranean area. This could have a tremendous effect upon the so-called balance of power between the NATO allies and the United States on one hand and the Soviet Union and the Warsaw Pact countries on the other.

I intend to make this a very important part of my discussions and consultations with

the NATO defense ministers in Brussels later in May and also at the Nuclear Planning Group meetings in Germany. I do believe that this is something that affects not only the balance of power in the Middle East but also the total balance of power, particularly on the southern flank of NATO.

Q. How active is the Soviet fleet in the Mediterranean?

A. The Soviet naval presence is something that has been developing during the last several years. Back in 1963, the Soviets had about 750 steaming days in the Mediterranean—or an average of about two ships a day at sea. This year we estimate that they will exceed 18,000 steaming days—or some 50 ships a day at sea, on the average.

Many people look at this as just part of the confrontation between the Arabs and the Israelis. I think it goes far beyond that, and that's why we have to address this from the standpoint of an over-all balance not only in the Mediterranean area but also in all of Europe.

Q. With Soviet land-based aircraft stationed along North Africa, could you maintain the U.S. Sixth Fleet in the Mediterranean in a showdown?

A. It depends on what your premises are. If you had no Allied land-based aircraft in the European area, it would be most difficult. But I would assume we would have NATO bases available. That would present a different situation.

Q. You talked about the NATO ministers' meeting. How would you suggest they help cope with this increasing Soviet penetration in the Mediterranean?

A. I think they have to increase the amount of the resources that they devote to national security. We made a step in the right direction at the last Defense Planning Committee meeting, in which they established for the first time a special infrastructure account—the European defense-improvement program—to which only the European nations will contribute.

I am hopeful that through this special European defense-improvement program we will be able to achieve a more equitable sharing of the burden in terms of finances and military forces during the next five years.

Q. What do you mean by "infrastructure" in this case?

A. It's the cost of maintaining NATO forces and NATO bases and communications, airfields and so forth. The Europeans have come forward on their own to promise an additional billion dollars for defense over the next five years. That, I believe, is a significant step, although a small one. It's the first time that we've had any purely European movement in that direction.

Q. Specifically, does this mean more planes and ships in the Mediterranean to counteract the Soviet presence?

A. This will mean a greater allocation of resources on their part. And when we talk about planning, we're talking about the total force of all the NATO allies—the naval, land and air forces of all NATO members—as well as command and control, communications and other logistics support.

Q. How long do you see the U.S. maintaining ground forces at current strength in Europe?

A. I would only say that we have no present plans for any reduction.

Q. You spoke earlier about changing the country's long-term military strategy. Can you describe in more detail what you mean?

A. Yes, but first let me briefly explain the background:

During the Eisenhower years in the 1950s we had a strategy which was referred to by many as "massive retaliation." It was successful because it did prevent nuclear war. It also prevented conventional-type war, so it was a realistic and credible strategy for that period.

In the 1960s a new strategy was developed which was referred to by some as "assured destruction" or "flexible response." That also was a realistic strategy for preventing nuclear war, but it was not realistic from the standpoint of preventing the type of war that we have been involved in for so long in Southeast Asia.

It did prevent a nuclear exchange with the Soviet Union at the time of the Cuban missile crisis, for example—largely because President Kennedy had a 4 or 5-to-1 strategic nuclear superiority over the Soviet Union.

But it was not able to prevent a Vietnam. And that is precisely the challenge that we face and are seeking to meet in the 1970s.

We had to develop a strategy that could effectively deter not only nuclear war but all levels of armed conflict. But at the same time we had to develop this new strategy in a way that faces up to the realities of the 1970s: the strategic reality, the manpower reality, the fiscal reality and also the political reality.

And that is why we have developed a new defense strategy to implement the Nixon Doctrine—a doctrine based on the President's three principles of partnership, strength and a willingness to negotiate.

We call this new strategy one of realistic deterrence because it does face up to the realities of the 1970s. It recognizes, for example, the strategic reality of what is going on in Russia and the People's Republic of China.

We are not so much concerned about what Red China will be capable of doing in the next few years; it is the danger from Russia that is our principal concern at this point. If we slip into a position where we do not have the nuclear means to provide a realistic deterrent, and if we become a second-rate nuclear power, I would not be able to assure you that we could deter a nuclear exchange.

Q. Do you plan to cut back on manpower? If so, does that mean you can cut down on new outlays for equipment?

A. Manpower cuts have been and will continue to be made as planned, but they will tend to have the opposite effect from that which you indicate. When you cut down on manpower, it is essential that you place more emphasis on modernizing the forces you retain.

Let me give you a specific example: We have an old Navy. This year I am asking Congress to provide more than 3 billion dollars for new ship construction and conversions of older ships. I personally would like to have asked for more, because we have a Navy that badly needs modernization.

Q. Can you tell your strategy "realistic deterrence" if we keep cutting down on manpower, if we are in danger of becoming a second-class nuclear power, and if the Navy is in such bad shape?

A. The fact of the matter is that I don't think we will have a realistic deterrent if Congress decides to keep making substantial reductions in the defense budget. I try to be realistic about my approach to the Congress, too. This is part of the political reality I mentioned.

Let me be perfectly frank with you. Successful implementation of the strategy of realistic deterrence is the most difficult and challenging national-security effort we have ever undertaken in this country. We have to make it work in an environment of strategic nuclear parity—a reality that leaves little margin for error and no room for failure. It has to be implemented in a period of vigorous Soviet military expansion at sea, on the land, in the air and in space.

Although we have made substantial cuts in United States military manpower, it is important to recognize that our new strategy emphasizes increased partnership. While it requires that the United States continue to do its part in sharing the defense burden,

it looks to our friends and allies to bear more of the burden of their own defense.

The United States must continue to maintain adequate strength in areas that are primarily our responsibility, while improving substantially the capabilities of our smaller active forces through modernization and improved readiness. At the same time, we are placing increased emphasis on our reserve components in order to be able to maintain greater over-all capabilities within the more limited resources that are available for defense. This is an integral part of the "total force" planning approach that is part of our new strategy.

We can have realistic deterrence if we can gain the understanding and support of Congress and the American people not only for the needed and necessary modernization programs for United States forces but also for the security assistance that we will have to provide to our allies as they take up more of the burden of their own defense.

Q. How much are you asking of Congress this year?

A. The total expenditure level is 76 billion dollars.

It has been suggested that to keep future budgets down we give some thought to cutting our manpower below the 2.5 million men we now plan to have at the end of fiscal year 1972. With that reduction, we will already have come down by over 1 million men from our peak strength levels.

And I can say that at the present time we are giving thought to the possible need for reducing military manpower still further in order to meet other critical requirements in the defense budget. This would only be possible by improving the training and modernization of our National Guard and Reserve forces and by increased efforts on the part of our allies.

Q. Is there any hope of keeping the defense budget down by reaching an arms-control agreement with the Soviets?

A. No other department in Government is more interested than we are in reaching meaningful agreements, in acquiring understandings with the Soviet Union in the field of strategic weapons and in other fields such as mutual and balanced force reductions in Europe—a matter that would, of course, require NATO action. But there has been no evidence as of today that such agreements are quickly and easily negotiated—and Soviet momentum continues.

Now, if we take unilateral actions to cut back our defense programs, as many people in this country would have us take at this time, I believe that our chances for any kind of meaningful and substantial agreement with Moscow would drop almost to zero. We have shown our restraint in many ways. Unfortunately, it has not been matched by the other side.

Q. The arms-control talks have been going on for two years. A lot of people are wondering just how long you are going to give the Soviets before going ahead with new weapons. Have you come to a decision on this?

A. Last year, as we moved forward to our new strategy, I said that we would have to make some difficult decisions. We did make some of them in the 1972 budget.

We have planned funding at the maximum feasible rate consistent with good management for the development of the B-1 strategic bomber for the Air Force and the ULMS—the underwater long-range-missile system—for the Navy.

At the time the 1972 budget was submitted to the Congress, there was an indication that perhaps the Soviet Union was slowing down its deployment of offensive strategic weapons systems. Now new evidence shows that in both offensive and defensive strategic-weapons systems the Soviet Union is going forward with new construction programs.

Q. Does that mean you will go back to Congress and ask for more money to keep up with the U.S.S.R.?

A. It will be necessary to give serious consideration to that kind of action. Whether we have to do it depends on whether the Soviet Union continues its weapons momentum. As Secretary of Defense, I will not hesitate to recommend any actions I believe necessary to protest our country and to prevent war.

Since the 1965-67 time period, we've had a virtual moratorium in this country on the deployment of any new strategic offensive-weapon launchers. We have the same number of launchers that was approved in the mid-1960s in our missile-carrying submarines and in our land-based missile force.

You have to compare this moratorium with the momentum that the Soviet Union has developed during this same period, while we have been engaged in Vietnam.

Let me put it another way: We have established a goal for 1972 of allocating up to 7 per cent of the gross national product of this country for defense purposes. In 1968, we were allocating 9.5 per cent of gross national product to defense.

But the catch was that we weren't allocating it to the same areas that the Soviet Union was. We were spending a lot of it in Vietnam.

That's one reason for our virtual moratorium on new strategic offensive-weapon launchers and our slowness in modernizing conventional forces. Those are the precise areas in which the Soviets have developed their momentum.

#### "WE HAVE TO FACE FISCAL REALITY"

Q. Mr. Secretary, if you plan to allocate 7 per cent of our national output to defense in 1973 and 1974, will that mean a hefty increase in defense spending and possibly fresh opposition in Congress?

A. As I said, I would not hesitate to recommend increases if they are needed and necessary. I think that my role as Secretary of Defense is to provide for national-security requirements.

If we're going to have a viable foreign policy—if we're not going to be either the world's policeman or the world's isolationists—we simply have to maintain a viable defense policy. And that's what our strategy of realistic deterrence is all about.

We have to face a fiscal reality—I realize that. We have the problem of allocating our resources to other sections of our society.

We have to face a political reality as far as the Congress is concerned, for example.

We have to face a strategic reality with the tremendous build-up in the Soviet Union's military strength.

And we have a cost-of-manpower reality in which we will spend approximately 18 billion dollars more in fiscal year 1972 for 133,000 fewer people in uniform than we had in fiscal year 1964, just before the Vietnam build-up began.

In providing for realistic deterrence, I don't happen to believe that 7 per cent of the gross national product is asking for an allocation that is unreasonable.

Q. What would that translate into in billions of dollars for the military in 1973 and 1974?

A. It would be a defense budget in excess of 80 billion dollars, but in terms of constant dollars it would approximate our 1964 spending levels. Right now, we're about at the 1964 pre-Southeast Asia spending level.

Again, I should point out that people don't seem to understand that our manpower costs in 1972 will have nearly doubled since 1964, even though we will have fewer military and civilian personnel. Now, that is really a 100 per cent cost growth.

We hear a lot of talk about cost growth in our weapons systems. In the last five years or

so we have had about a 50 per cent growth in acquisition costs of our major weapons systems, based on the amounts already approved by Congress and the estimated cost growth to date. A good deal of this is a result of inflation.

We probably have a greater problem with inflation than any business or any other department of Government, because when we start to build a new weapons system it takes us from five to 10 years before that system comes into use.

Q. Could you spell out your personnel problem?

A. In 1964, before Vietnam, we had a force of almost 2.7 million men and women in our military services. The cost of supporting them was about 14.7 billion dollars. By mid-1972 we'll be down to a force level of about 2.5 million military personnel, but our costs for this manpower will be up to about 27.3 billion dollars.

Nor is this going to be the end.

We are starting our young men and women in the military service at about \$2,700 a year for pay and allowances. A New York City policeman can start at about \$10,000. We're going to be out trying to compete for these same people for a volunteer force. So we haven't seen the end.

We are still not at the level that we should be in order to compete for manpower for the military services.

According to a survey conducted more than a year ago, about 13,000 service families were receiving public assistance of some kind. We hope that that has declined this year with the new pay increases, but that isn't a very good situation.

Q. Does this mean that you're going to have to content yourself with below-average volunteers in the future?

A. We're trying to move in the other direction. We have a moderate pay increase before the Congress at the present time, and we will recommend another pay increase in the 1973 budget. But we're going to have to make do with less military manpower, and that is why we're stressing the total-force concept in planning for a realistic deterrent during the 1970s.

That means, as I have said, that we must place a greater reliance upon our Reserve and our National Guard, and they must understand that they will be called and used as a quickly available source of manpower to augment the active forces if we have a military emergency.

We must plan for this in our total-force concept here in the United States, but we also must plan on a better use of military resources as far as our allies are concerned under this total-force concept. That's why, in Asia, where there are large manpower reserves, we must call upon the Asians for allocation of greater manpower in their own defense.

To help our allies and friends in Asia utilize their manpower effectively will require greater military assistance. In order to have a realistic deterrent, in order to avoid future Vietnam wars, total-force planning in Asia and elsewhere is most important and is an essential element in our new strategy.

#### OUTLOOK: YEARS OF AID FOR SAIGON

A. How long will financial aid to South Vietnam be necessary?

A. I believe that certainly, throughout the five-year defense plan that I've put before the Congress, South Vietnam will need substantial military assistance. And I believe it will go far beyond that time frame.

Q. In terms of dollars and military hardware, how much would it amount to—5 billion dollars a year?

A. Certainly not that high, but the military-assistance program will be very sub-

stantial program as far as Southeast Asia is concerned, if we are going to maintain a realistic deterrent in that area.

Not only that: We're going to have U.S. naval and air forces present in Asia for a long time to come. There's no one in the United States Senate that I am aware of who is standing up and advocating that the various multilateral and bilateral agreements we have in Asia be abandoned. I haven't seen Senators calling for the cancellation of the SEATO Treaty or cancellation of any of the other agreements which have been approved through our constitutional processes here in this country.

Q. Returning to the war itself, Mr. Secretary, when do you foresee the end of American fighting in Vietnam?

A. The ground-combat responsibility will be turned over to the South Vietnamese sometime this summer, completing phase I of the Vietnamization program.

But this must be kept in mind: Although they will not have a combat responsibility, some American ground-combat troops will be in Vietnam until all American forces are withdrawn. U.S. ground-combat forces will have a security role—protecting other Americans—as long as any of our forces are there. Also, as the President has said, we will maintain an American presence in Vietnam until the prisoner-of-war question is resolved.

Q. What is the outlook beyond this summer? Can U.S. withdrawals be speeded up?

A. The Vietnamization program is going forward according to a plan approved by the President. As you know, he has stated that we have a plan and we are implementing that plan. We have been withdrawing our men at the rate of about 12,500 a month. Last month the average rate was increased to more than 14,200.

The troop ceiling when the President took office was 549,500. On May 1, 1971, the authorized strength was 284,000. We beat that target by more than 10,000. On December 1, actual strength will be below the new 184,000 ceiling, and the withdrawals will continue after that date. The President will make another announcement about November 15.

Now, some people would like to speed up the Vietnamization program. Curiously, others resist it entirely out of fear that it will give the South Vietnamese the capability of invading North Vietnam and expanding the war.

The fact is the Vietnamization program will give the South Vietnamese the capability of coping with the North Vietnamese and Viet Cong threat inside their country in order to maintain their security and to make their own choice of government.

But let me put Vietnamization in perspective with regard to our new strategy and total-force concept which I mentioned earlier.

Our new strategy emphasizes partnership in sharing the burdens of security rather than continued heavy reliance on the United States as the principal contributor. Other nations must do more on their own, with the U.S. providing specialized support as necessary and appropriate.

This is exactly what Vietnamization is all about—the Vietnamese taking over the responsibility for their own security programs with help from us, increasingly through our security-assistance programs rather than through a U.S. presence. I have put it this way in the past: security assistance, yes—U.S. manpower, no.

But the approach of the strategy of realistic deterrence is not limited to Vietnamization. In the Republic of Korea, in Cambodia and elsewhere, we are also seeking to move forward to help those countries who want to protect their own security—but at

the same time counting on them to use their own resources to the fullest degree possible and to work together in efforts to maintain or restore peace.

In other words, rather than relying so heavily on our own forces as we have done in the past, we must recognize and apply this total-force approach.

Of course, implementing a policy of this nature cannot be accomplished overnight. Our friends and allies must recognize and understand the realities of the 1970s, and they must make the increased effort required on their part.

Q. Would you encourage further South Vietnamese operations in Cambodia and Laos?

A. The South Vietnamese are willing to operate in Cambodia and in Laos when it's to the interest of their security for them to do so.

When President [Nguyen Van] Thieu and I talked about South Vietnam's operation in Laos last January, he was very much aware of the fact that his Administration must maintain security inside its own borders. That is why he was unwilling to put a large proportion of his regular forces into Laos—and he actually used only around 1½ per cent of his regular forces for the operation in Laos.

Q. Would you like to have seen President Thieu put more than 1½ per cent of his forces into Laos?

A. I think it was their decision to make—not ours. I think that some of our military people would like to have seen more, but President Thieu must assess the security and political situation within his own country and make his own decisions. And we don't get involved in their political process.

#### AS VIETNAMIZATION PROCEEDS

Q. If the Vietnamization program continues to progress, what kinds of American forces are likely to be left in Vietnam a year from now?

A. There will be a mix. As we withdraw and complete phase 1 of our Vietnamization program, at least 40 per cent of the troops who are left will have a combat capability and will be responsible for security. The rest will have logistics and advisory responsibilities. Actually, the proportion of combat to support personnel will vary.

Q. Do you see any time over the next 18 months when American ranks in Vietnam will be filled by volunteers only?

A. The possibility of having all volunteers in Vietnam was a matter which was given a great deal of consideration some 18 months ago when we made the decision to move toward zero draft calls leading to an all-volunteer force as a Defense Department goal.

We decided, however, that limiting assignments to Vietnam to volunteers only would slow up our goal of having an all-volunteer force by June 30, 1973. In essence, we had to make a choice between a worldwide all-volunteer force and one for a particular area of the world.

I've spent a lot of time talking to sergeants and lieutenants and corporals and, by my count, personally interviewing more than 4,000 military men this past year. I found that a man volunteering for Vietnam has certain problems as far as his family is concerned.

When he goes home and tells his wife and children that he has volunteered for a year's tour in Vietnam, he has a problem. He would rather be ordered to Vietnam. I think you can understand that it's a little easier for him to handle that situation within his family.

Q. Do you believe the draft can be eliminated entirely?

A. I believe we can reach the goal of an

all-volunteer force in the United States—but certainly not before the middle of 1973.

Q. How do you go about doing away with the draft?

A. Some of the things we have been trying to do are to increase public understanding of the problems people have in the military and to increase the respect that the people in this country have for military service. We'll never get a volunteer force just by increasing pay and taking care of housing and education and many of those other things that are necessary.

We've got to do something about increasing respect for military service—respect for the military profession. Probably there is no other profession—with the exception perhaps of the politician—that is held in lower esteem in this country today. This situation has got to be changed.

Q. Has any major country ever achieved a volunteer force?

A. The United Kingdom is, of course, a major country, and they have an all-volunteer force right now.

**"OUR GOAL IS TO BRING MEN HOME"**

Q. Is there any chance at all in the foreseeable future that you will stop sending draftees into combat in Vietnam?

A. I haven't given up on that possibility, but I do want to make a point about this:

There are people who say if we did not have draftees going to war, there would no longer be opposition to the fighting in Southeast Asia. I don't think these people understand what the public's concern is all about in this country. Whether the men we send to Vietnam are draftees or volunteers is not going to make much difference as far as support or nonsupport for the United States position in Southeast Asia is concerned.

The families of draftees are being reduced to a low number as the President's withdrawal program goes forward—and there still is vocal opposition to the war. I keep hearing that opposition to the American presence in Vietnam will disappear as soon as we have an all-volunteer force, but I just don't think those people know what they're talking about.

Certainly what I want to keep the focus on is terminating American involvement in the war rather than debating whether the war should be continued with draftees or regulars. Our goal is to bring our men home, and that is what we are doing.

Q. Opposition also has focused on the Laos incursion earlier this year. Was Laos worth the effort, militarily?

A. The South Vietnamese had some very hard, tough fighting in Laos. But with few exceptions they fought well. I don't think they could possibly have done that a year ago or two years ago. And I believe that the Laotian operation will prove to be important as far as the South Vietnamese military forces are concerned.

I would not like to assess now what the Laos operation did to North Vietnamese supplies and manpower, because the effects of that operation will not be fully known, really, until September or October.

Q. Are American casualties going to drop in the months ahead?

A. Casualties, hopefully, will continue to go down as we turn over combat responsibilities to the South Vietnamese.

Battle deaths have been going down steadily, as you know. When I first came in as Defense Secretary, they were running at about 300 a week and had been as high as 500 a week. Combat deaths are now averaging below 50 a week.

As far as American casualties are concerned, they are going down and should continue to go down. Needless to say, I won't be satisfied until they are zero.

Q. Is morale among the U.S. soldiers in Vietnam a serious problem?

A. Morale will continue to be a concern as the war keeps winding down, as our men have fewer combat responsibilities and more and more time becomes available. We recognize that there are racial and drug problems, too, and we are trying to do the best we can to meet these problems.

Q. Is the drug problem getting worse?

A. The drug situation concerns me greatly because of the easy access to drugs in that part of the world. Heroin worth \$500 in the United States can be purchased in Vietnam for \$15. Marijuana is easily accessible.

Q. Is it more a problem now than it was in Korea, say, or in World War II?

A. It is more of a problem because of the easier access: Drugs were not available in World War II or in the Korean conflict in the amounts they are now in Vietnam. But let's be candid and recognize that the drug problem is much greater in our total society than it was in World War II and Korea, and the armed forces are a reflection of our society.

Q. Do you have evidence of any subversive effort on the part of the enemy to make drugs available?

A. I think that the enemy finds it to his advantage to make them easily available—and cheap. The only evidence that I have, however, is the free accessibility within South Vietnam.

Now, the source of the heroin and how it is transported is something that is pretty difficult to pin down, but I think that we should look at all aspects of it and do everything we can to stop the flow. It is a matter that I personally took up with the Government of South Vietnam, and I will continue to work on it.

Q. Mr. Secretary, do the Soviet Union and Communist China still contribute heavily to the Communist war effort in Indo-China?

A. Yes. About 75 per cent of the supplies, equipment and support for the enemy comes from the Soviet Union and the Eastern European satellites, and the remaining 25 per cent from Red China. The volume of aid is about the same as in recent years.

Q. Would it be appropriate for American businessmen to trade with Red China, in view of Peking's role in Vietnam?

A. You could make a case for it on the basis that we already trade with the Soviet Union, and most of the outside support for the war comes from them. But I don't make that case. I also don't oppose all forms of trade.

You could make the case that we should approve the same list of trading commodities for Red China that we have for the Soviet Union. I don't make that case, either.

Q. Do you want a more stringent list for Red China?

A. As you know, this is currently under study in the executive branch, but there are different considerations that could apply.

One, for example, has to do with the question of technology. There is a lower level of technology in China than in the Soviet Union. You have to look at the technology when you consider what exports will help a country that is a potential enemy.

**"NEW STRATEGY TO MAINTAIN PEACE"**

Q. A final question, Mr. Secretary: To sum up, you seem to be saying that this country should now begin to think more about peace than about the war in Vietnam. Is that a fair assessment?

A. Certainly I have no quarrel with that assessment. Everything we are doing in Indo-China and in our new strategy is intended to achieve and maintain peace.

I want to leave to my successor a defense establishment that is engaged full-time in maintaining peace through realistic and effective deterrence of all forms of war. I think that goal can be achieved, but to achieve it we need the understanding and

support of Congress and the American people as we look beyond Vietnam.

**FORGET ALL THE CRITICISMS—  
NIXON IS REALLY THE ONE**

**HON. WILLIAM LLOYD SCOTT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. SCOTT. Mr. Speaker, I would call the attention of my colleagues to an article written by the French analyst, Claude Julien, which carries the headline "Forget All the Criticisms—Nixon Is Really the One." His candid picture of today's political events, reprinted in *Newsday*, describes the President as a much misunderstood man and the victim of unfair and bad publicity.

Citing the President's sincerity in his efforts to end the war in Vietnam, Julien comments that—

In four years, the Johnson-Humphrey Administration sent more than 500,000 men to Vietnam. In less than two years, Mr. Nixon reduced American troop strength by more than half.

The full text of the article which first appeared in *Le Monde*, Paris, follows:

**FORGET ALL THE CRITICISMS—NIXON IS REALLY THE ONE**

(NOTE.—The President, writes the distinguished French analyst, Claude Julien, is a much maligned man. All the unfair bad publicity, he argues, must make the President wonder "what has to be done to win favor with the gods, the journalists, the people, the Democrats, the North Vietnamese and the Viet Cong.")

President Nixon is a much misunderstood man. This, anyway, was implicit in the opening passages of his television address to the American nation earlier this month. He referred to reports on the situation in Southeast Asia on radio, TV and in the newspapers, and there was more than a hint that he felt they had done him mean justice.

Not only did he appear to feel that the success of the Vietnamization policy was being questioned; he seemed to think there was some doubt about his own sincerity. "Our goal is a total withdrawal from Vietnam. We can and we will reach that goal," he insisted.

Yet such is the influence of the mass media in the United States that a large segment of public opinion appears to take these words somewhat less than literally. Democrats in the two houses of Congress maintain a constant clamor for a peace policy as though this were not already Mr. Nixon's overriding concern.

Even more serious is the fact that Hanoi and the Provisional Revolutionary Government (PRG) in South Vietnam share the doubts of this vociferous American opposition. So the Paris peace talks are deadlocked.

This may not seem to matter. Mr. Nixon is confident of the success of his withdrawal policy. In less than two years he has pulled 265,000 troops out of Vietnam, and by December 1 of this year will have repatriated 100,000 more—"over two-thirds of the number who were there when I came into office."

It may at first sight seem strange that doubts persist since the President's actions do appear to be in line with his declared intentions. Mr. Nixon needed a certain courage when, during the 1968 presidential campaign, he let it be known that he had a plan to end the war.

## OBJECT OF CALUMNY

There was a considerable risk. Had he lost the election, he would have been able to multiply his attacks on a Democratic administration and many a soul would have known for certain whether he really did know of some way out of the nightmare. Victory brought with it the necessity of implementing the plan successfully, or evoking again the image of Tricky Dick, the cunning politician stopping at nothing to satisfy his ambition.

Ambition and cunning. These certainly are the two essential qualities of this misunderstood, maligned, unjustly criticized politician, the consistent object of calumny throughout a career in which other character traits have also emerged—stubbornness, perseverance and the tireless courage of a man who never acknowledges defeat.

After eight years in Dwight D. Eisenhower's shade as vice president, he was beaten in the 1960 fight for the presidency by the late John F. Kennedy.

Two years later came another failure when he lost the California gubernatorial election. At this point, hardly turned 49, like an aging actor reluctantly leaving the stage, he bade farewell to politics, accusing the press of "kicking me around," and went back to his lawyer's career.

Since being elected to the House of Representatives in 1946, Richard Nixon had weathered many humiliations only to fail at the last hurdle. His adversaries attack him on many scores: for an anti-Communist passion which they claim is his substitute for a political program, for his indecent eagerness to have Alger Hiss condemned on charges of espionage in order (they say) to swing the newsreel cameras onto himself, for a demagoguery which, ingratitude of ingratitude, went down in American history not as Nixonism but as McCarthyism; and for a certain tactlessness which he personally justified during a television program, arousing public sympathy with a moving account of his childhood poverty.

## NOT THE FIRST VICTIM

Tough he may be, but he has been the chosen victim of a vindictive press for a long time. How did he manage to resist the temptation to abandon the political stage in 1962, one wonders. His qualities cannot be denied, nor can his political flair and fervor.

Yet he missed getting into the White House in 1960 by the narrowest of margins and because of one trivial detail: He was less photogenic on TV than John Fitzgerald Kennedy. Once again he had fallen victim to the mass media.

And when, in 1968, he finally returned to the front rank, it was to triumph over Hubert Humphrey by a slender margin of 500,000 votes out of a total of more than 72,000,000 cast. Yet it was Mr. Nixon who wanted to end the Vietnam war, the war which his adversary, Mr. Johnson's vice president, had in four years helped to enlarge and intensify without managing to introduce the faintest ray of hope for a solution. In four years, the Johnson-Humphrey administration sent more than 500,000 men to Vietnam, worsened the budgetary deficit and left urgent domestic needs without sufficient credits, while inflation gathered speed within a recession.

In less than two years Mr. Nixon reduced American troop strength in Vietnam by more than one half, destroyed "enemy bases in Cambodia," succeeded in "the disruption of enemy lines" in Laos and thereby reduced "the capability of the North Vietnamese to sustain major offensives in South Vietnam."

In short, he could report that he had succeeded in the difficult policy of Vietnamization, and indispensable and decisive stage on the path to peace. Yet the press maintains its critical attitude, the Democratic opposition is harrowing him and public opin-

ion polls show that his popularity in the U.S. is declining.

The President may well wonder what has to be done to win favor with the gods, the journalists, the people, the Democrats, the North Vietnamese and the Viet Cong.

This political slugger and pillar of sincerity then chose to play his final trump. He told the nation, "In my campaign for the presidency, I pledged to end American involvement in this war. I am keeping that pledge. You should hold me accountable if I fail." Little room for ambiguity here. Mr. Nixon would no longer be President after 1972 if, by that time, the Americans are still in Indochina.

A few weeks ago he privately told a businessman that he would stand down in 1972 if the U.S. economy were not back on its feet by then. As Stewart Alsop said in a recent issue of Newsweek, "so shrewd and long-headed a professional politician as Richard Nixon" would not risk making a double bet—on Vietnam and on economic progress—if he were not absolutely certain of winning it.

And what of those who bet against him? Democratic senators Edmund Muskie, George McGovern, William Fulbright, for example, harass Mr. Nixon constantly. How convinced are they that the President does not want peace and cannot secure it? This question is of course of very limited interest inasmuch as these critics have not staked their seats in the Senate on the outcome. And in any case one such mistake does not necessarily compromise a politician's career.—*Claude Julien, Le Monde, Paris.*

## NEW PLANT DEDICATED

## HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. MIZELL. Mr. Speaker, it is always a pleasure to recognize outstanding achievements, no matter what the field of endeavor may be.

One outstanding achievement I would like to comment on at this time is an innovative approach to cleaning up a large portion of the Nation's land pollution.

As everyone here knows, much of our landscape today is blighted by abandoned, deteriorating automobiles. Millions of these unsightly vehicles now line our highways as symbols, not only of an environmental nightmare, but of a national disgrace as well.

But a company in North Carolina has set about to remove these battered wrecks from the countryside of our State. The United Auto Disposal Co. recently conducted formal opening and dedication ceremonies for a new automobile fragmentizing plant in Kernersville, N.C., a part of the Fifth Congressional District, which I am privileged to serve.

This new fragmentizing plant, according to its owners, is capable of shredding abandoned automobiles, at a rate of one every minute, into steel balls about the size of a fist. These balls are then recycled for new uses, thus conserving a natural resource, and, in the best spirit of free enterprise, doing it at a profit.

It was a privilege to serve as principal speaker at the dedication ceremonies, and I was greatly impressed with the concern and the expertise that went into

this project, and I am sure my colleagues join me in congratulating the United Auto Disposal Co. for this outstanding and innovative achievement. This is a giant step in the right direction toward winning the fight against pollution.

A more complete explanation of the new facility is included in an article published in the February 1971 edition of Secondary Raw Materials, a trade publication.

For the benefit and information of my colleagues, the article follows:

UNITED AUTO DISPOSAL CO. DEDICATES  
NEW PLANT

Officials of United Auto Disposal Company conducted formal opening and dedication ceremonies for their new plant in Kernersville, North Carolina on December 28, 1970.

Many state, county, and local city officials as well as representatives of the auto wrecking industry and the press were present for the occasion.

## PRINCIPAL SPEAKER

Congressman Wilmer D. Mizell of the Fifth Congressional District of North Carolina was the honored guest and principal speaker at a luncheon held at the Albert Pick Motel in conjunction with the official opening and dedication of North Carolina's first automobile fragmentizing plant.

## NEW PARTNERSHIP

The plant, United Auto Disposal Company, is located in Kernersville, North Carolina on U. S. Highway 421 West and was formed as a partnership by two of North Carolina's oldest and largest scrap metal processing companies, Brenner Iron and Metal Company of Winston-Salem and Levin Brothers of Burlington. Brenner Iron and Metal Company is a subsidiary of Brenner Industries.

## COMMUNITY SPIRIT

Paul Ebert, General Manager of United Auto Disposal, welcomed the visitors and guests who were present and commented about how pleased he and his company are to be a part of the Kernersville Community. The Kernersville area of North Carolina was selected as the site of this installation because of its central location to the Triad Area. In addition, its close access to Interstates 85 and 40 should encourage the disposal of autos within a large radius of the plant.

## ABANDONED AUTOS

In commenting on the culmination of nearly nine months of construction work, Abe Brenner, one of the officials of United Auto Disposal and Executive Vice President of Brenner Industries, commented that "Our fragmentizing installation, now completed, has the capacity to shred every abandoned automobile that would be generated in this area. If a problem NOW exists regarding abandoned autos in this part of North Carolina, that problem would have to be getting people to WANT to dispose of these battered hulks that litter our highways."

United Auto's equipment is capable of taking autos with car seats left in them, which should be of tremendous help to the auto wrecking industry and to the enforcement of the open-burning laws. In continuing his comments, Mr. Brenner stated "That a spirit of citizenship and cooperation will be necessary to completely solve this environmental and pollution problem."

## SECRETARY OF TRANSPORTATION

Secretary of Transportation John A. Volpe commented recently that "In our major cities, cars are being abandoned at the rate of 1 or more every 30 minutes; in Chicago it is 2 every 15 minutes. We have reason to

believe that there are between 10,000,000 and 30,000,000 junked automobiles lying about the countryside and laid to rest in automobile graveyards." This problem has also been an acute problem in this area.

#### RECYCLING

Seymour Levin, another United Auto official and Vice President of Levin Brothers, commented that "The recycling of old autos through United Autos' fragmentizing plant will help conserve the natural resources of America." This fragmentizing plant has the capacity to shred old autos at the rate of one a minute, turning them into chunks of steel about the size of your fist. This product is then shipped back to steel mills and foundries to be remelted and made into new products of steel.

There are now only approximately 75 fragmentizing plants scattered throughout the United States. The plant, representing an investment of slightly more than \$1,000,000, is powered by a 3,000 horsepower motor, one of the largest in the Duke Power Company's system. The giant hammermills are fed by an electric Pedestal Crane and the Control Tower in which the fragmentizing operator performs his functions very closely resembles a Control Tower seen at airports.

Once an auto is placed in the hammermill, it then goes through a system of being shredded and on to conveyor belts where powerful suction forces remove the lint and fabric material and blows this into silos. Continuing on its way over many conveyors, dirt is separated from the auto and the non-ferrous material is separated from the steel of the automobile by magnetic separator drums. The final end product is moved off the end of the conveyor into railroad cars.

#### WEIGHT CONTROLS

An interesting feature at United Auto's plant is the 70 foot long scale suitable not only for weighing incoming trucks which bring in old autos to the plant, but also being able to weigh loaded railroad cars prior to their leaving the plant on their journey to steel mills. This scale, one official commented, is perhaps the largest privately-owned scale in the southeast.

#### CHAIRMAN OF THE BOARD

Morris Brenner, chairman of the Board of Brenner Industries, stated that "One of the plus factors which we feel will benefit the surrounding cities is the fact that the fragmentizing equipment can also shred discarded refrigerators, stoves, washers and dryers." One city official attending the opening luncheon stated that this in itself will generate a great deal of saving on landfill costs to his city.

#### DEAN OF THE COMPANY

After lunch at the Albert Pick Motel, visitors and guests were transported by bus to the plant site where a huge red ribbon was cut by Sol Levin who was referred to as "The Dean of this Company." Mr. Levin has been in the scrap processing industry more than half a century and recalls quite vividly in comments that he made "of the old horse and buggy days and when old autos were cut up with an ax."

#### VISITATION

Visitors were then given a demonstration of the shredding process and then allowed to roam throughout the plant area inspecting equipment and facilities.

### CREATIVITY IN CRISIS

**HON. FRED B. ROONEY**  
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. ROONEY of Pennsylvania. Mr. Speaker, I would like to call the atten-

tion of my colleagues to the centennial exhibition of the Episcopal Diocese of Bethlehem, Pa., entitled "Creativity in Crisis." This fine art exhibition is evidence of the diocese's recognition of the problems which face humanity today. The diocese is celebrating its opportunity to serve society in the next hundred years as well as its past century of distinguished service.

The organization and success of this art exhibition is partly due to the centennial art committee cochairmen, Mrs. Philip I. Berman, who lent the exhibition many of the Berman's own art treasures, and Mrs. Peter Prichett. The centennial exhibition exists because of the desire of museums and institutions as well as private citizens from the United States and abroad to make the centennial celebration of the Bethlehem Episcopal Diocese a relevant, meaningful occasion.

The exhibit was on public display at Lehigh University from April 24 through May 14, and currently is being displayed at the Reading, Pa., Public Museum and Art Gallery through June 13. From June 20 through July 24 the collection will be exhibited at the Everhart Museum, Scranton, Pa.

I invite the attention of my colleagues to the catalog of the Centennial Exhibition—Diocese of Bethlehem reprinted below in part:

#### CREATIVITY IN CRISIS, 1871-1971

How do men face crises?

Some in fear and frustration. Some in chaos and confusion. But some with courage and confidence.

As the people of the Diocese of Bethlehem of the Episcopal Church came to their Centennial year, it was obvious that the affairs of men were in crisis. We were living in one of the great watershed ages of society, a wonderful and a terrifying time.

We, of the Christian Church, bring to this age a Judeo-Christian heritage of faith that for us answers fear, brings order out of chaos, and grants courage. "Power to the people" can be understood as a profoundly religious expression. It is a modern paraphrase of St. John's words, "As many as receive Him, to them gave He power."

Thus, the theme of the Centennial quite naturally became "Creativity in Crisis." We would celebrate not a hundred years just past but a long and ancient tradition of faith in God who continues to create. We would witness in this radically changing time to One who works in change; who said, "I make all things new." We would share with all men our hope in the future as an exciting and joyful opportunity to build new relationships in a better world. Peace and power, love and joy for all men are the Centennial keynotes.

We are celebrating this Centennial ideology in many ways, not the least of which is through the arts—music, poetry, drama, painting and sculpture. For the artist deals in the crisis of creation as the very nature of his being. He gathers up the questions and the answers of his intimately personal life as well as of the social order and creates "things old and things new." In that sense, the artist is truly religious whatever his professed allegiance or lack of it to conventional religion. He makes the creative gift of his life to others. There is no greater gift.

The purpose of the Centennial Art Exhibit, then, is to sample the creativity of the past one hundred years that these men and women of special gifts may speak to us for the years that are ahead. Some speak quietly, some boldly. Some speak in desperation and some in courage. Some speak in a

distant coolness and others in an almost embarrassing intensity. So be it. This is the human condition. God reveals something of Himself and His world in every man.

We thank those who through their willingness to share in the Centennial made this exhibit possible: Lehigh University, the Metropolitan Museum of Art in New York City, the Philadelphia Museum of Art, the Muriel and Philip Berman Collection, Mrs. Katharine Terry, M. Gabriel Loire, Madam Francoise Gilot-Salk, the Reading Museum of Art and the Everhart Museum of Scranton.

We express appreciation to Mrs. Peter Prichett and Mrs. Philip Berman, co-chairmen, who with their committee made all the arrangements.

In honor of the Centennial, the Diocese of Bethlehem happily makes the gift of this exhibit to all people.

(Rt. Rev. Frederick J. Warnecke.)

#### LENDERS TO THE EXHIBITION

Philip and Muriel Berman Collection.  
Harry Bertola.  
Lehigh University.  
Gabriel Loire, Chartres, France.  
Metropolitan Museum of Art.  
Bishop Paul Moore, Jr.  
Philadelphia Museum of Art.  
Francoise Gilot-Salk.  
Katherine Terry.  
Washington Cathedral, Washington, D.C.  
Bishop Frederick Warnecke.

#### INTRODUCTION

One hundred years ago—the country was beginning to unite again after a disastrous Civil War—the Metropolitan Museum in New York was about to open its doors for the first time—the automobile and telephone had not yet been invented—and in eastern Pennsylvania the Episcopal Diocese of Bethlehem became a reality.

One hundred years—a changing world—the computer, penicillin, heart transplants, supersonic airplanes, polio vaccine, atomic bombs, a trip to the moon, modern art.

One hundred years—only man's life-style has changed—his longings, purpose, fulfillment remain the same.

One hundred years of crisis and fulfillment. All of the artists included in this exhibition were painters ahead of their time—with an important message—with innovative methods of expression. The crisis of the times encouraged the creativity of the artist. It hardly seems possible that some of the paintings included in this exhibition, which we calmly accept as beautiful—caused a sensation when first exhibited many years ago. Somehow the ideas and ideals of these prophets prevail—they have been heralds of achievement in the arts.

Looking to the future—We commissioned a magnificent lithograph and poster—created expressly for this Centennial by Francoise Gilot-Salk—representing a tapestry of ideas synthesizing our hopes for the future of man.

We present Tonal Sculpture—a new art form by Harry Bertola. The combination of pure lyrical sculpture, capable of magnificent musical sound—actually the creation of sculpture as a new musical instrument.

We exhibit a new free spirit in ecclesiastical art—a loosening of bonds and trappings—a reverence for the old but excitement in the new—a true creation of self-expression—a giant step into the next century. (Mrs. Philip Berman).

#### ACKNOWLEDGMENTS

In the preparation of this catalogue and exhibition we were assisted by the following individuals to whom the Centennial Art Committee wishes to express its gratitude: Evan H. Turner, Director, Philadelphia Museum of Art; John Tancock, curator of American Art, Philadelphia Museum of Art; Gertrude Toomey, registrar, Philadelphia Museum of Art; Thomas P. Hoving, director,

Metropolitan Museum of Art; John K. Howat, curator, American Paintings and Sculpture, Metropolitan Museum of Art; W. Deming Lewis, president, Lehigh University; Professor Francis J. Quirk, curator, Permanent Collections, Lehigh University; Philip Berman, Allentown, Pa.; Rt. Rev. Frederick J. Warnecke, Episcopal Diocese of Bethlehem; Harry Bertola, sculptor, Bally, Pa.; Charles Elliott, Jr., director, Reading Public Museum and Art Gallery; Carl E. Ellis, curator of art and assistant director, Everhart Museum, Scranton, Pa.; Robert C. Muir, vice president, Huntzinger Printing Corp., Camden, N.J.

We wish to express our appreciation to Madame Francoise Gilot-Salk of France and California for creating an original lithograph and poster which has become the emblem of the Centennial. Mrs. Philip Berman, Allentown, Pa.; Mrs. Peter Prichett, Bethlehem, Pa.

CREATIVITY IN CRISIS

Creation is love expressed—

The Universe and Mankind reflect God's love. In the same way, I believe that creativity is the core of the living force which allows Man, to evolve, to go forward, triumphantly over the destructive forces within himself and in the World.

A crisis represents danger as well as opportunity, or rather opportunity as well as danger.

The Christ said "Let the dead bury the dead."

A crisis arises when some of our values or ideas become like withered leaves, they have to fall in order to release a new process of growth.

A crisis can carry a message of "Hope" rather than "anxiety."

Man as a sentient and thinking being must become the conscious vehicle of creativity and love rather than the vehicle of negativity and death.

In my project I used the image of a youth opening the path to a child.

It could be St. John the Baptist and the Christ. The youth (St. John) in half-shadow is the truth which starts to emerge in the present, sheltering and making possible (the Christ) becoming in full light, light itself, self-evident and thoroughly expressed in the future. But it can be true of all of us—if we allow creation to be continued. The Youth holds the stick of "Order", discipline of the self which relates to the landscape, where on top of a Mount stands the Church, "Tradition and Teaching" and shows direction toward the open skies of infinite possibilities.

These are a few of the thoughts I had in mind when working on this project.

(Francoise Gilot-Salk.)

PAINTINGS

Francoise Gilot-Salk. Cover—"Creativity in Crisis." c.1971. Gouache, 25 3/4 x 19 3/4 in. Commissioned especially for the Centennial Celebration. Lent by the artist.

1. George Innes (1824-1894). "Tenafly Oaks, Autumn." c. 1892. Oil, 30 x 45 in. Lent by Lehigh University.

2. Winslow Homer (1836-1910). "A Rainy Day in Camp." c.1871. Oil, 19 1/2 x 36 in. Lent by the Metropolitan Museum of Art, Gift of Mrs. William F. Milton, 1923.

3. Thomas Moran (1837-1926). "The Teton Range." c.1897. Oil, 30 x 45 in. Lent by Metropolitan Museum of Art, Bequest of Moses Tanenbaum, 1939.

4. James McNeill Whistler (1834-1903). "Lounging." c.1894. Lithograph, 13 3/4 x 10 1/4 in. Lent by Philip and Muriel Berman Collection.

5. Mary Cassatt (1844-1926). "Two Women, One Sketching." c.1869. Oil, 30 x 25 in. Lent by Philip and Muriel Berman Collection.

6. John Singer Sargent (1856-1925). "Madame Belleruche." c.1884. Oil, 21 1/2 x 17 1/2 in. Lent by Philip and Muriel Berman Collection.

7. John Henry Twatchman (1853-1902). "Horseneck Falls." c.1890-1900. Oil, 30 x 26 1/16 in. Lent by the Metropolitan Museum of Art, Bequest of Miss Adelaide Milton De Groot (1876-1967), 1967.

8. Theodore Robinson (1854-1896) "Old Mill." c.1892. Oil x 21 1/2 in. Lent by the Metropolitan Museum of Art, Gift of Mrs. Robert W. Chambers, 1910.

9. Childe Hassam (1859-1935). "Broadway at 42nd Street." c.1902. Oil, 26 x 22 in. Lent by the Metropolitan Museum of Art, Bequest of Miss Adelaide Milton De Groot (1876-1967), 1967.

10. Albert Jean Adolphe (1865-1940). "Over the Roof Tops." c.1905. Oil, 20 x 37 in. Lent by Philip and Muriel Berman Collection.

11. George Luks (1867-1933). "Boy With Bowl." c.1921. Oil, 30 x 25 in. Lent by Lehigh University. Gift of Wilson Collection.

12. Ernest Lawson (1873-1939). "Harlem River." c.1915. Oil, 20 x 34 in. Lent by Lehigh University, Gift of Wilson Collection.

13. Robert Henri (1865-1929). "Irish Girl." c.1927. Oil, 28 3/4 x 20 in. Lent by Philip and Muriel Berman Collection.

14. Maurice Prendergast (1859-1924). "The Rogue." c.1920. Oil, 28 1/2 x 31 1/2 in. Lent by Lehigh University, Gift of Mr. and Mrs. Ralph L. Wilson, 1921.

15. William Glackens (1870-1938). "Nude Dressing Hair." c.1914. Oil, 30 x 25 in. Lent by Lehigh University, Wilson Collection, 1952.

16. John Sloan (1871-1951). "The Telephone." c.1906. Drawing, 17 1/2 x 12 3/4 in. Lent by Philip and Muriel Berman Collection.

17. George Bellows (1882-1925). "The Agitators." c.1915. Drawing, 26 x 17 1/2 in. Published in "The Masses" 1915. Lent by Philip and Muriel Berman Collection.

18. Marsden Hartley (1877-1943). "Fruit in Basket." c.1935. Oil, 22 x 36 1/2 in. Lent by Lehigh University, Wilson Collection, 1960.

19. John Marin (1870-1953). "Delaware River Country, Pa. No. 3." c.1916. Oil, 19 x 16 in. Lent by the Philadelphia Museum of Art.

20. Charles E. Burchfield (1893-1967). "June." c.1953. Watercolor, 40 1/2 x 30 1/2 in. Lent by Lehigh University. Gift of Wilson Collection, 1965.

21. Edward Hopper (1882-1967). "House in Italian Quarter, Gloucester." c.1923. Watercolor, 14 x 20 in. Lent by Philip and Muriel Berman Collection.

George Bellows purchased this painting from Hopper's first exhibition (Rehn Galleries) in 1924, as a Christmas present for his wife. He died the following year. Mrs. Bellows always referred to it as the "Yellow House."

22. Georgia O'Keeffe (born 1887). "After a Walk Back of Mabel's." c.1929. Oil, 40 x 26 1/2 in. Lent by the Philadelphia Museum of Art.

23. Arthur B. Carles (1882-1952). "Turkey." c.1927. Oil, 64 x 51 1/2 in. Lent by the Philadelphia Museum of Art.

24. Gifford Beal (1879-1956). "Palm Trees, Haiti." c.1945. Oil, 24 x 36 in. Lent by Lehigh University. Gift of Ralph L. Wilson, 1958.

25. Milton Avery (1893-1965). "Nude." c.1956. Oil, 40 x 30 in. Lent by Philip and Muriel Berman Collection.

26. Eugene Berman (born 1899). "View in Perspective of a Perfect Sunset." c.1941. Oil, 34 x 49 in. Lent by the Philadelphia Museum of Art.

27. Raphael Soyer (born 1899). "Girl Thinking." c.1949. Oil, 27 x 30 1/2 in. Lent by Philip and Muriel Berman Collection.

28. Andrew Wyeth (born 1917). "Landscape." c. early 20th century. Watercolor, 13 3/4 x 20 3/4 in. Lent by the Philadelphia Museum of Art.

29. John Heliker (born 1909). "Still Life With White Flowers." c.1960. Oil, 25 x 40 in. Lent by Lehigh University.

30. Jack Levine (born 1915). "Careless Love." c.1954. Sepia etching, 17 1/2 x 27 3/4 in. Lent by Philip and Muriel Berman Collection.

31. Leonard Baskin (born 1922). "Self Portrait, Age 42." c.1964. Colored woodcut, 32 x 23 1/2 in. Lent by Philip and Muriel Berman Collection.

32. Paul Jenkins (born 1923). "Phenomena—West Spector." c.1964. Oil, 20 x 73 in. Lent by the Philadelphia Museum of Art.

33. Sidney Gross (1921-1969). "U.F.O. No. 27." c.1966. Oil, 36 x 30 in. Lent by Lehigh University, Louis and Betty Adler Foundation.

34. Andy Warhol (born 1930). "Portrait of Jackie Kennedy." c.1963. Silk Screen, 40 x 32 in. Lent by the Philadelphia Museum of Art.

35. Roy Lichtenstein (born 1923). "Sweet Dreams, Baby." c.1966. Colored lithograph, 36 x 25 1/4 in. Lent by Philip and Muriel Berman Collection.

36. Francoise Gilot-Salk. Color Plate No. 1. Ochre. c.1971. Lithograph, 25 3/4 x 19 3/4 in. (Color plates for original lithograph "Creativity in Crisis".)

37. Color Plate No. 2. Blue. Lithograph.

38. Color Plate No. 3. Deep Grey. Lithograph.

39. Color Plate No. 4. Light Violet. Lithograph.

40. Color Plate No. 5. Red. Lithograph.

41. Color Plate No. 6. Beige. Lithograph.

42. Color Plate No. 7. French Grey. Lithograph.

No. 36 through No. 42 are original individual printings from the 7 different color plates created by the artist, which when properly superimposed create the finished lithograph. They were done by Madame Gilot-Salk at the renowned House of Mourlot in Paris, France. Lent by the artist.

43. Francoise Gilot-Salk. "Creativity in Crisis." c.1971. 25 3/4 x 19 3/4 in. Completed lithograph in colors from the original above seven plates. Created especially for the Centennial Celebration. Lent by the artist.

SCULPTURE

1. Harry Bertola (born 1915). "Musical Sculpture." c.1968. Welded bronze, 75 in. high.

2. Harry Bertola. "Tonal Inconel." c.1968. Aluminum bronze, 52 in. high.

3. Harry Bertola. "Bush." c.1966. Green bronze, 21 in. high.

4. Harry Bertola. "Hollow Forms." Iron, 10 x 8 x 10 in.

5. Harry Bertola. "Spray." c.1967. Stainless steel, 61 in. high. Sculpture lent by the artist.

ECCLESIASTICAL ART

1. Designed by Katherine Terry. "Frontal." Original cartoon for the War Memorial Chapel, Washington Cathedral, Washington, D.C. 10 x 30 in.

This abstract design symbolizes "the union of all sacrificed souls with the sacrifices of our Lord, all drawn up into the glory of the Risen Christ."

2. Designed by Vienna Anderson, Chasuble. "Celebrate Life." Rich embroidery on hosiery, 51 x 57 in.

(Gift to the Right Reverend Paul Moore, Jr., Bishop Coadjutor of the Diocese of New York, by St. Stephen's and Incarnation Church, Washington, D.C., and Associated Parishers. Presented to Bishop Moore at the General Convention, Houston, 1970.)

3. Designed by Katherine Terry, inspired by Mrs. Charles Mastin. "Red Stole." Embroidery on wool, 7 feet 10 in. long.

The seven pointed star of Bethlehem and the stylized "plates" from the seal of William Penn, also found in the seal of the diocese, relate this stole to the Bishop of Bethlehem. The fleur-de-lis, symbol of the Trinity, recalls Trinity Cathedral, Newark, New Jersey, of which Bishop Warnecke was dean. A red stole is used for Confirmation and Ordination, both specifically acts of a bishop. Red

is also the color of the Holy Spirit. Lent by The Right Reverend Frederick Warnecke.

4. Designed by Katherine Terry. "White Stole." Embroidered raw silk, 7 feet 10 in. long.

The symbolism relates to a bishop and the church. The ship represents the church on its course in the world. The anchor is hope, the cross on the sail is faith, the mast the pastoral staff of the bishop, and so portrays the bishop as shepherd. On the yoke of the stole is the seven pointed star of Bethlehem. Lent by The Right Reverend Frederick Warnecke.

5. Gabriel Loire, Artist (Chartres, France). "Design for Stained Glass Window." Tempera, 17½ x 40 in.

Installed at Talbot Hall, Chapel of Hope, Jonestown, Pa. This magnificent many faceted window reflects the spirit of the institution, an open group therapy center for adolescent girls. The intense blues of the sky and stars express hope and renewed life, and are reminiscent of Bethlehem. The window is 9 x 28 feet. Lent by the artist.

6. Designed by The Reverend John Henry Hopkins, Jr. (composer of the hymn "We Three Kings of Orient Are"). "The Bishop's Staff." c.1882. 65 in. high.

Shaft is ebony, ivory, holly, teak and sandalwood. The base of the shepherd's crook has inscribed the names of the first bishops of the Diocese of Bethlehem. The curve of the crook is magnificently carved and encrusted with jewels and colored enamel. Centered in the crook is a figure of Christ as the Good Shepherd standing in the midst of His flock. The sheep represent the continents. "The smallest and youngest being America, and this is the lamb in His arms, the dearest place of all." In contrast the Bishop is directed to carry the staff so that the Angel, bearing a cross, faces toward the Bishop, to remind him that he must be prepared to suffer if needed here upon earth.

The Bishop's staff is a reminder that the Bishop is the Chief Pastor of the Diocese. Property of the Diocese of Bethlehem. Lent by The Right Reverend Frederick Warnecke.

#### A TRIBUTE TO SMALL BUSINESS WEEK CELEBRATED IN ALASKA

### HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. BEGICH. Mr. Speaker, the people of Alaska are preparing to celebrate Small Business Week, in honor of the enterprising spirit that has bolstered the commercial position of the State to an extraordinary extent.

The growth of Alaskan commerce over the past few years is truly phenomenal. Much of this is clearly the product of what well can be regarded as big business—the fishing, mining, lumbering industries, for example; and the developing oil boom on the North Slope. But for every case of big business enterprise in Alaska, there are 10 to 20 examples of small businessmen in action, and the activity thus generated is vital to the soaring State economy. Small groceries, laundrettes, trucking concerns, builders and building supply outfits, airlines, haberdashers—just to name a few small business enterprises in Alaska. There is also the rapidly growing tourist trade, almost all of which rebounds to the advantage of the small businessman.

In the grand tradition of the American frontier, Alaska has been founded on the enterprising spirit of adventure, fos-

tering the growth of hundreds upon hundreds of independent commercial ventures, to the distinct advantage of the State.

I would like at this time to pay tribute to the independent man of commerce in the sovereign State of Alaska, on the occasion of Small Business Week.

#### MILITARY PROMOTIONS BASED ON RACE RELATIONS

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. RARICK. Mr. Speaker, the new Army now announces that officers' efficiency reports are to include performance rating in race relations.

In other words, our officer cadre must now take positive action to promote race relations if they are desirous of promotion or maintaining a good efficiency rating.

Gone forever are those days when Army officers were promoted because of leadership, performance, and intelligence. Now, that officer who does not exemplify an exceptional race relations performance can not only expect not to be promoted, but may suffer being relieved of his duties, that is, unsatisfactory performance.

I insert a news clipping and General Westmoreland's interview with the Army Family reporter on race relations at this point:

[From the Army Times, May 19, 1971]

#### OER'S TO INCLUDE RACIAL RELATIONS

WASHINGTON.—Two sensitive areas of officer performance—race relations and relief for cause—will receive more attention from raters on future Officer Efficiency Reports.

Newly changed regulations require a special OER to be filed whenever an officer is relieved of his duties for cause, as for example, unsatisfactory performance.

The changed reg. AR 623-105, also calls for specific narrative comments "as appropriate, to indicate the quality of performance in the equal opportunity area of commanders and all other officers with supervisory responsibilities."

The Army's sharper focus on equal rights performance of commanders followed up a directive by Defense last December which ordered all services to take such Defense authorities at the time made it plain they wanted commanders who "drag their feet" on equal opportunity matters to be denied promotion and face possible removal from command or similar penalties.

Under the new OER rules, a special report is required whenever an officer is relieved for cause, regardless of the number of duty days involved.

For the first time in the OER reg, a policy has been adopted of requiring full details on why an officer has been relieved for cause.

Not only must the reasons be given, but the person who directed the relief must be identified—and he must give the explanation.

In addition, the OER must rate an officer's performance for the full period of the report, not merely on his brief foulup.

The official instructions in the changed reg say:

"When the reason for submitting a report is the relief of the rated officer for unsatis-

factory performance, the rater or indorser, whoever directed the relief, will include in the report pertinent details as to the causes for the relief and actions taken by him to insure the correctness of the relief, to include positive notification to the rated officer that his relief was for unsatisfactory performance.

"If the rated officer's relief for unsatisfactory performance was directed by an official other than the rater or indorser, that official will prepare and authenticate for attachment as an enclosure to the report a statement containing the information required above.

"The ratings and comments on the efficiency report prepared by the property designated rater and indorser will be completed in consonance with the provisions of this regulation to insure that the report contains an evaluation of the rater officer's manner of performance during the entire period and not just for a limited period or the incident which results in his relief."

The new rules could make a significant difference—possibly saving many officers' careers—in such situations as, for example, where a division commander might relieve an officer who is well respected and highly rated by his brigade commander.

[From the Family, May 19, 1971]

GEN. WILLIAM C. WESTMORELAND

Gen. William C. Westmoreland, former U.S. commander in Vietnam and Army Chief of Staff for nearly three years, holds stewardship over the Army during one of its most perilous periods. The 57-year-old officer is top soldier at a time when the Army is caught in the crossfire of scandals in its ranks and participation in an increasingly unpopular war.

For his on-the-record views on public confidence in the service, the volunteer Army, the Calley case and the state of soldier discipline, FAMILY held an exclusive interview with the general late one afternoon last month. Asking the questions were Army Times Associate Editors Gene Famigletti, Randall Shoemaker and Larry Carney, and FAMILY Editor John Greenwald.

#### RACIAL DISCRIMINATION

FAMILY. Do you think the Army has done all that it can do to insure that Negroes are treated fairly and equally, not only in terms of official policy but right down to man-to-man, commander-to-troop relationships? Or do you think there is still more the Army, from the Pentagon to the orderly room, can do toward treating blacks?

WESTMORELAND. In the first place, I think you should recognize that the United States Army has been a national leader in integration. We have made an important contribution to American society over the years. But certainly we cannot rest on our laurels. We are not doing so. I had an indepth study made on this problem in 1969, and at that time we became keenly aware of the problems involved. I initiated a number of programs designed to insure equal opportunity and rid our ranks of discrimination. Basically, I think we have accomplished this, but we haven't "batted a thousand." We encounter problems every day.

The policy which the Secretary and I have enunciated, however, is well understood. Both of us have spoken at equal-opportunity conferences here in Washington and a Fort Monroe, Va. We are continuing to study the matter. We have set up equal-opportunity officers at the major headquarters to advise commanders. We have established committees to discuss and lay bare the problems in order to bridge the communication gap which has existed, to some degree, between blacks and whites.

We are doing our best to utilize black officers in the most effective way. We have a splendid group of black officers. We are concerned that we are not getting enough black lieutenants into our ranks. This hurts

us now and creates a problem for the future as well. We've designed special programs to attract additional black lieutenants. As you well know, I have been a great champion of the black soldier. He certainly has performed well for me over the years—particularly in Korea and Vietnam.

The race-relations problems we face also exist in our civilian society. They are problems which must be addressed. We are addressing them head-on in order to make known throughout the ranks the fact that any discrimination is not tolerated within the United States Army.

#### Reaction to the Calley case

**FAMILY.** Are you surprised about the reaction that appears to be pouring into the Pentagon, Capitol Hill and the White House on the conviction of 1st Lt. William L. Calley? Are you surprised that the people seem to be taking the Army to task?

**WESTMORELAND.** It would be improper for me to talk about the Calley trial, the findings, the sentence, or any of the testimony given. On the other hand, I will talk about the principles involved.

The Army is guided in its conduct by the laws of the land. The Geneva Conventions of 1949 were ratified by the U.S. Senate and came into force for our country on Feb. 2, 1956. On that date, they became a part of the law of the land. Accordingly, the Army adheres to them. Technically speaking, we must. From a moral standpoint, however, we would not be a party to any other type of action.

Cases involving alleged violations of the rules of land warfare, as specified by the Geneva Convention, have been handled strictly in accordance with the Uniform Code of Military Justice. A military court is a jury of officers. In some cases the court can contain NCOs, also. In the Calley case the court consisted of six officers. All these officers had combat experience, and five had served in Vietnam. This was a jury-type action conducted strictly in accordance with the UCMJ—a part of the American system of justice. The review procedures established by the UCMJ are carefully prescribed and will, of course, be followed.

I think this due process came as somewhat of a shock to the American people. Unfortunately, the Army couldn't do anything about this. Any statement about this case could have jeopardized the trial; in other words, it could have been prejudicial to the accused. To protect his interests, the Department of the Army did not, and could not, offer any explanation of the events to the American public.

### IMPOUNDMENT BINGE BY BUDGET BUREAU COSTS PRESIDENT IN LEGISLATIVE SUPPORT

**HON. JOE L. EVINS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. EVINS of Tennessee. Mr. Speaker, in an excellent article in the National Journal, writer Andrew J. Glass in a comprehensive, indepth study reports as follows:

White House officials have increasingly come to recognize that resentment over the frozen funds on Capitol Hill may cost President Nixon vitally needed support for his legislative program.

Certainly the arbitrary and excessive impounding and freezing of funds appropriated for important and essential programs and projects by the Congress

by the Office of Management and Budget has aroused deep resentment in many areas of the Congress because these impoundments constitute an assault on the constitutional power of the purse of the Congress.

The National Journal in its article lists the strong opposition to excessive impoundment of funds appropriated by the Congress by many leaders and Members including:

Speaker CARL ALBERT, Majority Leader HALE BOGGS, Majority Whip THOMAS P. O'NEILL, and Representatives CHARLES E. BENNETT, ROBERT N. GIAMMO, EDWARD P. BOLAND, chairman of the Subcommittee on HUD-Space-Science Appropriations; JAMIE L. WHITTEN, chairman of the Subcommittee on Agriculture-Environmental and Consumer Protection Appropriations; WILLIAM L. HUNGATE, WILLIAM R. COTTER, and ELLA T. GRASSO, and others.

Senator Majority Leader MIKE MANSFIELD and Senators ALLEN J. ELLENDER, chairman of the Senate Appropriations Committee; JOHN SPARKMAN, chairman of the Banking and Currency Committee; SAM J. ERVIN, chairman of the Judicial Subcommittee on Separation of Powers; HUBERT H. HUMPHREY, HENRY M. JACKSON, CHARLES MCC. MATHIAS, JR., Senator FRANK CHURCH.

Organizations who have announced their opposition to the excessive impoundment of appropriated funds by OMB include:

The National League of Cities—U.S. Conference of Mayors; National Association of Home Builders, American Transit Association, National Housing Conference, National Association of Housing and Redevelopment Officials, Highway Users for Safety and Mobility; American Association of State Highway Officials, the AFL-CIO, among others.

Mayors John Lindsay, of New York, Thomas J. D'Alesandro, of Baltimore, Lee Alexander, of Syracuse, N.Y., and others have testified in opposition to the freezing of funds for important programs for the cities.

Many other officials and leaders not listed in the Journal article have testified before various Appropriations Subcommittees as in opposition to impoundment.

Because of the importance of this subject to my colleagues and the American people, I place excerpts from the National Journal article in the RECORD herewith.

The excerpts follow:

A major political battle is underway over \$12,373,000,000 that Congress has appropriated for the current fiscal year but which the Administration is refusing to release to spend.

As the fight has progressed, White House officials have increasingly come to recognize that resentment over the frozen funds on Capitol Hill may cost President Nixon vitally needed support for his legislative program.

Consequently, the Administration is now taking a more conciliatory approach in its dealings with Congress on the issue. A net total of \$389,000,000 has been released from previously blocked accounts since late March, when the unspent funds reached a peak 1971 level officially reports as \$12,762,000,000.

The practice of declining to spend appro-

priations signed into law is known as executive impoundment.

Although impoundments rose to an all-time record level of \$12,900,000,000 during fiscal 1970, political attacks against the policy remained relatively muted so long as Mr. Nixon could defend the practice as an essential instrument in his anti-inflation campaign.

But this year, the emphasis has shifted from combating inflation to spurring a sluggish economy and checking unemployment, which stood at 6.1 per cent of the work force in April. These were principal goals behind President Nixon's adoption of the "full employment" idea in his fiscal 1972 budget.

In view of this change in focus, Democrats in Congress, aided by like-minded pressure groups, have attacked impoundments, raising four basic charges:

That a Democratic-controlled Congress substantially reordered national priorities in 1969 and 1970 by redrafting large portions of the Nixon budget only to see this reordering undermined by impoundments.

That the money being withheld is heavily weighed with sums culled from programs initially enacted during Democratic Administration's—programs aimed at easing the fiscal plight of big U.S. cities, which are for the most part under Democratic political control;

That the Administration intends to withhold the impounded money well into fiscal 1972 (which begins July 1, 1971), when it will eventually be released in conjunction with next year's appropriations in an effort to shock the economy out of its doldrums and cut the unemployment rate prior to the 1972 national elections;

That the President views the impounded money as a bargaining chip, with legislative approval of major Administration proposals as his price for releasing a substantial portion of the funds.

Almost all of the impounded money is being withheld as a matter of policy not by the agencies to which the appropriations were made but by the Office of Management and Budget, formed last year as a successor to the Budget Bureau in an effort to give the President tighter control over federal outlays.

OMB Director George P. Shultz has rebuffed an informal proposal by members of the House Appropriations Committee that his agency keep them abreast of specific impoundments. "I would not want to make a commitment that every time we turn around . . . we make a report and send it around—"

But top OMB officials privately concede that Shultz has yielded to anti-impoundment pressures in recent weeks—at the very least halting an upward spiral in the level of withheld funds. Specific impoundments released since March 26 include:

All \$109 million that had been withheld from private U.S. maritime interests for payment of operating-differential subsidies:

\$20 million of \$38 million for the Office of Economic Opportunity.

\$48 million of \$49 million for an emergency credit revolving fund run by the Farmers Home Administration in the Agriculture Department.

Still, the over-all downward trend is only a 3-per cent drop from the peak level, and many major accounts remain impounded.

For example, OMB officials have refused to release any of the \$1,175,500,000 now blocked in four huge frozen accounts of the Housing and Urban Development Department—for low-rent housing, model cities, urban renewal and basic water and sewer grants.

On a selective basis, OMB also has staked out fresh areas for impoundment. Thus, in late April, an impoundment order froze \$25,000,000 earmarked for Alliance for Progress loans in Latin America, on grounds that there was no current demand for these loans.

Democratic leaders in the House have raised the issue of Administration impoundments as one of their major political themes this year.

The issue reached the House floor on April 27, when Majority Whip Thomas P. O'Neill, Jr., D-Mass., introduced a joint resolution instructing Mr. Nixon to release forthwith all impounded monies (H.J. Res. 577).

The President is holding these funds back for one reason, O'Neill told his colleagues. "(He) hopes to make these funds available in September so that the economy of the nation will be high. He has his eye on the election of 1972, and he wants to look good. That is why it is unfair."

The anti-impoundment drive, now in full swing as a publicity campaign, gained momentum in late March, when a heavily Democratic delegation of mayors from the nation's leading cities tried in vain to bring House Democratic leaders behind the Nixon revenue-sharing plan.

The main leadership response was to seek to change the focus to the impoundment issue, an area in which the mayors and the House leaders are in full accord.

Thus, while O'Neill was announcing his resolution in the House, Majority Leader Hale Boggs, D-La., said:

"It (impoundment) is particularly wrong now because the President is asking for revenue sharing with no strings attached. He is talking about revenue sharing for the cities when at the same time he is holding up funds that have been appropriated that are desperately needed by the cities.

Albert's role—House Speaker Carl Albert, D-Okla., has lent his personal prestige to the drive. At a March 25 press conference, the Speaker decried impoundments as "simply unacceptable."

His attack followed by two days a White House meeting between the President and big-city mayors at which, Albert learned the mayoral delegation raised the impoundments issue.

Following the Speaker's initiative, two freshman Democrats from Connecticut, Reps. William R. Cotter and Ella T. Grasso, announced that they would present a resolution to the House Democratic Caucus calling for "immediate release of all such appropriated funds." Their resolution was passed April 22 on a motion by Boggs.

Several members of the appropriations panel have spoken out against the Nixon impoundments. They include Reps. Robert N. Gialmo, D-Conn.; Edward P. Boland, D-Mass., chairman of the Subcommittee on HUD-Space-Science; Joe L. Evins, D-Tenn., chairman of the Subcommittee on Public Works—AEC; and Jamie L. Whitten, D-Miss., chairman of the Subcommittee on Agriculture-Environmental and Consumer Protection.

Evins' attitude is typical of the appropriations subcommittee chairmen whose sectors of the budget have been affected by the impoundments.

In a March 23 statement, he accused OMB of "arrogating power vested in Congress by the Constitution by disregarding priorities set by Congress and substituting its own judgment—rewriting legislation and appropriations—in effect, exercising what amounts to unconstitutional item vetoes."

An OMB decision to impound \$600,000 for an American Museum of Atomic Energy at Oak Ridge, Tenn., has particularly infuriated Evins. The fiscal 1972 budget channels money for the museum (which would be built in his home district) into the general fund of the Atomic Energy Commission, a step that Evins calls "an unconstitutional item veto."

Until this year, Evins chaired the HUD appropriations subcommittee now headed by Boland.

Evins and others have focused much of their criticism on public works impoundments.

The Administration has impounded \$91,700,000 in fiscal 1971 funds which Congress appropriated to begin construction on 145 public works projects which had not been approved in the President's budget. Funds for all of the new projects initiated by Congress are impounded, although some Administration-budgeted starts are going ahead.

Rep. William L. Hungate, D-Mo., has introduced a resolution (H. Res. 305) stating that it is the sense of the House that the President "should provide for the immediate release of funds which were appropriated by Congress for public works . . ." The resolution has 78 cosponsors.

Rep. Charles E. Bennett, D-Fla., entered the dispute after the President on Jan. 19 indefinitely froze funds for construction of a cross-Florida barge canal, which was begun in 1964 and is about one-third complete. Some \$60 million has been appropriated to date for the project.

It is not a simple question of impounding funds, Bennett said. It is a simple question of repudiating the Constitution. There is not a court in the land that is going to uphold the President in this action.

On March 30, Bennett introduced a resolution (H. Con. Res. 244) to create a Joint Committee on Impoundment of Funds, which would conduct a continuing review of impoundment practices.

In Ford's (Gerald Ford, R-Mich. House Minority Leader) estimation, the Administration's initial loss in the House on the supersonic transport program was directly related to the President's impoundment policies. "The issue was decided by Members who opposed the President's project because he had put their projects on ice. They found it difficult to vote for jobs for aircraft workers in Seattle when the Administration had cut off jobs at home," Ford said.

Republicans who acknowledged to Ford that their SST votes were influenced to some degree by impoundments include Reps. H. Allen Smith, Calif., who has a half-completed freeway project in his district; John J. Rhodes, Ariz., whose district would benefit from the central Arizona water supply and irrigation project; and Joel T. Broyhill, Va., who has a yet unstarted \$10 million flood control project in his Washington, D.C., suburban district.

The Senate matches the House in the intensity of its concern over impoundment. But Senate criticism has aimed more at an alleged erosion of legislative power over the public purse and less at specific impoundment actions.

Majority Leader Mike Mansfield, D-Mont., told National Journal: "I don't think the President has the right to impound funds. They must spend the money, unless they have good and valid reasons for not doing so."

On April 5, Mansfield proposed that the House, which by tradition initiates all appropriations bills, should go to court to force the President to release impounded funds. "A grave constitutional question is involved," Mansfield said.

Mansfield has not brought the impoundments issue before the Senate Democratic Policy Committee, which he heads. One member of the panel said privately: "It's a damn good issue for us. But, right now, Ervin is running with the ball. I think the guys would like to see what develops over there first."

The informant was referring to Sen. Sam J. Ervin Jr., D-N.C. chairman of the Judiciary Subcommittee on Separation of Powers, which held hearings critical of impoundment practices in late March.

Two potential 1972 Democratic Presidential nominees have entered the impoundments dispute: Senators Hubert H. Humphrey, Minn., and Henry M. Jackson, Wash.

A powerful apostle of the anti-impoundments faction is Sen. Allen J. Ellender,

Chairman of the Senate Appropriations Committee.

Ellender's threat to use the powers of the Senate Appropriations Committee to combat future impoundments and to rescind old ones could be a serious one.

There isn't a day that passes that they (OMB) don't come around and ask us for something, Thomas J. Scott, the committee's veteran chief clerk, told National Journal.

Two companion sets of public hearings during the current session have brought the impoundments issue into sharper focus in the Senate.

The first was held March 3-4 by the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs. A second set was before Ervin's Judiciary subcommittee, March 23-25.

Sen. John Sparkman, D-Ala., chairman of the full banking committee and the subcommittee holding the hearings, sought to require the Nixon Administration to justify its withholding of \$1.3 billion in funds for public housing, model cities, mass transit and water and sewer programs.

Ervin plans to introduce legislation to permit any Member of Congress to challenge impoundments from the House or Senate floor, without prior reference to a congressional committee.

High-Level members of the President's personal staff who must deal directly with Congress or with the press recognize that the President has suffered a blow from the high levels of impoundments.

Presidential Counselor Clark MacGregor told National Journal that some impounded funds would be released in mid-May. In meetings with the President, MacGregor has urged lifting impoundments on a selective basis. One purpose, he said, might be to aid sections of the country hit hard by unemployment, such as Seattle, where layoffs at the giant Boeing Co. have increased since termination of the SST program.

MacGregor said he also favors releasing funds for activities such as housing for the elderly—a program popular on Capitol Hill. Freeing funds for such programs as these, he said, will entail "small dollars, but benefits."

As the chief Nixon Liaison on the Capitol Hill, MacGregor is mindful that the release of impounded funds would improve chances of passage for other Nixon-backed programs.

MacGregor said "there is no question" that the Administration lost an SST decision in the House March 16 because of executive impoundments. You could say it was a determining factor, he said.

In a "deep background" session with reporters on April 7, Herbert G. Klein, director of communications for the executive branch, said the impoundment process has caused more individual complaints on Capitol Hill than any other issue.

Klein said May 10 "It (the impoundment policy) is not locked in concrete. At least the concrete has not dried."

Of the appropriated funds that were impounded March 26, OMB reports that \$10,798,000,000 is being reserved for use in fiscal 1972 and beyond \$1,025,000,000 is being held "for contingencies," \$570,000,000 is being held up until specific projects for which these monies are earmarked are approved.

A wide range of powerful interests directly affected by the impoundments policy have entered the dispute, seeking to compel the Administration through a combination of political pressure and threats of legal action, to release the money.

Hard-pressed for funds, the nation's Governors and mayors have led the fight against Administration impoundments, with Democrats and Republicans joining equally in the battle. They have been bolstered by a host of quasi-public and private groups.

The National Governors' Conference, meet-

ing last August in Lake of the Ozarks, Mo., challenged the Administration's basic right to impound funds.

On March 28, the Democratic Governors' Caucus, meeting in St. Louis, passed a resolution calling upon the President "to release all funds already appropriated by Congress but currently being withheld."

At a two-hour meeting with Mr. Nixon on March 23, a 30-member delegation of big-city mayors sought release of \$1.3 billion in appropriated urban funds.

From the witness chair, Baltimore Mayor Thomas J. D'Alesandro III, D. asked the panel: What can the cities of this country do to get the money released? What can Congress—and, in particular, this committee—do?

The remaining mayoral witness, Lee Alexander, D-Syracuse, N.Y., chairman of the National League of Cities Community Development Committee, voiced strong support for the Nixon general revenue-sharing concept.

But, he said, "it is difficult to focus our attention on these reforms when it appears that some of our most essential programs currently aiding our cities are being curtailed. We would be able to approach a discussion of the President's proposals with greater confidence if full use were being made of the present meager funds."

Statements attacking the impoundment policy have been issued by the National Housing Conference, and the National Association of Housing and Redevelopment Officials (NAHRO), which represents housing authorities and urban renewal departments.

The Executive Council of the AFL-CIO, meeting May 11 in Atlanta, said the impoundments revealed "a firm determination to manipulate the federal treasury as a political tool in preparation for the 1972 election campaign."

The AFL-CIO added, in a statement, that the Administration had made "a cynical political decision to hold the funds until they can be doled out piecemeal to achieve maximum economic impact at a time when maximum political effect is desired."

The Nixon Administration's impoundment policies raise both constitutional and political questions which have yet to be resolved.

Although the Constitution offers no specific instructions on impoundment of appropriated funds, it does offer guidelines.

An item veto is not provided. The President must either veto an entire bill or sign it into law. Congress may override the veto with a two-thirds majority.

In the military sphere, the Constitution reserves to Congress the right to "raise and support armies" and "provide and maintain a Navy."

Mr. Speaker, the broad opposition in Congress and throughout the Nation to the action by OMB in the freezing and impounding of funds during a period of high unemployment testifies to the need for the administration to release funds in the public interest.

## REVIEWING POVERTY IN AMERICA

### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. DELLUMS. Mr. Speaker, I insert in the RECORD today a clearly focused overview of poverty and welfare in this country, contributed by a young man, Greg Bowers, whom I met recently on a speaking engagement at San Jose State College in California. I believe it would

be valuable for my colleagues to keep in mind the vivid picture drawn by this man's research. We in the Congress have the responsibility for addressing the problem of poverty with more than stop-gap measures or token programs that fail to answer the despair of those who have missed out on the American dream.

The material follows:

#### POVERTY

(By Greg Bowers)

I. No statistics can describe the sterility of hope and mind that characterizes poverty. No statistics can measure the emptiness of time as unemployment weighs heavy on idle hands. No statistics can depict the despair of the worker who brings home a paycheck that is totally inadequate for the sustenance of his family.

Yet some statistics are necessary. They do provide more tangible dimensions of the poverty problem and they do give us a "handle," as they say, in dealing with it. The statistics show that poverty is a pervasive phenomenon in our Society, even though we have made some significant inroads against it. In 1959 about 22% of our population were defined as poor by the official Government definition developed by the Social Security Administration. By the end of 1968, that number had been reduced to 13%—a very substantial gain in the fight against poverty. Yet, that 13% still represents some 25 million people, many of whom—the severely disabled, the aged, and those generally unfit for work—are not able to bring themselves out of poverty.

Though many of those 25 million people have incomes considerably above the median income of the general population in many other nations of the world, they are poor—and pitifully so—by US standards and prices. According to the poverty index prepared by the Social Security Administration, any non-farm family of four which has an income of less than \$3,553 per year is considered poor. That sum works out to only \$2.43 per person per day to live on.

The statistics provide still other dimensions. About one-half of the nation's poor families live in the South, though poverty is well known throughout the nation. One-half of the poor are children under eighteen. Poor families are frequently larger than average size. About one-fifth of the poor are aged 65 and over; and many of the poor are in families headed by women. Perhaps most striking and baffling of all, one-third of the poor consist of families in which the father worked throughout the year, (1A)

They are the people who are in the backwaters of the economy—on small marginal farms where there just is not enough to take a living out of the soil any more. They are people who get sick and don't work for six months of the year. They are people who are dependent on seasonal types of industry. They are people who are not very skilled, who can't produce a lot, people of low intelligence. (2A)

A majority of the welfare recipients in the country are white (58%) and thousands of them—many from high-paying jobs, especially in engineering—are now discovering the shock of poverty for the first time. Forty-two per cent are nonwhite, more than three times their proportion of the population—testimony to the dislocation and discrimination in American society. Hundreds of thousands of blacks left the Deep South in the two decades following World War II. But a number of studies indicate that by and large they went north (and still go, though in smaller numbers) looking for work, not welfare. Most do not seek public aid until several years after they arrive. (2B)

II. Poverty, in addition to being a pervasive phenomenon, is also a very complete phenomenon; and its roots are many. People are poor because of low productivity due to a

lack of education or training. They are poor because they may be handicapped or in ill health, or victim of discrimination, or had their skills made obsolete by a changing technology. They may be insufficiently mobile to go where the jobs are or they may be ignorant of them. They may be retired without a sufficient pension or savings. Or they may have family responsibilities which prevent them from going to work. Some are poor because poverty breeds poverty through family instability, delinquency, or a lack of opportunity to develop one's full potential. Most are poor for reasons outside their own control and obviously need the help of others. (1B)

III. Today, the lives of fully 13.5 million Americans depend on the jury-rigged red-taped apparatus of welfare in the US—increase of 70% over five years ago and a jump of 41% in the last 14 or 15 months alone. In Boston, incredibly enough, one person out of every five receives some sort of public assistance. In New York and San Francisco, the figure is one in seven, in Los Angeles, one in eight. (3A)

California and New York together account for 3,000,000 people receiving aid and distribute almost 37% of the nation's welfare money. The Cook County rolls will increase from 485,000 at the end of 1970 to 625,000 this year. In Newark, 25% of the population is getting aid, and Essex County Welfare Director Philip K. Lazaro says: "We are on the brink of financial disaster."

The drastic rise is almost uniform across the states, regardless of geography and size. In Los Angeles, the case load is now above 800,000 and rising by 10,000 to 15,000 a month. In the ten years from 1960 to 1970, the number of people AFDC covers has risen from 3,023,000 to 9,500,000; the cost has gone from \$1,056,000,000 to \$4,800,000,000. In the Northeast, Pennsylvania's welfare of costs have gone from \$314 million in 1967 to an estimated billion dollars this year, and its welfare population has more than doubled; in Massachusetts, 3.9% of the population received help five years ago, while 8.6% get it now. In the Southwest, Texas saw its welfare rolls grow 67% in one year after a change in the laws. In the Midwest, Michigan expects to have one citizen in seven on welfare by 1972; last month Governor William Milliken proposed a cut in school funds of \$15 million to help pay the current bill. (2C)

Currently there are four State-administered programs for which the Federal Government pays most of the costs as well as many limited local programs in which the Federal Government plays no role. The Federally financed programs are Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children. In 1968 some 11 million persons of the 25 million poor received aid from one or another of them during some part of the year. It is this difference of some 14 million which has become a major rallying point of those who would guarantee assistance to all in need. For the current public assistance programs are not universal but categorical, and many of the poor do not fit the prescribed aid categories. (1C)

For present AFDC families—or any family with children and no employed parent—FAP will guarantee a minimum income: \$2,400 in Federal funds for the typical family of four, but the family will not be eligible for food stamps. Stamps for a family of four works out to be about \$864. States, mainly in the South, that pay less than the Nixon minimum would not be required to make any contributions at all to the plan—a bonus that may pay political dividends for the President; in the North, where welfare payments generally considerably higher, the exception is that states would pay two-thirds of the difference between the FAP level and their own—with the Federal government kicking in the final third and probably a bit more. But the real attraction for the states,

as HEW planners see it, is the stipulation that no state's welfare bill in the future need be more than 90% of what it is now. In other words, regardless of how the welfare rolls grow, the Federal government promises to make up the added cost.

FAP also contains a new and comprehensive plan for the "working poor"—up to 11 million Americans whose full-time breadwinners cannot pull them across the poverty line. They constitute about 40% of all poor Americans but have generally not been able to qualify for welfare assistance. Under the President's plan, a "working poor" family of four would be able to keep their earnings and receive a government income supplement as well. The Federal booster drops off when the family's own income goes above \$3,920, safely above the poverty line. Inclusion of the working poor could nearly double the number of those on welfare to 24 million—although Presidential advisers doubt everyone eligible would apply. (3B)

Suppose John Brown had a job making \$2600 per year, then he would still be entitled to receive \$1320 from the Federal Government.

#### UNSATISFACTORY SATISFACTION

##### I Substandard Living Conditions:

A. Welfare diets are substandard almost by definition and the results are inescapable: listlessness and lack of energy for adults and children alike. "The kids go to school most of the time with nothing at all," complains a militant New York welfare mother. "Now when he does that he's gonna nod. He's gonna be nodding all the time. And the teacher can call on him from 9 until doomsday and his mind ain't gonna catch on." (3C)

B. Last year a freelance writer, Mrs. June Bingham, tried to live on a welfare food budget. She learned about flash hunger pains and biscuits to assuage them, but even more about the debilitating effect of a lack of protein and vitamins. "I began to understand why poor children fall asleep in class," she reported. At the end of her welfare week, she had an egg for breakfast. "It gave me indigestion. I think perhaps it always will. If the occupational hazard of poverty is a chip on the shoulder, then the occupational hazard of affluence is insensitivity." (2D)

C. The public housing has been absolutely inadequate, unhealthy and unsafe for normal living conditions. For instance, New York City's Broadway Central Hotel, where the 31 year old black welfare recipient currently lives with her nine children and with 300 other welfare families who, for a complex range of reasons, have been unable to find low-cost apartments. The Broadway Central once ranked among Manhattan's most fashionable establishments, but last week it was a warren of despair. Some doors sagged on broken hinges, the billous green walls were grimy and graffiti-stained and the gagging stench of excrement oozed from a hallway toilet. Mrs. Neal stared dully at an enormous cockroach skittered across a table, fell to the floor and disappeared under the filthy carpet. "I sleep on the floor," she said wearily. "We only have one bed, you know, and so sometimes I sleep on the floor." Mrs. Neal sighed as she gazed around the room, which contained only one dilapidated dresser, a table, one small soiled chair, a packing trunk and the rickety bed. Down the hall from Mrs. Neal's room, hot water hissed from a broken tap in the men's room. "I just make it," she finally said quietly. "I just make it." Health conditions in kitchenless rooms where families must cook on hot plates and wash dishes in bathroom sinks are atrocious. "Dysentery in these places is almost epidemic," reports Dr. Emil Pascarelli, chief of community medicine at Roosevelt Hospital. "There is a much higher incidence of respiratory and strep infections." Mrs. Angelica Mangual, a crippled mother of five living at the Manhattan Towers, put it simply and poignantly.

"Because we're always getting colds, you know, and infections." (3D)

##### II. Inequities in Various States:

A. There are, as you are undoubtedly aware, many other criticisms leveled at our present welfare system. In addition to the charge of inadequate coverage, there is that of inadequate benefits and widespread differences among the states in the levels of benefits paid. The average benefit to families with dependent children is \$40 per month per recipient. But average payments range among states from about \$8 to \$65 per month per recipient. Even if one allows for geographic differences in the cost-of-living, many of the states' benefit levels are obviously much too low; and the inequities are readily apparent in a system that permits people who are equally poor to receive such unequal aid. (1D)

B. For none of the State-administered programs has there ever been a national, uniform standard. Though the Federal Government pays approximately half the cost of all the basic programs except General Assistance, how much an individual receives is determined by what his state is willing to spend. In Mississippi, a mother and three children under AFDC must live on \$840 a year; in New Jersey, the same family would receive \$4,164, with no other circumstances of their lives changed. Washington sets some of the rules. To get at the funds, the states and localities meet the rules, often grudgingly, and then set some of their own. Rarely is bureaucracy flexible enough to encompass complex human situations. Often regulations that were sensibly written to prevent abuses end up strangling the system. (2E)

A. The excessive surveillance by the welfare establishment has also come under censure. There has been severe objection to the substantial and "overly zealous" caseworker involvement in the regulation of the welfare recipients' lives. (1E)

B. In Detroit, it means the threat of "special investigation" visit at 3 am and the warning that "indications of faulty house-keeping" may jeopardize assistance. "Indeed, a vigorous investigation in Nevada recently resulted in the disqualification of 22 per cent of all AFDC cases because previously undeclared income rendered them ineligible. Yet other studies in other states have shown the amount of fraud to be far less than the myth would have it. In perhaps the most celebrated case of its kind, a welfare crackdown in Newburgh, N.Y., in 1961 turned up only one able-bodied man on the town's welfare rolls. More recently, Vermont's Republican Gov. Deane C. Davis hired a pair of Pinkerton detectives to look into the rapid growth of state welfare costs under his Democratic predecessor. As it happened, the \$10,000 paid by Davis for the investigation far exceeded welfare losses in the seven cases of chiseling that it turned up. In New York, Columbia welfare expert Ginsberg estimates the number of ineligible on the rolls at only 2 to 3 per cent. (3E)

##### IV Lack of Incentives:

A. Finally, the charge of perverse incentives is raised. As currently set up, aid to families with dependent children encourages the break-up of the family. In many instances, husbands have allegedly deserted their wives so that the wives could collect assistance payments which would have been denied to them if their husbands were living with them. In addition, the wide disparity in state benefit payments serves to encourage uneconomic migration and compounds the welfare problem elsewhere. And lastly, the whole concept of forcing relief recipients to give up all or a major part of every relief dollar for every dollar earned certainly operates to discourage any incentive to work. (1F)

B. In Berkeley, Calif., a young husband and father, unemployed but trying to improve his future by attending college at

night, is receiving aid. His caseworker informs him that by going to school he is violating the rules: he must be available for employment at all times. He quits school and is still on welfare. In New York's Puerto Rican barrio, a 32-year-old woman, born into a welfare family, has lived through an unremitting succession of misfortunes to herself and her five children. She takes some pride in having manipulated public and private welfare agencies to produce benefits of \$368 a month. She has never had a stable family life with a man. She finally finds one: a neighbor with a steady job who wants to marry her. But he cannot: she and her children would lose all aid, and they are beyond his means of support.

She and many others are victims of the "notch effect" that diminishes the impact of America's welfare programs by diminishing incentives for self-improvement. A realistic example: a family receives benefits of \$350 a month. The mother gets a \$450-a-month job, but it involves expenses such as travel and baby sitters. The salary, however, puts her over the allowable income—the notch—and because the family loses all benefits there is no incentive to work. (2F)

#### SOLUTION

I A. President Nixon does not characterize his recent welfare reform proposal as a minimum income guarantee for families with children (because it requires male-headed families receiving it to register for work training) it can be considered one for practical purposes. When such plans are universal, rather than restricted to a selected population category, they have been more commonly referred to in the literature as a negative income tax. No one likes the negative income tax label and the trend is to try to avoid it. Hence, the rise of such names as "income supplementation" plans or "family assistance" plans: The latter is the term for Mr. Nixon's welfare recommendation. Thus, the Nixon proposal makes assistance available to all low income families with children, including those of the working poor. Third, the payments are structured in such a way as to provide more financial incentive for work or training than does the present welfare mechanism. Families with no income receive a set minimum income guarantee which will vary by family size. Families with income receive a smaller governmental income supplement. As a family's earned or imputed income rises, the governmental supplement decreases—but only by a fraction of the increase in income. Thus the plans give each income supplement recipient some incentive to work. Those who work will always have somewhat more income than those who do not. (1G)

B. The FAP game plan for the nonworking poor is considerably more complex, controversial and problematic. Basically, all state and Federal sanctions against the presence of employed adults in welfare families will be swept away. Indeed, all able-bodied adults—except mothers of pre-school children will be required to sign up for jobs or job training. The system will rise or fall on the effectiveness of a program of 150,000 new job-training slots and a network of day-care centers for half a million children. The centers are the key to channeling mothers—the majority of nonworking adults now on welfare—into the job market. Whether it is wise—or practicable—for government to force mothers to go to work is the subject of hot dispute. The likelihood is that most of these women—and welfare men as well—will have to work at substandard wages of \$1.20 an hour—a prospect that spurs welfare activists to complain about "slave labor" and insist that these are the only spots open in plantation psychology. But HEW architects insist that these are the only spots open in the economy—even after unemployment returns to normal levels—and that they will

provide beneficial "experience and skills." Richard Nixon's campaign emphasis on putting the poor to work—in one incarnation, FAP was actually referred to as "workfare"—has reinforced doubts about the possibly punitive aspects of the program. (3F)

Nixon: "I think those who refuse to register for work and accept work or training should be ineligible for welfare payments, and we have written such a stipulation into our welfare-reform proposal." The President was responding to arguments from the liberals that the work requirements for those on welfare would be too stiff or impractical. From the standpoint of congressional liberals, the vast number of those now on welfare are aged or families with dependent children. Also, at a time the United States is suffering 6% unemployment, it is especially unrealistic to expect that those in need of welfare are going to be given jobs, even if properly trained. (4A) The FAP has been attacked because it simply does not give the poor enough money to bring them above the poverty line (currently set at \$3,967 for an urban family of four). By the Government's own standards, the proposal falls as short of the goal as the present system. A more fundamental criticism is that FAP does not offer any broad attack on the structural causes of poverty, as many Great Society programs attempted to do. (2G)

C. One possible alternative: the President could put aside his revenue-sharing plan and instead propose a full federal take-over of welfare. A number of benefits might result: the states and cities would have available for other programs the \$6 billion they now spend on welfare—in effect, the no-strings money they would get under revenue sharing; with only the Federal Government financing welfare, one standard of aid would apply nationally, and one set of rules. (2H)

D. Since Nixon's plans must, for cost reasons, start out by closing only a portion of the poverty gap, there obviously will remain a need for other assistance for very large segments of the population. It seems doubtful that the nation could ever completely substitute the new system for the multiple structure we now have, particularly because it will never be flexible enough to meet the many-faceted needs of the poor, the multi-sided causes of poverty and geographical differences. Certainly for some time to come we must expect that we will continue to have in many areas, much the same kind of welfare system we now have. If that is so, we shall still be left with much of the so-called "welfare mess" and things will have been made even more complicated rather than simplified. We will then wind up with much of our present troubles plus a program that is completely new and different, and possibly incompatible in philosophy, concepts and mechanisms. (1H)

Therefore, I suggest the following implementations be amended to Nixon's Family Assistance Plan.

#### II Substandard Living Conditions:

A. Provide a Federally financed guaranteed income so that all of the poor, including those who are single, would receive a total income above the poverty line; so that the people will not starve from lack of proteins and vitamins.

B. Provide modern and adequate living conditions, so that the people will not have to live in condemned housing.

#### III Inequities in Various States:

A. Provide an equal amount of guarantee income in every state, so that all the people will be able to live above the poverty line.

#### IV Incentives:

A. Provide Federally financed educational institutions which would include room and board; so that all the people would have an equal opportunity to further their education. So that the nation as a whole, would benefit by the investment in her human resources.

B. Provide Federally financed medical institutions, so that all the people that cannot

afford it will be able to have adequate medical attention.

C. Provide an expansion in technological advancement, such as Oceanography, Ecology, Bacteriology; so that all the people will have an equal opportunity for employment.

D. Provide child care centers for those parents who are tied down by their children.

E. Provide decent (on the job training) positions for those who can't complete their education; but if they decide to continue their education, provide an equal opportunity for them to recontinue their education.

I In any case, it seems to me that the Congress and the thought leaders of our country should undertake serious examination of this subject in order to prepare for early action. We must overcome the failures of our present welfare system and we must take immediate steps to alleviate in an important degree the evil of poverty.

### REGULATORY AGENCIES' GUIDELINES TO FINANCIAL INSTITUTIONS IN COMPLYING WITH FAIR CREDIT REPORTING ACT

#### HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mrs. SULLIVAN. Mr. Speaker, the financial pages of last night's Washington Evening Star carried a news article from the New York Times news service under the headline "Many Home Loans Frozen by Credit Reporting Act." The article stated that, "ironically," a law intended to help consumers has resulted in "a new and completely unforeseen problem" that is "threatening to cut off the flow of funds to thousands of qualified home buyers all over the country."

This fear was based on interpretations said to have been reached by "lawyers all over the country" that the Fair Credit Reporting Act, which was enacted October 26, 1970, and went into effect a month ago today on April 25, 1971, as a new title VI of the Consumer Credit Protection Act of 1968, may place mortgage lenders in the position of being "consumer reporting agencies" if they relay to the FHA or VA the required credit bureau reports on applicants for Government-insured or guaranteed home mortgages.

I do not doubt that some lawyers may have seen such a possibility in the new act. I know that the American Bankers Association recently reported the possibility of this kind of interpretation. Some banks are said to have decided to hold off for the time being on issuing FHA or VA mortgages until the law is changed or other assurance is given that they would not be regarded as "consumer reporting agencies" merely by turning over to the FHA or VA a credit report on the applicant obtained from a credit bureau. A bill was introduced yesterday, I find, to amend the new law to clarify the position of so-called "joint users" of credit bureau reports.

Aside from the fact, Mr. Speaker, that banks have been notoriously disinterested, by and large, in writing FHA and VA mortgages, I do not think there is any real basis for the fears some bankers have expressed about their "unforeseen"

problems under the Fair Credit Reporting Act.

#### FEDERAL RESERVE ANNOUNCEMENT DISCUSSES "JOINT USERS" ISSUE

By coincidence, the Federal Reserve Board today made public the policy guidelines prepared jointly by the Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board in carrying out their administrative and enforcement responsibilities under the act among the financial institutions which they respectively supervise. The document contains 60 different situations covered in question-and-answer form, one of which is particularly relevant to the issue of "joint users" raised by some bankers. This discussion, under question 19, is as follows:

19. Does a financial institution become a consumer reporting agency by transmitting information obtained from outside sources to another party involved in the same transaction?

No. The financial institution would not become a consumer reporting agency since it is a joint user of the same information with the other party involved in the same transaction. For example, a financial institution does not become a consumer reporting agency by transmitting such information to an insurer or guarantor (as in the case of FHA, VA, private insurers or insured student loan programs), or to a participating financial institution in connection with the same transaction, or to a collection agency in connection with its efforts to collect on the transaction. Furthermore, the procurement and transmission of a consumer report to FHA, VA, or other similar insuring or guaranteeing entity is for determining whether the entity will issue its insurance or guaranty to the holder of an obligation and not whether it will issue insurance to the consumer involved.

The underscoring, Mr. Speaker, was included in the Federal Reserve announcement.

#### EMPHASIZES NEED FOR REGULATORY AUTHORITY

Mr. Speaker, I think one point that this issue raises is the glaring omission from the Fair Credit Reporting Act of clear authority to the enforcement agencies—particularly the Federal Trade Commission which has primary enforcement responsibility under the new law—to issue regulations to implement the law. If we had not included regulation-issuing authority to the Federal Reserve Board under the Truth in Lending Act, title I of the Consumer Credit Protection Act of 1968, there would have been innumerable situations in which lawyers might have argued endlessly over alleged gaps or unclear language in the statute, with resultant demands for immediate amendment of the law. Instead, the Federal Reserve has been able to meet any compliance problems head-on in Regulation Z and in the numerous amendments or interpretations it has issued to that regulation since its original promulgation early in 1969.

A majority of the conferees from the House wanted to provide similar authority for the issuance of regulations under the Fair Credit Reporting Act. The credit reporting industry vigorously opposed such a provision however, and the Senate conferees declined to agree to it. The record of our hearings and of the debate

in the House on the conference report shows that some of us felt right along that the omission of regulation-issuing authority would eventually be recognized as a serious deficiency in the legislation.

EMPHASIZES NEED FOR REGULATORY AUTHORITY  
GUIDELINES

In the absence of regulations which would have the effect of law, the guidelines just issued by the Federal Reserve on behalf of all of the regulatory agencies having supervision over Government-insured or regulated financial institutions subject to the Fair Credit Reporting Act should clarify any of the problem situations likely to arise for them under the law. As the guidelines point out, banks or other financial institutions could conceivably find themselves in the position of being regarded as consumer reporting agencies under some circumstances—that is, where they act in the capacity of credit bureaus and pass along to others information obtained from outside sources, but not in case they relay to FHA and VA the credit reports which the FHA and VA require as part of an application for an insured or guaranteed mortgage.

Under unanimous consent, therefore, I submit as part of my remarks the announcement today from the Federal Reserve Board and, following that, the newspaper article referred to in my remarks:

FEDERAL RESERVE PRESS RELEASE

MAY 24, 1971.

The Board of Governors of the Federal Reserve System today issued a series of questions and answers to assist financial institutions in complying with the Fair Credit Reporting Act (a portion of Public Law 91-508). The general purpose of the Act, which became effective on April 25, is to assure fair and accurate reporting of information regarding consumers.

The questions and answers were prepared jointly by the staffs of the Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board, each of which will issue them to institutions under their supervision. The information is not a regulation of the Board, and is merely designed to provide guidance to financial institutions. Institutions that act in accordance with the information, however, will be regarded by the Board's examiners as acting in compliance with the Act.

A copy of the questions and answers is attached along with the text of the Fair Credit Reporting Act.

FINANCIAL INSTITUTIONS AND THE FAIR CREDIT  
REPORTING ACT

An April 25, 1971, the Fair Credit Reporting Act became effective (Public Law 91-508, Title VI of the Consumer Credit Protection Act). It is designed to insure fair and accurate reporting of information regarding consumers. It restricts the use of reports on consumers, and in certain situations requires the deletion of obsolete information. It requires notice to consumers when the use of a credit report contributes to the denial or increase in the cost of credit or insurance, or denial of employment. Disclosures must also be made when credit is denied or the cost is increased on the basis of other information from third parties, and when investigative consumer reports are used. Under the Act consumers are entitled to disclosure of the information maintained in their files by consumer reporting agencies, and procedures are provided for the correc-

tion of erroneous information. The collection, use, and referral of information on consumers for credit, insurance, employment and other purposes by financial institutions is directly affected by this Act.

Financial institutions are likely to be subject to the Act as credit grantors, purchasers of dealer paper, issuers of credit cards, and employers. In some instances, a financial institution may even be a consumer reporting agency under the Act as a result of the type of information about consumers that it provides to others. In general, the Act does not apply to commercial transactions.

This pamphlet contains the text of the Act and questions and answers explaining the Act's applicability to the operations of a financial institution. It has been prepared to inform financial institution examiners of the principal statutory requirements of the Act, and to serve as a guide for its enforcement. The pamphlet is not designed to answer all questions that might arise under the Act; rather, it is to assist financial institutions in developing a working knowledge of the Act and its requirements. The questions and answers are being distributed jointly by the Federal Reserve Board, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation and Federal Home Loan Bank Board, and are applicable to the operations of financial institutions subject to the enforcement authority of these agencies.

The statute is unclear in some instances as to its application to financial institutions. Court decisions may ultimately construe provision of the statute in ways contrary to the information in this pamphlet. Although copies of the pamphlet are being made available to financial institutions, the information in the pamphlet should not be relied upon without advice of counsel. Nevertheless, institutions that act in accordance with them will be regarded by examiners as acting in compliance with the Act.

QUESTION AND ANSWERS<sup>1</sup>

1. *The financial institution as a user of  
consumer reports*

1. May a financial institution obtain a consumer report from a consumer reporting agency in connection with a consumer's application for an extension of credit?

Yes. Reports may be obtained for this purpose, as well as certain other legitimate business purposes. Reports (known as "consumer reports" under the statute) may also be obtained in connection with the review or collection of an account, in connection with employment, or the underwriting of insurance. § 604 (See question 25 for a list of permissible purposes.)

2. Are new procedures required to obtain a consumer report?

Yes. The financial institution must identify itself and certify to the reporting agency (called a "consumer reporting agency" under the statute) the purposes for which the information is sought. It must also certify that the information will be used for no other purpose. § 607

3. Must certification be given each time a consumer report is requested?

No. A written blanket certification by the financial institution could cover all inquiries to a particular consumer reporting agency.

4. Does a financial institution which uses a consumer report have any new responsibilities to the consumer?

Yes. If a financial institution denies employment or if it denies credit or insurance for personal, family, or household purposes, or if it increases the cost, even partially because of information in a consumer report from a consumer reporting agency, it must

<sup>1</sup> Answers should be read in the context of the surrounding questions and answers, which, in many cases, are structured to relate to each other.

make disclosures to the consumer. It must advise him orally or in writing that information in the report caused or contributed to the denial or increase in cost, and inform him of the name and address of the consumer reporting agency issuing the report. The financial institution is not required to disclose the nature of the information in the report. § 615(a) (See question 56 which deals with the denial of employment based on a consumer report.)

5. What would constitute a "denial" of credit?

If any condition is imposed, without which credit would not be extended, and it is imposed because of information in the consumer report, there is a "denial" which would require disclosures. This would include cases where a larger downpayment, a shorter maturity, a co-signer, guarantor, or additional collateral is required as a condition of extending credit. If a consumer applies, for example, for a credit card limit of \$1,500, and only \$1,000 is approved because of information in a consumer report, a "denial" has occurred.

6. Does a financial institution have any responsibility to the consumer when it obtains information from someone other than a consumer reporting agency?

Yes. Disclosures must be made when credit for personal, family, or household purposes is denied or the charge is increased even partially because of information obtained from someone other than a consumer reporting agency bearing upon the consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living. Disclosure would not be required if the denial is based on the financial institution's own experience with the consumer, on his credit application, or on the institution's own credit policies. Where disclosures are required they must be made regardless of whether the information is obtained currently, or is already in the files. At the time credit is denied or the charge increased, the financial institution must inform the consumer orally or in writing of his right to make a written request for disclosure of the "nature" of the information. If the consumer requests this information within 60 days, the financial institution must tell him the nature of the information orally or in writing. Note that these requirements apply only in the case of credit, and not in the case of insurance or employment where disclosures are required when a report from a consumer reporting agency is involved. § 615(b) (See question 4.)

7. What would the "nature" of the information include?

It would include information that the consumer's credit history with another financial institution is poor, his income is not what he represented it to be, he has not been employed or has not lived at the address indicated on the application for the period specified, that his debts are greater than represented, that a statement that his debts are current is inaccurate, and so on. The nature of the information should be given with enough detail to enable the consumer to question the accuracy of the information if he believes it is erroneous.

8. In disclosing the "nature" of the information, must the source be disclosed?

Although the statute does not require that the source be disclosed, it may be impossible to identify the "nature" of certain information without also revealing the source.

9. Do the requirements of disclosure by a user of information discussed in question 4 through 8 apply in the case of information about a co-maker, guarantor, or surety?

Yes. In these instances disclosures, as indicated above, should be made to the co-maker, guarantor or surety to whom the information relates.

10. Are these rules applicable when a fi-

financial institution decides not to honor an overdraft on a checking account on the basis of information from a third party?

Yes. If an overdraft is denied on the basis of information from any outside source, disclosures must be made. This is so whether or not the account ordinarily includes overdraft credit privileges (for example, "check credit"). No disclosures need to be made if the denial is based on the financial institution's general policy not to honor overdrafts.

11. Must disclosures be made when a financial institution which issues credit cards refuses to authorize a merchant to honor a credit card, or, itself, refuses to honor a credit card, because of information received from any outside source?

Yes. The issuer would have to disclose the name and address of the consumer reporting agency, or the consumer's right to know the nature of the information when it was received from someone other than a consumer reporting agency. In the latter instance, where a merchant is involved, it would appear that he would need to make disclosures on the issuer's behalf, since the consumer must receive notice of his right "at the time such adverse action is communicated to the consumer." However, if the information does not bear upon the customer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living (for example, if the information is simply that the card is lost, stolen or being used in an unauthorized manner), or if the information is not obtained from an outside source, disclosures would not be required.

12. Do these requirements for disclosure by users of information apply to *business or commercial transactions*?

No. The "user" requirements of disclosure apply only in the case of credit or insurance for personal, family, or household purposes, or in connection with employment. In other words, in the case of credit, they are applicable to the general type of consumer credit transactions covered by Regulation Z, but do not include agricultural credit.

13. Must a financial institution make any disclosure to the consumer when it denies credit or increases the charges solely on the basis of its prior transactions or experiences with the consumer, or on the basis of unverified information furnished by the consumer on his application?

No. There is no responsibility of disclosure in these circumstances. However, if credit is denied or the cost increased because of information obtained from third parties in the process of verifying information on the application, then disclosure must be made. § 603(d)(3)(A).

14. If one department or branch of a financial institution obtains information on the consumer from some other department or branch of the same financial institution as to its prior transactions or experiences, and denies credit or increases the charge based on this information, must disclosures be made?

No. Disclosures are required only when information is obtained from an outside source. However, disclosures must be made if the department or branch transmitting the information relays information obtained from third parties outside the financial institution, and the institution either denies or increases the cost of credit based upon the information.

15. What are some actions that a financial institution should consider taking to insure that it can comply with the requirements imposed on a user of consumer reports?

First, file the appropriate certificate mentioned in question 2 with each consumer reporting agency whose services are expected to be used. Retain a file copy. Instruct employees that consumer reports may be obtained only for the purposes specified in con-

Act and certification. Develop procedures for making required disclosures to consumers when credit, insurance, or employment is denied, or when the cost of credit or insurance is increased, based on information obtained from outside sources. Record all inquiries to reporting agencies or others, as well as the information obtained through those inquiries, so that accurate disclosure can be made to consumers.

Forms may be useful to advise the consumer of the name and address of the consumer reporting agency (when a consumer report is involved), or to advise him of his rights to request the nature of the information when other outside sources are involved.

#### II. The financial institution as a consumer reporting agency

16. Is it possible that a financial institution could be a consumer reporting agency?

Yes. If the financial institution regularly passes on information in its files about a consumer, other than information solely as to its transactions or experiences with the consumer, it may be considered a consumer reporting agency. A consumer reporting agency is any entity which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. § 603(d), (f)

17. Does this apply to the regular exchange of information between correspondent financial institutions, or between a holding company and its subsidiaries, or between subsidiaries of the holding company?

Yes. However, a branch or department of a financial institution may furnish information to another branch or department of that financial institution without becoming a consumer reporting agency.

18. What information may a financial institution give to third parties in response to inquiries about a consumer, without becoming a consumer reporting agency?

The financial institution may relate information solely as to its transactions or experiences with the consumer. For example, the financial institution may disclose that the consumer had a history of delinquency, or was current, and could give other information as to the status of any loans or deposits with it. To assure that it does not become a consumer reporting agency, it should not regularly give out information contained in credit applications bearing on the consumer's credit worthiness, credit standing, credit capacity character, general reputation, personal characteristics, or mode of living. In addition it should not regularly give out information obtained in reports from consumer reporting agencies, or any other information obtained from third parties. For example, a financial institution which obtained information as a "user" may become a consumer reporting agency if it subsequently conveys the information to another financial institution.

19. Does a financial institution become a consumer reporting agency by transmitting information obtained from outside sources to another party involved in the same transaction?

No. The financial institution would not become a consumer reporting agency since it is a joint user of the same information with the other party involved in the same transaction. For example, a financial institution does not become a consumer reporting agency by transmitting such information to an insurer or guarantor (as in the case of FHA, VA, private insurers or insured student loan programs), or to a participating financial institution in connection with the same transaction, or to a collection agency in con-

nection with its efforts to collect on the transaction. Furthermore, the procurement and transmission of a consumer report to FHA, VA, or other similar insuring or guaranteeing entity is for determining whether the entity will issue its insurance or guaranty to the holder of an obligation and not whether it will issue insurance to the consumer involved.

20. If a financial institution regularly obtains information for its customers about the sufficiency of funds to cover checks on drawee banks and gives the information to such customers does it become a consumer reporting agency?

No.

21. If a financial institution becomes a consumer reporting agency are there any restrictions on the type of information which may be furnished?

Yes. Certain obsolete information may not be furnished by a consumer reporting agency. The Act defines obsolete information to include information about the following:

Bankruptcies which antedate the report by more than 14 years;

Suits and judgments, paid tax liens, and accounts placed for collection or charged to profit and loss which antedate the report by more than 7 years;

Arrests, indictments, or convictions of crime which antedate the report by more than 7 years; and

Any adverse information which antedates the report by more than 7 years.

Refer to § 605 of the Act for information as to when the time periods begin to run.

22. Are there any situations in which these restrictions on obsolete information do not apply?

Yes. They do not apply in connection with a credit transaction expected to involve \$50,000 or more in principal, or the underwriting of insurance which is expected to involve a face amount of \$50,000 or more. They also do not apply to information for employment at an annual salary of \$20,000 or more. § 605(b).

23. Must a financial institution which is a consumer reporting agency remove this obsolete information from its own files after the 7 and 14 year periods, although it wishes to use the information solely for its own use?

No. It need not remove the information from its files. However, by not removing it, the financial institution may be exposed to civil liability in the event that prohibited information is negligently released. § 617.

24. What are the responsibilities of a financial institution which regularly furnishes information other than as to its own transactions and experiences with a consumer and thus becomes a consumer reporting agency?

It must maintain procedures to assure that the obsolete information specified in the Act is not released, except where permitted as indicated in question 22. Procedures should be maintained to assure that the information is given only for the permissible purposes listed in § 604 of the Act. Reasonable procedures are necessary to assure maximum possible accuracy of the information in any consumer report. Certifications must be obtained from all users of the information that it will be used only for authorized purposes. The identity of new users must be verified. A consumer reporting agency may not furnish a consumer report to any person if it has reasonable grounds for believing that the report will not be used for an authorized purpose. § 604, § 605, § 607.

In addition, a consumer reporting agency has other responsibilities to consumers as discussed in Section III of these questions and answers.

25. What are the authorized purposes for which consumer reports can be furnished?

Reports may be furnished only in the following circumstances:

In response to a court order;

In accordance with the written instructions of the consumer to whom it relates;

In connection with an extension of credit involving the consumer (or review or collection of his account);

For employment purposes;

In connection with the underwriting of insurance;

In connection with a determination of the consumer's eligibility for a license or other benefit granted by a governmental instrumentality in which the determination of an applicant's financial responsibility or status is required by law, or

For any other legitimate business need in connection with a business transaction involving the consumer (for example, on a consumer who wishes to establish a checking account in the financial institution, or a builder checking the financial condition of a prospective buyer). § 604

26. Are there any other situations in which a consumer reporting agency may furnish information?

Yes. It may also furnish identifying information to a governmental agency for other purposes, limited to the consumer's name, address, employment, and former addresses and places of employment. § 608

### III. Responsibilities of a financial institution to consumers when it is a consumer reporting agency

27. Does a financial institution that is a consumer reporting agency have responsibilities to consumers with respect to the information it has on file?

Yes. Upon the request and proper identification of any consumer, the financial institution must disclose to him the "nature and substance" of all information, except medical, that it has in its files. In addition, it must disclose the sources of the information, except in the case of investigative consumer reports as noted in question 49. The financial institution must also disclose the recipients of any consumer report within six months preceding the request (two years in the case of reports furnished for employment purposes). Accordingly, a financial institution which is a consumer reporting agency should keep a dated record of each recipient of information about a consumer, even when the inquiry is oral. § 609

28. Must the consumer make a specific request for disclosure of sources and recipients of reports?

No. A consumer's general request about information in his file requires disclosure of the nature and substance of the information and sources and recipients.

29. Are there any limitations on when disclosures must be made to consumers?

Yes. Disclosure need be made only during normal business hours and only on reasonable notice by the consumer. § 610(a)

30. Can the consumer require that disclosure be made either in person or by telephone?

Yes. Disclosures must be made to him if he appears in person and furnishes proper identification. Disclosures must also be made by telephone if the consumer makes a written request for telephone disclosure and properly identifies himself. In making disclosures by telephone, the financial institution can require that any toll charge must be borne by the consumer. § 610(b)

31. If the consumer asks for disclosure in person, can he be accompanied by another party?

Yes. He can be accompanied by one other person of his choosing, who must furnish reasonable identification. The consumer may be required to furnish a written statement granting permission to the financial institution to discuss the customer's file in that person's presence. § 610(d)

32. How must disclosures be made to the consumer?

Disclosures may be made either in writing or orally. If given orally, the consumer or his representative should be given reasonable

opportunity to make notations of the information being disclosed.

33. Does the financial institution have to explain the information in the consumer's file?

Yes. It must provide trained personnel to explain any information furnished to the consumer. § 610(c)

34. What is the meaning of the consumer's "file"?

It means all of the information on that consumer (bearing on his credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living) recorded and retained by the financial institution, regardless of how the information is stored. Any financial institution which is a consumer reporting agency under the Act should maintain a central file of information on the consumer, or be capable of collecting all the information it might have on the consumer in its various departments or branches for disclosure to the consumer. § 603(g)

35. Can the financial institution charge the consumer for making disclosures to him in connection with his file?

Yes, depending on the time when the consumer requests information about his file. If he makes the request either within 30 days after receiving notice that a user of a consumer report has denied or increased the charge for credit or insurance (or denied employment) on the basis of the report, or within 30 days of notification from a debt collection agency affiliated with the financial institution that the consumer's credit rating may be, or has been, adversely affected, the information must be furnished free of charge. However, the financial institution may impose a reasonable charge for making disclosures to the consumer if the request is not made within the 30 day time limit, and the charge is indicated to the consumer prior to making disclosures. § 612.

### IV. Disputes about material in a consumer reporting agency's file

36. What must a financial institution which is a consumer reporting agency do when a consumer questions the completeness or accuracy of an item of information in his file?

The financial institution must, within a reasonable period of time, reinvestigate and record the current status of the questioned information, unless it has reasonable grounds to believe that the dispute is frivolous or irrelevant. The Act provides that the presence of information in the consumer's file contradicting his contention does not, in and of itself, constitute reasonable grounds for believing the dispute is frivolous or irrelevant. § 611(a).

37. What must the financial institution do if reinvestigation indicates that the information was inaccurate, or if it can no longer be verified?

The information must be promptly deleted from the file. § 611(a).

38. What if reinvestigation appears to confirm the information?

If reinvestigation does not resolve the dispute with the consumer, he is entitled to file a brief statement setting forth the nature of the dispute. This statement may be limited to 100 words, if the financial institution provides the consumer with assistance in writing a clear summary of the dispute. Unless there are reasonable grounds to believe that the dispute is frivolous or irrelevant, all subsequent consumer reports containing the information in question must clearly note that it is disputed by the consumer, and provide either the consumer's statement or a clear and accurate codification of summary of it. § 611(b), (c)

39. Is there any requirement that the financial institution notify past recipients of reports on the consumer in the event disputed information is deleted or a statement or notification of the dispute is filed by the consumer?

Yes. The consumer may request that a financial institution which is a consumer reporting agency provide prior recipients with notification that the information has been deleted, or a copy of the statement, codification or summary of the dispute. It must be given to any person specifically designated by the consumer who has received a consumer report containing the disputed information within the preceding two years for employment purposes, or within the preceding six months for any other purpose. § 611(d)

40. Must the financial institution disclose the consumer's right to request this notification to prior recipients?

Yes. The financial institution must orally or in writing clearly and conspicuously disclose to the consumer his right to make the request. The disclosure must be made at, or prior to, the time the information is deleted or the consumer's statement regarding the disputed information is received. § 611(d)

41. May a financial institution charge the consumer for furnishing notification of deleted or disputed material to prior recipients of his report?

Yes, depending on the time when the consumer makes the request, whether the financial institution normally charges users of reports for furnishing them, and whether the material is found to be inaccurate or can no longer be verified. If the consumer makes the request either within 30 days after he receives notice that a user of a report has denied or increased the charge for credit or insurance (or denied employment) on the basis of the report, or within 30 days of notification from a debt collection agency affiliated with the financial institution that the consumer's credit rating may be, or has been, adversely affected, the information must be furnished free of charge. If the request is received after 30 days, a charge may be made for furnishing notification to prior recipients. The amount must be indicated to the consumer prior to furnishing the information and it may not exceed the charge that the financial institution would impose on each designated recipient for a consumer report. If the financial institution makes no such charge, then it may not charge the consumer for furnishing information about the dispute to prior recipients. In any event, the statute prohibits the imposition of any charge for notifying prior recipients of the deletion of information which is found to be inaccurate or which can no longer be verified. § 612

### V. The financial institution as a purchaser of dealer paper

42. Does a financial institution which regularly purchases dealer paper have specific responsibilities with regard to those transactions?

Yes, if the financial institution wishes to avoid becoming a consumer reporting agency. When a dealer calls the financial institution before credit is extended to inquire whether the institution will either extend credit directly to his customer or purchase the retail contract, and the financial institution denies the credit or increases the cost, even partially because of information from outside sources, the dealer and the financial institution must each make certain disclosures to the consumer to keep the financial institution from being considered a consumer reporting agency.

Whenever such a request is made, the dealer must advise the consumer of the name and address of the financial institution. If the financial institution denies credit or increases its cost, it must follow the normal procedures of a user of information from outside sources. If the financial institution's decision was based on a report from a consumer reporting agency, it must give the consumer the name and address of the agency. If its decision was based on information from a third party, which is not a consumer reporting agency, the financial in-

stitution must disclose to the consumer his right to make a written request to the financial institution within 60 days for disclosure of the nature of the information.

If the decision to deny credit or increase its cost is based on the financial institution's prior experience with the consumer or its general credit policy (for example, size of downpayment or maturity required) it would not need to make any disclosure to the consumer. However, a denial requiring disclosures occurs when any condition is imposed on the dealer contract on the basis of information from any outside source. This may include increasing the discount or dealer reserve or taking the paper with recourse. It may also include requiring a larger downpayment, shorter maturity, a co-signer or guarantor. § 603(d)(3), § 615.

43. If, subsequent to an extension of credit to a consumer, a financial institution sells the consumer's obligation to a third party (including a collection agency), and furnishes information on the consumer which was obtained from outside sources to the third party in connection with that sale, does the financial institution become a consumer reporting agency?

No. Such a transaction is a business transaction which is generally beyond the scope of the Act.

#### VI. Investigative consumer reports

44. What is an "investigative consumer report"?

This would be a consumer report compiled from personal interviews with neighbors, friends, associates or others as to the consumer's character, general reputation, personal characteristics, or mode of living. § 603(e)

45. What are the responsibilities of a financial institution as a user of an investigative consumer report?

When such a report is requested from a consumer reporting agency, the financial institution must mail or deliver written notice to the consumer within three days that an investigative report including information as to his character, general reputation, personal characteristics, and mode of living may be made. He must also be informed that he may make a written request for the "nature and scope" of the investigation. If the consumer makes a written request within a reasonable period of time, the financial institution must make a complete and accurate disclosure of the "nature and scope" of the investigation. One way to do this (although not required by the law) would be to furnish the consumer a copy of any questionnaires to be used in the investigation. Within 5 days after the consumer's request (or 5 days after the time the report was first requested by the financial institution, whichever is later) these disclosures must be made in writing by mailing them or otherwise delivering them to the consumer. § 603(e), § 606, § 609(a)(2)

46. Are disclosures required in all instances when investigative consumer reports are used?

No. They are not applicable when the report is to be used for employment purposes and the consumer has not specifically applied for the position. § 606(a)(2) In addition, they are not required if the financial institution conducts an investigation for its own purposes, using its own employees.

47. What if a financial institution denies credit, insurance or employment or increases the charge for credit or insurance based upon information in an investigative consumer report?

The financial institution must make the "user" disclosures described in Section I.

48. Are special requirements imposed on a financial institution that is a consumer reporting agency if it prepares an investigative consumer report for a third party?

Yes. Adverse information (other than public record information) in such a report

cannot be included in a subsequent consumer report unless verified in the process of making the subsequent report, or unless received within the three months preceding the date the subsequent report is furnished. § 614

49. If a consumer requests disclosure of information in his file, must the financial institution disclose the nature and substance of the information contained in the investigative consumer report?

Yes. However, the source of information acquired solely for use in preparing an investigative consumer report and actually used for no other purpose, need not be disclosed. § 609(a)(2)

#### VII. Responsibilities of a financial institution when it furnishes or uses consumer reports for employment purposes

50. Can a financial institution give out information on a consumer in response to an inquiry about the consumer for employment purposes?

Yes. However, if it regularly furnishes information other than as to its own transactions or experiences with the individual, it may become a consumer reporting agency. § 603(d), § 604

51. What is the definition of a report used for "employment purposes"?

It means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment or retention as an employee. § 603(h)

52. Do the restrictions on furnishing obsolete information apply to information furnished by a financial institution for employment purposes if it is a consumer reporting agency?

Yes, except where the information is to be used in connection with the employment of an individual at an annual salary which equals, or which may reasonably be expected to equal, \$20,000 or more. In that case, the restrictions on obsolete information do not apply. § 605(b)

53. Are there special requirements if a financial institution, which is a consumer reporting agency, furnishes a report for employment purposes which contains matters of public record (such as liens, judgments, pending law suits, arrests, convictions, etc.) which are likely to have an adverse effect on the consumer's ability to obtain employment?

Yes. At the time the information is reported to the user, the financial institution must notify the consumer of the fact that public record information is being reported, together with the name and address of the person to whom such information is being reported.

As an alternative, the financial institution need not make these disclosures if it maintains strict procedures designed to insure that, whenever public record information which is likely to have an adverse effect on a consumer's ability to obtain employment is reported, it is complete and up-to-date. The statute provides that items of public record relating to arrests, indictments, convictions, suits, tax liens, and outstanding judgments shall be considered up-to-date if the institution reports the current public record status of the item at the time the report is reported. § 613

54. In evaluating a potential employee, may a financial institution obtain a consumer report from a consumer reporting agency or other information from present or former employers?

Yes. However, financial institutions insured by the Federal Deposit Insurance Corporation should not rely entirely upon a consumer report to obtain information as to whether an individual has been convicted of a crime involving dishonesty or breach of trust to meet Section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829). Infor-

mation relating to such crimes is relevant to meeting the requirements of Section 19 regardless of when the conviction occurred, whereas such information, if older than 7 years, will probably not be contained in a report from a consumer reporting agency, unless the report is to be used in connection with employment at an annual salary of \$20,000 or more.

55. Must the consumer be notified if the report takes the form of an investigative consumer report?

Generally yes, if the financial institution requests the report from a consumer reporting agency. However, notification would not be required if the report is obtained in connection with employment, promotion, or reassignment for which the consumer has not specifically applied. Otherwise, he must be notified of the request for an investigative report within 3 days of the request, and the financial institution must otherwise comply with § 606, as outlined in questions 45, 46 and 47.

56. Does the financial institution have any responsibilities to the prospective employee if employment is denied on the basis of a consumer report?

Yes. If employment is denied, even partially on the basis of information in a consumer report from a consumer reporting agency, the individual must be given the name and address of the consumer reporting agency making the report. However, if employment is denied because of information from a source other than a consumer reporting agency, no disclosures are necessary. § 615

#### VIII. Penalties, liabilities and the act's effect on State law

57. What are the civil liabilities for failing to comply with the Act?

The Act provides civil liabilities for either willfully or negligently failing to comply with the requirements of the Act. The liabilities apply to financial institutions as users of consumer reports and as consumer reporting agencies where they are acting in that capacity. In the case of negligent non-compliance, a financial institution may be liable to the consumer for any actual damages sustained by the consumer, court costs and reasonable attorney's fees. If the failure to comply is willful, a financial institution may also be liable to the consumer for punitive damages. § 616, § 617

58. Is there any protection where a financial institution which is a "user" has made a good faith attempt to comply?

Yes. A user of information will not be held liable if he shows by a preponderance of evidence that at the time of an alleged violation he maintained reasonable procedures to assure compliance. § 606(c), § 615(c)

59. What is the statute of limitations on civil liability?

Any action must be brought within two years from the date on which the liability arises, except in certain situations where there has been a material and willful misrepresentation, in which case the action may be brought within two years after discovery by the consumer of the misrepresentation. § 618

60. Are there any criminal penalties?

Yes. The Act provides for a fine of not more than \$5,000 or imprisonment of not more than one year, or both, in the case of any person who willfully and knowingly obtains information from a consumer reporting agency under false pretenses. The same criminal penalty can be imposed upon any officer or employee of a financial institution which is a consumer reporting agency who willfully and knowingly provides information from a financial institution's files about a consumer to a person not authorized to receive it. § 619, § 620

61. What effect does the Act have upon State law?

This Act does not annul, alter, affect, or exempt any person subject to the provisions of this Act from complying with the laws of any State with respect to the collection, distribution, or use of any information on consumers, except to the extent that those laws are inconsistent with any provisions of this Act, and then only to the extent of the inconsistency. § 622

(NOTE.—The text of the act appears at this point in the press release, but is not being included in the CONGRESSIONAL RECORD.)

[From the Washington Evening Star,  
May 24, 1971]

**MANY HOME LOANS FROZEN BY CREDIT REPORTING ACT**

(By Robert J. Cole)

NEW YORK.—Bankers have been predicting for some time that mortgage money is going to be much easier to get now.

However, just as the predictions are beginning to come true, a new and completely unforeseen problem has come up that is threatening to cut off the flow of funds to thousands of qualified home buyers all over the country.

The problem, ironically, is the Fair Credit Reporting Act, which went into effect last month as a new federal law guaranteeing anyone the right to find out what is on file about him in his local credit bureau and to correct any errors that may be there.

But the way the law is being interpreted, any organization that provides others the same services as a credit bureau—such as a bank, a savings and loan association, a credit union and others—are also considered as credit bureaus and as such must open their files to consumers.

**SECRECY UPHELD**

As a consequence, many lenders who have no intentions of opening up their files to consumers have simply stopped taking applications for mortgages to be insured by the Federal Housing Administration and the Veterans Administration.

Until the new federal law went into effect, this is how the program worked: You applied for an FHA or VA mortgage loan at the lender of your choice. He checked your credit through normal channels, usually a local retail credit bureau, and forwarded this information to the government for evaluation. If the government approved, you got your mortgage loan. It was as simple as that.

The beauty of an FHA or a VA mortgage loan, of course, is that you don't have to use as much of your own money as you do with conventional mortgage loans.

Now, however, lawyers all over the country have taken the position that if lenders continue to operate the same way in providing credit information on you, they automatically become "consumer reporting agencies," and therefore subject to the same requirements as credit bureaus.

Rep. Richard T. Hanna, D-Calif., who brought the issue into the open not long ago, remarked: "We are now in the middle of a bureaucratic morass which is already having a severe and negative impact upon, of all things, mortgage financing."

The Federal Trade Commission, the Federal Reserve Board and other agencies empowered with policing the law already have decided that the Congress did not intend that mortgage lenders to be placed in such jeopardy but have not given the industry the assurance it needs to grant FHA and VA mortgage loans.

**APPLICATION FROZEN**

"The result of all this government thrashing is that thousands of potential homeowners throughout the nation are finding themselves in limbo," Hanna said. "Their applications for mortgage loans have been frozen and will stay in that condition until the mess is straightened out."

The picture may improve soon.

The Federal Reserve Board said it hoped to have new guidelines for its member banks by tomorrow. The Federal Trade Commission said it expected to have similar guidelines "sometime this week."

Both government agencies will tell lenders that they will be considered "joint users" of credit information and, therefore, not subject to the same requirements as credit bureaus when granting mortgage loans.

While these guidelines will give the lenders assurance that the government would not consider them in violation of the law, it will not protect lenders against suits by consumers.

**OKLAHOMAN TO TAKE REINS OF COLLEGE OF TRIAL LAWYERS**

**HON. ED EDMONDSON**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. EDMONDSON. Mr. Speaker, Oklahoma will receive a signal distinction in July when one of your constituents, Mr. Hicks Epton, of Wewoka, takes office as president of the American College of Trial Lawyers.

Mr. Epton is taking on this challenging task at 69, an age when many men think more of retirement than of moving on to new important responsibilities. But this is typical of Mr. Epton's long and distinguished career in the law.

As a trial lawyer myself, I am gratified to see a man of Mr. Epton's philosophy of law take this distinguished and influential post. Mr. Epton is deeply disturbed about the delays in justice which are bogging down our judicial processes, as I am. He plans as one of his first steps in his new job to name a well-financed committee to study these trial processes and recommend improvements. I am with him all the way on this project.

One of Oklahoma's finest reporters, Miss Ivy Coffey, of the Daily Oklahoman, has written an excellent story on Mr. Epton. This story, "Country Lawyer Speaks Out" appeared in the Oklahoman magazine, Oklahoma's Orbit, on May 23, 1971. I would like to have it appear in the RECORD, and I hope all Members of this body will take note of Mr. Epton's comments on the state of our judiciary and some of his ideas for improvement:

**COUNTRY LAWYER SPEAKS OUT**

(By Ivy Coffey)

A country lawyer from Wewoka, Okla., wants to change the world.

Come July, he'll have a chance to do just that.

Hicks Epton, who sincerely believes the world revolves around his beloved Wewoka, will take office that month as president of the American College of Trial Lawyers.

Epton has already had an ever-widening effect on the conduct of trials. But he's not yet satisfied. He wants to wreak even greater changes.

For openers, he'd like to:

Speed the wheels of justice in these United States.

Chase the "suborners of perjury and jury fixers" from our courtrooms.

Replace them with qualified attorneys dedicated to seeking out the truth.

Eliminate judges whom he terms "Dead Flies in the Ointment".

Now 69-years-young, Epton will be installed during ceremonies in London.

You can bet your bottom dollar he'll be playing the country lawyer bit to the hilt. It's a role he heartily enjoys.

But the country lawyer bit is a front for a serious, dedicated man; a man who long before the practice was popular joined novelist Erle Stanley Gardner in campaigns to upset the convictions of innocent people.

Epton has played a leading role during the past decade in national studies on ways to upgrade the administration of justice.

The surge in crime—up 148 per cent in the last decade—has led to a desperate condition which demands action to head off a national scandal and to upgrade the administration of justice.

The situation was summarized by a former government official as "... a non-system where police don't catch them (criminals), the courts don't try them and the prisons don't reform them."

Courts, already undermanned, have become bottlenecks at every level by the sheer volume of cases. New defendants' rights defined by the U.S. Supreme Court have assured legal counsel to the poor. This has multiplied the number of pre-trial motions, trials and appeals. Chief Justice Warren Burger in a memo to federal judges before the start of the new year urged a speedup, saying, "Public patience is running out and we must respond."

Added to the difficulty of getting the accused to trial is the question of expediting the trial to completion. This phase is compounded by incompetent judges, many of whom are politically appointed or selected, and by inexperienced, inept lawyers.

Trials themselves turn into marathons. Courtrooms have become theaters and television allows the nation to watch the principals outside the courtroom.

He said there are two major issues in the administration of justice today:

Interminable delays, not only in getting criminal cases to trial, but in disposing of them after they reach the courtroom.

A return to advocacy training, the rejuvenation of trial skills.

Epton will name a top committee (and it will be well-financed, he said) to study the delays in the process of a trial.

He cited the Charles Manson murder case, which ended March 29 after a nine-month, two-part trial which was the longest criminal proceeding in California history and possibly in United States history.

"I have a firm conviction that the public is entitled to know whether it's necessary to spread a criminal trial over almost a year. If not, how do you stop it?"

Epton, who admires the English system of justice, said the "most intricate" trial in England would last a maximum of 10 days. He said a case lasting seven days in England could take seven years in the United States reaching the U.S. Supreme Court.

"At a distance I don't know if 5 minutes is too long (in the Manson case)," Epton continued, "but the public is entitled to an informed answer with emphasis on informed."

"The public has to be in on this—it's a three-legged stool—judges, lawyers, concerned persons."

Epton said "a big thing" in his program will be a return to advocacy training, pleading a man's cause in court, "a rejuvenation of trial skills, not minimal ones. The trial load and the appellate load would be halved if competent lawyers were available."

Epton said only 10 universities offer adequate advocacy training to law school students.

"We must get back to that," he said. He acknowledges that lack of training and lack of interest in criminal law have affected the system of justice.

"We've wrapped our pharasaical robes around us and stayed away from criminal

courts and too often leave them to suborners of perjury and jury fixers. This is morally and professionally wrong." Epton said.

"It's foolish to brush aside criticism, Epton added. He feels strongly the legal profession must brush up its image and even more important, must sharpen its skills.

(A recent public opinion survey of 1,717 persons across the nation indicated (32 per cent) the ordinary person cannot afford really good lawyers and (20 per cent) that lawyers don't really have a client's interest at heart.)

Epton's concern for criminal cases was reflected in the preface he wrote for "The Trial Manual for the Defense of Criminal Cases," a two-year study he participated in and which, he said, "hit the bloodstream of the profession." He said he preferred to call the manual a guide for "minimal skills presenting adversary matters."

"I don't like the word 'technique,'" he added. "It seems like a hot shot method of teaching little boys to get big verdicts."

The work was intended as "a tool which could be used reasonably well in the defense of persons charged with crime by the disciplined lawyer experienced in some degree in the trial of criminal cases . . . there simply were not and are not enough experienced defense lawyers to go around . . ."

"Ours continues to be an adversary system," Epton wrote. "If it works to any reasonable degree there must be fairly competent advocates on both sides, else the skill of one may tend to overbalance the scales and defeat the search for truth."

Epton said "it seems proper to observe that already emerging is a new professional pride in many lawyers, who, for the first time in decades, have appeared in criminal court defense of parties charged with crime. An ancient idealism has been stirred . . . this by-product may prove to be one of the greatest benefits of the expansion of the due process concept."

The Wewoka lawyer was one of 15 members of a committee named by former Chief Justice Earl Warren to formulate uniform rules on admissibility of evidence and competency of witnesses in civil and criminal trials in U.S. district courts.

Epton described the report of the five-year project, which was completed recently.

"This work will enable a young man to go into federal court with foreknowledge of rules of evidence. We dealt in specifics, not platitudes. It's just like the story of the old lady who cooked with gin. You might not like her food but you liked her gravy. Lawyers who may not like our rules will sure like the gravy."

Epton was the "only lawyer west of the Mississippi" involved in the five-month study of courtroom disruption made by the American College of Trial Lawyers last year. The report sounded a warning to "that small but vociferous and disruptive element in the bar, which uses the court for foreign and alien purposes of politics rather than for ascertaining the truth."

"Everything revolves around Wewoka, depending on how far you reach," Epton said.

His reach includes frequent cross-country travel to take part in the national panels probing the legal profession. And it goes beyond London, where he will assume leadership of the American College of Trial Lawyers.

Epton's reach will be extended even further in August when he and his wife will go to Yugoslavia for the World Peace Through Law conference. This trip will follow Epton's conferences with England's bar leaders, including the lord chancellor.

Epton's law office in a Wewoka bank building reflects his enthusiasms, interests and zeal for his profession.

He pointed to a framed parchment on the

wall and said, "That sums up my philosophy." It was written by Francis Bacon, 16th century English essayist, philosopher and statesman: "Hold every man a debtor to his profession; from the which as men of course, do seek to receive countenance and profit; so ought they of duty to endeavor themselves by way of amends to be a help and ornament thereunto."

A look at the books and pictures in Epton's office tells something of his interests. There are books about Baptists, travel, horses, the law. There is an Oriental wood carving of a horse.

(Epton wrote a touching report, "Lady Is Dead," when the family's beloved Tennessee walking horse, Nodding Lady B., which had been theirs for 20 years, died in 1969 at the age of 24. "No effort will be made to replace her. It simply could not be done. An epic has closed.")

There are family pictures, a picture of a friend, Lord Denning, who was involved in the Profumo case trials in England, and an autographed picture of the late Erle Stanley Gardner, lawyer, founder of "The Court of Last Resort," and prolific author of Perry Mason mysteries.

There is a picture of Ellsha J. Brown, first white citizen of Wewoka, not related to the Seminole Indian Browns but adopted into the tribe. He operated the first Indian trading post at Wewoka in 1866.

Epton joined Gardner in a long effort to gain the release of a man convicted in Oklahoma for murder. This was an unpopular cause, he recalled, long before deprivation of rights cases drew wide attention. They received no pay or gratitude for their efforts "not even a postage stamp." After 10 years it was ruled the man was convicted illegally.

"When the man drew his first breath of clean air out of prison," Epton chuckled, "he looked at us and said, 'It sure took you long enough to get an innocent man free.'"

Epton sometimes interrupts serious talk or storytelling, leans back in his leather chair and "pontificates," as he calls it.

Some comments during an afternoon of "visiting":

"You touch life in so many points in county seats but you can't tell young people that. Lawyers have outmarried themselves. Their wives point out there is no ballet, no opera in little towns."

"Maybe I have an impish sense of disdain. But if we didn't laugh, we might cry."

"There's so much to write, so much to read, so much to do, so many songs to sing, so many young folks to be concerned about."

"Due process is a two-edged sword. We must give due process or criminals (accused) will walk the streets."

"People should keep their eyes to the hills with a little vision."

"When we (lawyers) forget we are dealing with humans, individual beings, we have lost the point."

"Give me the facts and the law will take care of itself."

"The best part of my job is I like people. Everyone is distinct. There's a high test of morality in assaying the facts."

"War is the ultimate in cruelty, the ultimate in lack of law."

"Law is really not very logical. We must essay our human materials."

Epton combines legal terms, Scriptures and colloquialisms into eloquent expressions of philosophy. His brother, the Rev. T. Hollis Epton, pastor of the First Baptist Church at Duncan, separated his "folklore comments from Holy Writ and suggested appropriate Scriptures" for "The Ten Commandments for Trial Lawyers" they wrote "The Practical Lawyer," an American Bar Association publication.

"We hope it will stimulate many others to write their own set of commandments. We can collect and share them. Thusly may the

testing fires of advocacy be rekindled in our profession," lawyer Epton said.

The Eptons' commandments for trial lawyers:

Thou shalt be diligent.

Thou shalt be steadfast and courageous.

Thou shalt be loyal.

Thou shalt possess true humility.

Thou shalt keep perspective.

Thou shalt be sincere.

Thou shalt subordinate thine own ego to the cause.

Thou shalt remember thou art dealing with human beings.

Thou shalt be captain of the trial ship.

Thou shalt remember thy unnamed clients are the administration of justice and the legal profession.

Epton pointed out the faults of some judges in a 1964 address before the American Bar Association section on judicial administration meeting in New York City, titled "What's Wrong With Trial Courts—or Dead Flies in the Ointment"

The title is from Ecclesiastes: "Dead flies cause the ointment of the apothecary to send forth a stinking savour; so doth a little folly him that is in reputation for wisdom and honor."

Epton discussed "bad attitudes and habits of good men and average to excellent judges," citing:

The judge who thinks he is anointed—not merely appointed.

The judge who fails to realize that justice, not speed should be the aim of all litigation.

The judge who assumes he is a presiding officer. ("Most of the travesties, the horse play, the grandstanding, the ham acting is the direct and proximate result of loose, sloppy, unplanned bench work . . . deplorable as is the pusher, the milk toast presider is worse.")

The judge who fails to realize that justice must appear to be done as well as being done. (Epton agrees strongly with the long-standing English concept that it is vital that justice appears to be done as well as being done.)

The judge who has no consideration for the time and energy of the lawyers involved.

The judge who assumes he knows as much about the case as the lawyer who has worked on it for months.

The judge who considers lawyers and juries as sometimes necessary but always nuisances. (Epton cited the example of a judge who decided the county attorney was not properly investigating a homicide so the judge switched his robe for khakis, conducted an investigation and then a vigorous trial with the intended conviction but subsequent unintended reversal on appeal—all with the result that a guilty man went unpunished.)

The judge who kow-tows. (This judge leaks important, confidential information and "opens the windows to the hot winds of prejudice.")

But Epton concludes. "The task of a judge is seldom easy and even less often appreciated."

Epton wrote in The Oklahoma Bar Journal in October, 1969, "However much we would like to believe that the average citizen feels he can get an even shake with some preferred character, the solemn truth is he does not believe it . . . the public is asking some questions which only the lawyer and the judge can answer."

He also stated the virility, independence and authority of the courts depend on their acceptance by the public. "And the acceptance finally rests on the understanding and approval of the generally informed citizen on the work of the courts and of the legal profession . . . thus it is not so much to say that the administration of justice should be and indeed is everybody's business and should be the concern of every citizen."

REPORT FROM CONGRESSMAN  
ED ESHLEMAN

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. ESHLEMAN. Mr. Speaker, I have just recently sent my constituents a newsletter. I am including the contents of that newsletter in the RECORD at this point.

CHINA COMPARISON

Most Americans have been encouraged by the signs that our icy relations with Red China are beginning to thaw. We all wish President Nixon well in his attempt to ease world tensions by reaching out to China. But we must not let our optimism blur realities. For instance, we must be a little wary of the kind of press reports that followed the visit of the U.S. table tennis team to the land of Mao. Those reports stressed things like the admiration the American ping-pong players expressed for the austerity and discipline they observed behind the Bamboo Curtain. But, in the United States, austerity and discipline are known by other terms—poverty and repression.

CONTROVERSY OR CONSEQUENCES

The Nation's Capital is at once the symbol and the center of our living democracy. At any given time, on any given issue, there will be Americans who disagree passionately and intelligently with policies fashioned in this city. But the essence of our system of government is that for those who disagree, there are accepted ways to try to persuade others without infringing on their rights. A minority may become a majority in this country if it is prepared to work hard for a just cause or a valid idea; and the vast majority of Americans understand and accept those ground rules. The few who are not prepared to accept the ground rules then must accept the consequences of their actions.

POLICY CHANGE

It was little noted in the news media, but the Nixon Administration announced a foreign aid change that should make sense to many Pennsylvania Dutchmen. The change was announced by George Shultz, the Director of the Office of Management and Budget. He said that the "Marshall Plan mentality" of the past, where the U.S. gave away vast sums to other Nations, is being replaced by the "Yankee trader" outlook. That's a system whereby the U.S. will consider "what our stakes are" and do some "hard bargaining" before sending U.S. funds abroad.

GROWING LARGER

Sometime this year, the boundary lines of the 16th Congressional District will be redrawn. The present makeup of Lancaster, Lebanon and Lower Dauphin Counties is 30-50,000 people shy of the number needed prior to the election in 1972. The best guesses are that the new District will take one of two forms. One plan might add more of Lower Dauphin County to the 16th. The addition of Steelton, Highspire and Derry Township (Hershey) to the present District make-up would provide the proper population balance. The second plan might add a portion of Chester County to the District and drop the present portion of Dauphin County. In other words, Lancaster and Lebanon Counties would stay together, and a section of Chester County would be used to make the District big enough. That section would run from Honey Brook, to Coatesville, to Parkesburg and to Atglen. Whichever plan finally emerges, the population of the 16th and the job of representing it

will grow substantially as a result of re-districting.

WITH PLEASURE

Recently, I had the pleasure of playing host to Miss Lancaster County in Washington, D.C. Miss Barbara Jo Wilkerson, who has since given up her title to get married, came to the Nation's Capital to make presentations at the White House and on Capitol Hill. She was accompanied by Mrs. Donna Weaver, a former Miss Pennsylvania, and Mr. James Althouse of the Ephrata Jaycees. We all got together on the Capitol steps for the picture on the right which also includes Sam Youse and Bill Walker of WGSa Radio in Ephrata and Bob Walker (no relation they say) of my staff.

WORTH MORE

The value of the average American home has gone up markedly during the past decade, the Commerce Department reports. From \$11,900 in 1960, the average house went up to \$17,000 during the decade, an increase of 43 percent.

POLL OPINION

The polling of the American people has become a political art of great consequence. Some politicians anxiously await each week's polls so that they'll know which way to talk and think. Other politicians manipulate the polls to make the results say something which supports that politician's viewpoint. This causes me to think that perhaps the whole technique of sampling opinion deserves to be called into question. For example, one recent national poll showed that 72 percent of the American people say they support President Nixon in his plan to end the Vietnam War. But those results came just a few days after another poll reported that about that same percentage of the American people support the proposal to withdraw all our forces from Vietnam by December 31, 1971. Since these two opinions cannot be resolved rationally, neither poll proved anything except that the American people are frustrated by and tired of this war. But that fact does not need a poll to measure it, and the political use that has been made of these two polls, which say one thing but mean another, does a disservice to national policymaking. And, I think that it's about time to raise some questions about that kind of disservice.

COMMENT ON CANCER

As one who has fought a successful round against cancer, I am encouraged by the new program that is underway toward conquering the disease. A recent statement in the *Baltimore Sun* caught my eye in this regard. "All of us must believe, as well as hope, that the dread affliction of cancer will yield in time, as other diseases already have, to medical science. President Nixon, following through on promises made earlier in the year, now proposes to concentrate, invigorate, accelerate and dramatize, too, the Government's cancer research efforts. He would add \$100 million to the program and he would set the goal as a cure. There is every indication that Congress and the American people will give their warm endorsement." The House already has acted on the proposal and authorized the extra money.

WELFARE WISDOM

The problem with the present welfare system, according to one humorist, is that people neither love it nor leave it.

HISTORY OF BUNK

It wouldn't be very nice to say that you might have guessed it, but the word "bunk" meaning nonsense probably originated in the House of Representatives. In the 16th Congress (1819-1820), Representative Felix Walker, a North Carolina mountaineer, arose and began such a lengthy, irrelevant speech that many of the other Representatives walked

out. Apologizing, he explained, "I'm talking for Buncombe," a county in his district. The phrase caught on and came to mean any empty speech. Eventually it was shortened to just plain "bunk."

RIDING THE RAILS

"I've been working on the Amtrak" may never make it as a popular song, but Congress and millions of people are hoping that the new National Railroad Passenger Corporation is the beginning of a new era in mass transportation. The aim of the new firm is to get people back riding trains on short-haul trips. Altogether, Amtrak took over 285 operating passenger trains, some of them on very unprofitable routes. It got \$40 million in Federal start-up funds and established a new system of 184 passenger trains serving 85 percent of the nation's urban's population. Now Amtrak faces several immediate tasks. Ticket procedures at terminals must be modernized. Food services must be upgraded. And, success is hoped for in the training program that has been launched for reservation clerks, ticket sellers, conductors and porters to improve services all down the line. Planned for the future is a central reservation and time-table information service. A customer will dial one number and reserve a seat on any train under Amtrak. One big job will be to get rid of the Civil War-era coaches now being used and install clean, modern rolling stock. With all these improvements, the service believes it will take about three years to re-orient Americans to rail travel. Only then can Amtrak begin to profit from its only source of revenue—the passenger ticket. And only then can we know if there is any chance of restoring the steel wheel on the steel rail as a primary part of the Nation's transportation system.

A COURT CLASSIC

Those of us who believe strongly in the need for broad-based court reform in the United States are being provided with a classic case in California to prove our point. Ruchell Magee, a San Quentin convict, came to court in San Rafael, California a year ago, but his trial still hasn't started. The reason—no judge. The first judge was allegedly murdered by Magee with a gun allegedly supplied by Angela Davis, now Magee's codefendant. The second judge was accused of prejudice by Magee and stepped down. The third left because of Magee's peremptory challenge. If they finally get a judge, and if the twelve jurors are picked at roughly the same rate, the trial should begin in about thirteen years.

PRIORITIES PICTURE

There are some who talk a great deal about changing national priorities and those who do something about it. The chart below proves the point.

PERIPHERAL CANAL ISSUE RE-VISITED

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. HOSMER. Mr. Speaker, over the past few months, serious misinformation has been distributed about the environmental problems of San Francisco Bay and the Sacramento-San Joaquin Delta by opponents of further water development for California.

Their goal is to end the Federal Bureau of Reclamation's Central Valley project and the California State water

project. Their war cry has been that these projects will lead to the complete destruction of the environment of San Francisco Bay and the delta, and that both the Federal Government and the State of California has a callous disregard for the protection of this estuary system.

However, to the contrary, the proposal to construct a peripheral canal linking these projects in the delta will primarily benefit this area. Furthermore, the State has made ironclad guarantees that the environment of the bay and delta will be protected.

Perhaps the best exposition of the State's commitment to this area has been made by the California secretary for resources, Norman B. Livermore, Jr. Just a year ago, Mr. Livermore wrote to then Secretary of the Interior Walter J. Hickel and made the following commitment for the State:

In meeting the federal and state export requirements, it is the state's unequivocal position that in water-deficient years the Delta interests must continue to receive a full supply of available water for protection of the Delta's environment and water rights. In other words, if there is not adequate water in the Delta to meet any water quality criteria which will be established by the Water Resources Control Board and to meet any requirements under an agreement which would be reached with Delta interests and the Department of Water Resources and the Bureau of Reclamation, then the federal and state export projects would be required to assume any such shortage of supply, and the Delta area would have a prior right.

More recently in San Jose, Calif., Mr. Livermore discussed the environmental benefits of the peripheral canal, and I commend his comments to you which were presented before the Water Week Luncheon of Civic Leaders in San Jose, Calif.:

#### ENVIRONMENTAL BENEFITS OF THE PERIPHERAL CANAL

(By N. B. Livermore, Jr.)

I greatly appreciate your invitation to be here today and to participate in this civic water luncheon.

This is another evidence of the new attitude of environmental awareness on the part of civic groups in California. I congratulate you on the time and effort you all are taking to consider in depth some of the problems of our water environment in this State.

Water is one of those environmental amenities we seem to take for granted. We use it for so many things that we often lose sight of its intrinsic value. Yet, water has no substitute in our domestic, industrial, and agricultural life. As a liquid it quenches our thirst, cools our factories and homes, and irrigates our crops. As a vapor it provides force for electric power generation, it presses our clothes, and clears our heads. As a solid (if used in moderation in a tinkling glass!) it adds a note of cheer to our frequently frenetic lives.

So many of our citizens think water has "always been there" that they turn to its use without a thought.

I suggest to you that we need to clear our heads a little in thinking about water. I suggest also that we need to substitute positive thoughts and facts to replace the considerable amount of misinformation that is circulating in Northern California in this important matter; particularly on the sub-

jects of the Sacramento-San Joaquin Delta, the Peripheral Canal, and San Francisco Bay.

Some of the "misinformation" about water which is being circulated by certain individuals, the press, and groups is apparently believed by enough people to give us cause for concern.

What is this inaccurate and misguided misinformation?

One item which has disturbed me is the idea that we can get away today with the practices and follies of yesterday when water was readily available and our population was only a fraction of what it is now; this is the abuse of the transport function of water. In other words, because water is still handy enough in some areas, it is used as a ready means of carrying away—and temporarily hiding—many of the waste products of our modern life.

#### POLLUTION IN SAN FRANCISCO BAY

You here in the San Jose area know what I mean by this! You can look out to the north and see that San Francisco Bay is threatened today by a pollution problem which some experts contend is worse than the one faced by Lake Erie.

Dr. Erman Pearson of the University of California, an international authority on the problem of waste discharges and their effect on aquatic life, recently completed a detailed study of San Francisco Bay in which he pointed out that 776 million gallons of toxic effluents are being discharged into the Bay system every day. He also stated that more than 60 tons of oil and grease, mostly from municipalities, are also being discharged into San Francisco Bay each day. These were only two of the four problems he listed; the others were biostimulation and coliform bacteria. He added his voice to those who are recommending regional waste disposal programs, as did the report by Kaiser Engineers for the State Water Resources Control Board last year.

California water law recognizes that no one has a right to waste our water, nor to pollute it with wastes. The use of fresh water to dilute polluted matter is not considered a beneficial use of water in a state where the water supplies are limited geographically. The communities around the Bay simply must take measures to clean it up, just as they have in San Diego Bay.

#### THE 1969 WATER QUALITY CONTROL ACT

With the Governor's strong leadership, in 1969 the Legislature passed the Porter-Cologne Water Quality Control Act, which is the toughest water protection law in the Nation. Under this Act, waste dischargers who violate regional regulations are now subject to Cease and Desist orders from the regional quality control boards and are also liable for \$6,000 a day fines if these orders are ignored.

In the San Francisco Bay Region, 289 municipal and industrial waste dischargers come under the jurisdiction of the regional water quality control board. I am sure you have been aware from press reports of the number of cease and desist orders which have been issued in the central, South Bay, and Contra Costa County areas.

A long battle is ahead of us if we intend to have a healthy bay in San Francisco.

#### THE EXAMPLE SET BY SAN DIEGO

I say that it will be a long battle because we have the experience of the battle for San Diego Bay behind us, which took ten years to reach a successful conclusion. The municipalities and industries around San Diego Bay recognized that the cleanup job had to be done by *their own efforts*. There is—as you know—almost no freshwater inflow into that Bay. No one could claim, as some are doing with regard to San Francisco Bay, that

"if you only increase the freshwater inflow into the Bay" the problem would solve itself.

San Diego realized that only aggressive action by government and industry together, plus a bond issue of \$60 million for advanced treatment facilities and an ocean outfall, would result in a clean bay which today is a source of pride to everyone. The San Diego communities, by their own aggressive corrective action, now have a bay largely restored to its original state of quality; the fish have returned; beaches are clean; the public can swim in it, use it, enjoy it.

#### THE DELTA

A substantial part of the water which flows out through the Sacramento-San Joaquin Delta has first been stored upstream by many reservoirs. Part of that stored water represents excess flood flows which formerly took lives and destroyed property. Downstream communities below Shasta, Trinity, Oroville, and Folsom Dams now benefit from the more controlled flows which smooth out winter floods and summer droughts which were formerly characteristic of this part of the State.

As far as the State Water Project is concerned, you all know that the cost of the large dams, reservoirs, and conveyance aqueducts is being paid for by water agencies who have contracted for portions of the stored water. You also know that since the construction of Shasta Dam and its operation in 1944, releases of water down the Sacramento to the Delta have been made in such a way that the intrusion of ocean salt water has been held back from 90 percent of that area. This is a vast improvement over the historic condition which, in dry years, saw saline water penetrate far into the interior of that rich agricultural zone.

Voices are raised which want to increase that bonus benefit and, in addition, demand a guarantee that sufficient amounts of water be released to continue the practice of flushing away waste discharges from municipalities and industries in the westernmost Delta.

The Director of the Department of Water Resources has told the State Water Resources Control Board that, if Bay and Delta interests want water stored by the state and federal governments behind dams to be released at their direction in natural low-flow periods to help assure high-quality water, there is no reason they should not pay for this stored water, just as valley farmers and Southern Californians do.

#### WATER ECONOMICS

This has carried us to the second area of misinformation: some people appear to have the idea that benefits and advantages that accrue to water users over and above normal use of water somehow do not have to be paid for.

Municipal, industrial and agricultural uses of water are beneficial uses of this resource. You here in San Jose have been paying for your water for years. Customers of East Bay Municipal Utility District pay. People in the City of San Francisco pay. Customers in this area who use water from the South Bay Aqueduct of the State Water Project, and those in Contra Costa County who are users of water from the Contra Costa Canal of the Central Valley Project also pay.

Should someone approach these users and request additional water beyond normal flows for the purpose of moving the salt water line to a point farther west from the Delta for the purpose of flushing away increasing wastes, they would feel justified in requiring that this additional use ought to be paid for.

The principle is the same whether the

water arrives by means of closed aqueducts from the Sierra or through a collection point, such as the Delta, where it is pooled before diversion to customers of the Central Valley Project and the State Water Project. In both cases, large costs have been incurred in constructing upstream storage reservoirs and conveyance facilities which are being amortized over the years. Extra usage of water, made possible by these expensive facilities, must be paid for.

#### THE PERIPHERAL CANAL

Although the idea of a Peripheral Canal along the eastern edge of the Sacramento-San Joaquin Delta is not new, and was adopted after many years of exhaustive study which resulted in the rejection of other alternatives—to many people it seems to be a new and unfamiliar concept which has developed suddenly. They are not sure of its effectiveness; they wonder if the environmental-ecological problems of the Bay and Delta have been studied enough.

I am aware that the San Jose area too, is receiving an increasing barrage of hasty generalizations and misinformation about the Canal.

I wish I could tell you who live here near the south end of San Francisco Bay that the Peripheral Canal will correct all of the pollution problems in the Bay; but such is not the case. We all recognize the danger to the Bay of pollution which is now taking place and which has to be corrected by people in the Bay Area itself by setting up corrective pollution controls just as the people of San Diego did.

I can, however, suggest to you some points about the Peripheral Canal as it affects the Delta—some of these having relation to the Bay.

Point No. 1: For over 15 years, and after the investment of \$10 million dollars, experts have been studying and devising means to protect and enhance the environment of the Delta. This has included the work not only of engineers, but of knowledgeable persons in other fields such as biology, water chemistry, soil problems, economists, and fish and game experts.

Point No. 2: After studying and rejecting other alternatives, the idea was adopted of a Peripheral Canal hydraulically isolated from the Delta. Although it skirts the eastern edge of the Delta, it will be provided with some 11 release gates to permit fresh water to be injected into some of the Delta's deadend sloughs and channels. The distribution of these releases will improve Delta water quality for irrigation, for fish growth and wildlife enhancement.

Point No. 3: Reservoir releases will continue to protect 90 percent of the Delta from salt water intrusion. The positive westward flow of water, distributed around the eastern edge of the Delta will reduce the threat of scouring of existing channels and drawdown in the southern Delta. Without the Canal, these conditions will worsen when authorized diversions are increased over the years by the state and federal water projects. Normal fish migration patterns will be restored with the Canal in operation; without the Canal, fishery conditions will steadily worsen.

Point No. 4: The Canal will help reduce the threat of floods in the northeastern Delta. Flood flows will pass through the Canal for storage in San Luis Reservoir in Merced County, to be used for water needs farther south.

Point No. 5: The Canal will not interfere with commercial navigation or recreational boating—which other plans, now discarded—would have done.

Point No. 6: The Delta, as you know, is the common point of collection and diver-

sion of water into aqueducts of the Central Valley Project and the State Water Project. Water transported by those aqueducts will serve agencies in six counties of the Bay Area: Alameda, Santa Clara, Contra Costa, San Benito, Santa Cruz, and Monterey, as well as agencies in Central and Southern California. Collectively, these agencies comprise two-thirds of California's population and a substantial portion of California's agricultural economy.

You in Santa Clara County, and people in neighboring Contra Costa and Alameda Counties will be interested to know that the Canal will make available a much better quality of water through the South Bay Aqueduct—for yourselves—and through the Contra Costa Canal—for Contra Costa County. Approximately 600,000 acre feet annually will be delivered by the Canal to these three counties.

Point No. 7: In its capacity for diverting water southward for agriculture and other uses, the Canal will not be the only purveyor diverting water from the Delta, as many people would have us believe.

On the contrary, San Francisco's Hetch Hetchy and East Bay's other High Sierra projects will be diverting 1½ million acre-feet annually from the Delta by 1990. At this same time, the State Water Project, of which the Canal will be a part, will be diverting some 2 million acre-feet to the Metropolitan Water District in Southern California. In other words, for every four parts of water that Southern California will divert, another three parts will be diverted by the Metropolitan San Francisco Bay region.

Point No. 8: Let me emphasize: the Peripheral Canal does not increase the pumping capacity of the pumps that feed the state and federal aqueducts nor will it increase the authorized amount of water slated for delivery to these projects. It simply solves the water conveyance, water quality, and fishery problems in the Delta related to carrying water across the Delta to the existing pumps. In other words, it will in itself have absolutely no effect on the Delta outflow.

Point No. 9: The only apparent solution to the pollution problem facing the Bay is a comprehensive collection, waste treatment, and disposal system such as is recommended by Kaiser Engineers in its Bay-Delta Water Quality Control Study which was published in March 1969, and is available from our California Water Resources Control Board for all who care to study it.

Point No. 10: With the Peripheral Canal, we can do an excellent job of protecting and enhancing the Delta by regulating the freshwater flow so that the proper amount is on hand at all times. Diversion of winter and spring floods flows tributary to the Bay does not increase the pollution into the Bay. To protect the Bay at all times of the year, waste discharge facilities must be designed to operate at summer flow levels because the intermittent and unpredictable nature of floodflows renders them unreliable and therefore unusable for assimilating wastes by any municipality or industry.

Point No. 11: Much of the criticism of the Peripheral Canal has been voiced by a few groups who envision a chance for a "free ride" for their area from the federal and state water projects in the hope of reducing waste treatment costs and delaying the time when their area must participate in a regional waste treatment, collection, and disposal system.

#### GUARANTEES OF ENVIRONMENTAL QUALITY IN THE DELTA

With regard to the State's approval of the Peripheral Canal, I would like to quote from my letter of April 28, 1970, to the Secre-

tary of the Interior transmitting the official views of the State of California on the Bureau of Reclamation's Peripheral Canal feasibility report:

"In meeting the federal and state export requirements, it is the state's unequivocal position that in water-deficient years the Delta interests must continue to receive a full supply of available water for protection of the Delta's environment and water rights. In other words, if there is not adequate water in the Delta to meet any water quality criteria which will be established by the Water Resources Control Board and to meet any requirements under an agreement which would be reached with Delta interests and the Department of Water Resources and the Bureau of Reclamation, then the federal and state export projects would be required to assume any such shortage of supply, and the Delta area would have prior right.

"The State strongly recommends authorization and funding of the Peripheral Canal by the Congress as soon as possible to protect and enhance the environment and ecology of the delta and to firm up authorized export water supplies of the federal Central Valley Project and the California State Water Project.

"The State wishes to emphasize again, as stressed above, that the authorizing document require that the Peripheral Canal must be designed, constructed and operated in such a manner that the ecological system in the Delta be protected and maintained, and enhanced where possible."

#### THE U.S.G.S. REPORT

Speaking of flood flows, the California Water Commission discovered that the actual work done by the team under the U.S. Geological Survey—which receive much press notice in this area when their written report was released last July—was done during a non-typical water year—a flood year.

No similar definitive study had been made by them during a dry year or a low water year. The scientists discovered that large freshwater inflows to the Bay tended to flow on top of the heavier saline water which remained at the bottom of the Bay. Mixing of these waters reduced the saline content of the Bay. This, of course, our State water experts knew. They also knew that there might be a mechanism other than tidal exchange which might be contributing to the removal of pollutants from San Francisco Bay.

In a detailed exposition which the U.S.G.S. team gave to the Water Commission, they made the point clear that their data was not quantitative—only qualitative; that they had no timetable as to when the data might be quantified; that this particular report was far from conclusive; and that it only represented a hypothesis for consideration. In other words, they emphasized that their flood-year study analyzed only one portion of the qualitative question; their testimony made it clear that their studies did not speak to the extremely important influence of tidal action in relation to Bay pollution.

This detailed presentation to the Commission was vastly different and much more factual than the reports many of us had previously received through the news media which, truthfully, consisted largely of reporting on what had been said by others. The U.S.G.S. team made no judgment nor did they express any opinion regarding the Peripheral Canal, as was widely attributed to them by the press and other groups.

#### PRESERVATION OF THE BAY-DELTA FISHERY

In closing, one final thought is somewhat puzzling: no opponents who claim the Peripheral Canal will ruin the ecology and environment of the Bay-Delta estuary—and they always join Bay problems with Delta

problems—have expressed an opinion as to what would occur in the area if this facility should not be built. They simply have not taken into account the serious damage that would occur to the Delta ecology, sport fishery, and recreation without the Peripheral Canal.

Even with the great strides being made to preserve the environment, fishery, and ecology of the Bay-Delta estuary by controlling Bay filling and pollution, the fishery (salmon, striped bass, and other anadromous fish) that migrate through the entire estuary would be severely damaged if the Peripheral Canal were eliminated in favor of any known alternative. Several plans were considered that could meet the water conveyance and quality needs of the water project; but the Peripheral Canal is the *only* alternative endorsed by the Department of Fish and Game, and the *only* one that we know of that can protect the fishery as well as provide for the needs of the water projects.

#### SUMMARY

In sum, the Peripheral Canal must and will be built. This cross-delta facility, which was authorized by all the people in California by the statewide election of 1960, is necessary for California agriculture, for our neighbors to the south, for water supply to many other California communities including your own Santa Clara County, and for the preservation and enhancement of the ecology, fisheries, and recreation in the Delta.

#### REVENUE SHARING: MORE OR LESS?

### HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. McFALL. Mr. Speaker, revenue sharing has become the pie-in-the-sky of the 1970's, calculated to win friends for the administration—the kind of friends who will stand steadfast in the 1972 elections. Any Congressman who dares oppose the President's revenue-sharing plan risks being cast as a villain in the eyes of local officials who are understandably desperate for adequate funds to meet current operating costs and totally frustrated in any effort to improve or expand government services to meet modern demands.

Their plight is serious. They are victims of the misguided economic policies of the very administration that now offers revenue-sharing as a cure-all—policies that produced an inflation-recession resulting in low productivity, spiraling prices, and high unemployment. Caught in the squeeze, local and State governments have suffered a loss of tax revenues because people who are unemployed and businesses that are not making a profit do not pay taxes. But at the same time, local and State governments are faced with mounting costs on an inflationary market, increased needs for services, and a drain of funds through unemployment compensation payments to those who have been on the jobless rolls for a prolonged period. Where are they to find the increased revenues to meet their needs?

Taxes are never popular. State and local taxes are the least popular and the most difficult to assess and collect. So it is small wonder that Governors and mayors would see hope in the prospect of having federally-collected tax moneys turned over to them to spend as they see fit to meet what they consider to be their most pressing needs. But is it the function of the Federal Government to serve as a tax-collection agency for the local governments?

We are most sympathetic to their needs. What they need is more money. There is no doubt or disagreement on that score. But the question in my mind is, would the administration's revenue-sharing plan really provide more money for the neediest—or would it provide the illusion of more, and the slowly dawning reality of less?

To answer that question, we have to examine the sources from which the additional revenues will come. And what we find is an emerging pattern of Federal cutbacks in grants for specific purposes, for the sake of providing the unearmarked funds that look so attractive to mayors and Governors as they survey their "laundry list" of programs that need funding. The result is not more revenue, but in some cases less—and the loss of programs that have been started and cannot be continued in the face of cutbacks in categorical grants voted by Congress to meet demonstrated national needs.

Let us take, for example, the need for public library services. In enacting the Library Services and Construction Act of 1970, Congress gave recognition to the need in a free society for an educated public, for the ready availability of information and intellectual stimulus that is provided by a free public library system.

To keep pace with the needs of an expanding population and a more sophisticated social structure, Congress voted funds for the construction of new libraries, extension of library services, and promotion of programs of inter-library cooperation. For the fiscal year ending in June 1972, Congress authorized appropriations of \$112 million for library services and \$80 million for library construction, for a total of \$120 million, an amount that is admittedly not overgenerous in view of the need.

But that amount has been reduced in the President's 1972 budget recommendations to a mere \$18 million for library services, with no funds whatsoever requested for library construction.

The defense may be made that it is the prerogative of the Executive to reduce amounts appropriated by the Congress for specific programs, and that former Presidents have exercised that prerogative. It is true that both President Kennedy and President Johnson made minor adjustments in appropriations requests for library services and construction, amounting to a total reduction of \$66 million over the 6-year period from 1963-68, an average of 4 percent of the

congressional appropriations for those years.

By contrast, the present administration recommended library appropriations which were \$300 million short of authorized amounts in the past 2 years, a cut of over 83 percent. And now, for fiscal 1972, the administration proposes a 100-percent cut in library construction funds, totally eliminating the \$80 million item authorized by Congress for new libraries, and reducing the \$112 authorized for library services to \$18 million, representing again an 83-percent reduction in funds.

Such a massive cutback insures the failure or discontinuation of library programs that were initiated with the assurance of Federal funding at a consistent level from year to year. If those funds are no longer forthcoming, the initial investment made in previous years is lost, and the program is lost before the people know it.

The librarians know it, and they are concerned.

I have a letter from Mr. Oscar W. J. Smaalders, the county librarian in Modesto, Calif., in my district, who wrote to me:

We are greatly concerned about the 1972 budget requests, specifically the cutback in LSCA Title I funds. This would seriously endanger the continued financing of some very valuable programs in this area. It would certainly decrease our ability to extend library services.

I call attention to this because it is a typical example of funds being quietly withdrawn while all attention is being directed, by fanfare and full publicity, to the promise of more Federal funds for States and cities to spend as they choose. This is the picture of the rich uncle who gives with one hand and takes away with the other.

The Modesto County library is only one of many libraries that would be adversely affected by the administration's budget slashes. And this is only one budget item that has been cut. There are many more programs—in health, education, housing, welfare, transportation—that are vital to the people's needs, that are now receiving Federal support, and are threatened with drastic slashes in order to provide funds for unspecified, unproved programs.

This is not revenue sharing; this is merely revenue shuffling—the process of taking money that has been allocated for libraries, schools, hospitals, medical research, highways, and parks, and transferring it to the big pie labeled "revenue to share."

It is a wasteful and inefficient approach to government—an encouragement to abandon programs that are working, and to initiate new ones at their expense. Worse than that, it is deceptive—a paperwork transaction that creates the illusion of more and the end result of less.

Before the people can be convinced of the good faith of the administration in its revenue-sharing proposal, they will have to be assured that budget items will be restored to the level authorized by Congress.