

EXTENSIONS OF REMARKS

COMMENCEMENT ADDRESS OF
MARITIME COMMISSIONER JAMES
V. DAY

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. KYROS. Mr. Speaker, on June 6, Commissioner James V. Day of the Federal Maritime Commission, a greatly admired and respected citizen of Maine, was awarded an honorary doctor of science degree by the University of Maine at Machias. This honorary doctorate, presented at the university's 60th annual commencement exercises, was the first of its kind ever to be given on the Machias campus.

Commissioner Day, an alumnus from the class of 1934 whose son James, Jr., is presently attending the university also gave the commencement address that day. Because of its relevance to the class of 1971 and to all of us, I commend it to the attention of my colleagues:

YOUR COMMENCEMENT—YOUR BADGE OF
RESPONSIBILITY

Dr. Sennett, Governor Haskel, Members of the Faculty, proud parents and distinguished graduates.

Certainly when I first set foot on this campus forty years ago—I never dreamed that I would one day return as a commencement speaker. To me properly this is our joint commencement—mine as well as yours, as we pick up and move on in a world that will never again be the same. Let us together accept our degrees, yours earned, mine honorary—in the spirit that all academic awards should be received, not simply as recognition of prior accomplishments (scholarly or otherwise) but, more importantly, as a license to go out and practice a commission for future performance—a badge of responsibility.

I am particularly pleased to return when Doctor Sennett officially presides over his last commencement as President of this fine University. Although the office of the President will no longer be occupied by Mac Sennett—as it has for the last twenty years—his accomplishments will live on.

For Dr. Sennett has thousands of admirers—none more so than I. Admirers gained by his talents as a teacher, obviously, but far more than he will ever know—by his example—through which he instilled in me—in my classmates—indeed in all of my contemporaries whose lives he touched—ideals and values—a code of personal conduct—a fervent desire to win—a way of life if you will.

That has been our real strength—and the true source of whatever success we may have achieved since our graduation. These same sincere accolades can, I am sure, apply to the other members of the faculty whose lives were devoted to the science of teaching.

I would be remiss if I did not use this opportunity to pay particular tribute to Professor Rita Torrey without whose understanding and compassion, many of us could have been drop-outs.

Times really have not changed much in forty years—or for that matter—100 years. It was Abraham Lincoln in his second annual message to Congress on December 1, 1862, who said—

"The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty and we must

rise to the occasion. As our case is new, so we must think anew and act anew."

In essence, I submit, this is what you graduates—and your generation—have been telling me and my generation.

And rightly so.

But I think a case can still be made for the unchanging values, and the continuing validity, of the principles that have guided us.

Do not misunderstand—I am not so naive to suggest that the world which you have inherited even knows—let alone is willing to live by—the golden rule.

Between what is and what ought to be there is an important ground of what can be. This is where you, as builders, have to work and this is where you need the inspiration and guidance that history affords. To know where we are going we must know where we have been.

You are graduating at a time when our national economy is undergoing the difficult transition from wartime to a peacetime foundation.

You have been enjoying dividends earned by the wealth of a nation—the over-forty generation. In doing so, you have encumbered yourself with a sizeable debt.

You and your classmates are heavily in debt to a society that now holds your promissory note—it is an unsecured obligation.

I am certain that your formal education will have given you sufficient understanding of other peoples, other places, and other times, so that you will put into real perspective the measure of good fortune at being able to get so much for what you pay. Nowhere else on earth can you even approach the bargain that Americans obtain when they settle up for their taxes.

But the total bill you owe is marked "paid in full" only if you develop your God-given talents to their maximum capabilities and utilize them for the duration of whatever lifetime fate allots to you.

It is a fact that many of those who will hire you in the immediate future—and to a decreasing extent—will promote you in the years ahead, are products of the great depression of the 1930's—when jobs were much scarcer than they are today.

Don't you think that they put great stock in such employee attributes as responsibility, dependability, hard work, loyalty and cooperation—not as a substitute for ability, but as an advantageous compliment to ability?

The call for all who are of character, of conviction, and of courage comes loud and clear. You are the best equipped to hear and understand—you of the graduating class. Youth looks at his elders, rightly or wrongly, and sees not much success but mostly only jobs half done—directions lost and so many goals not gained. Much has been said of the generation gap. I am not here today to add any more bricks to the wall. What I'd like to do today is to remove a few—a little constructive destruction.

So my remarks are directed to the youth who wisely chooses to stay with what we have—imperfect as it is, and seeks to mend things rather than to abandon—scuttle the ship without providing any lifeboat in which to carry on.

If the advice of the Chinese Philosopher of centuries ago has merit—and I think that it does—then many of you graduates will be the architects as well as the builders of this brighter tomorrow in a better America.

He wrote—"If you plan for one year, plant rice, if it is for ten years, plant trees, and if it is for 100 years, educate men".

The great joys and tragedies of our times—not news to you for yours is a generation raised in an era of instant communications—you have watched contemporary history unfold rather than reading about it later. You

have been eyewitnesses to some of man's proudest moments—his first footsteps on the moon, as well as ugly tragedy of a presidential assassination—bloody rioting and the gory battlefield—delivered in your homes in living color.

So your generation has some problems—your generation has some solutions. However, solutions to our problems will not be reached by government fiat either in Augusta or Washington.

What was promised nearly two hundred years ago was the opportunity for men to live useful productive lives, according to their conscience and talents, free from oppression by the state or their neighbors. What was guaranteed was not happiness but the right to pursue it—not peace but the right to earn it—not solutions to problems but the right to reach them in reasoned orderly manner.

Each of us must care for none of us is shielded—present problems need the supportive spirit of each individual for all.

None but the woefully weak will shrink from the challenge and the chance to move our society ahead on a great course.

Yet for the first time in recent history thoughtful Americans are questioning our capacity for self government. It comes as no surprise that the radical left wants to destroy our society—so does the radical right—and we've lived with and fought against those extremes all our lives. Both will continue to be a serious threat to our country and anyone who can reason knows that the frustrations in resolving our country's problems are leading an increasing number of our young toward a radical left. What is deeply troubling is that we seem simultaneously to be intensifying conflict and to be weakening our powers of reconciliation.

We believe in the rule of law. But increasing numbers of our citizens reject and flaunt the law when it serves their mood of the moment.

We believe in free speech. But some among us claim the privilege for themselves alone while denying it to others.

We know the country's deepest roots are spiritual—but we don't want our children acknowledging the fact during school hours.

We demand clean air and water and responsible use of the land—but we endure a flood tide of hard core pornography.

However, let's keep the record straight. Some of the problems that vex and divide us today are the result of the progress we have made in living up to our ideals as a nation.

I don't minimize our problems but neither do I think they are insoluble. This is a "Can Do" country. We have proved it in a thousand crisis since a handful of patriots won a fight for independence. A fight they had no right to win. But the doing takes time and patience and a dedication and a sense of purpose.

Time and Patience—this graduating class, by the very fact that you have graduated, proves that you have demonstrated those admirable qualities.

Dedication—you have chosen teaching as a profession—the very meaning of the word dedication is synonymous with the teaching profession.

Sense of purpose—you have hitched your wagon to a star—your sense of purpose will be assured.

As to your plan—I do not hesitate today, however, to predict your fullest possible success.

You bring to our generation energy—enthusiasm—dedication and faith.

The same bright hope that I and my classmates carried forth from this campus almost forty years ago.

Not all our hopes have been realized.

Not all need be, however, because our

highest hope is our proudest reality.

You—and your generation are most surely the ones on whom most of the burden of "getting it all together" will fall.

Above all through the turmoil of recent years, you have forged a new set of values based on a bedrock of love and concern for others.

You will succeed.

SCAMMON BAY, ALASKA

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BEGICH. Mr. Speaker, the people of the village of Scammon Bay, Alaska, are concerned about the eventual disposal of land which is necessary to the life style of their society.

The people of this village depend on hunting and fishing to provide them with the necessary requirements for life.

For many centuries of history, the natives of Scammon Bay have hunted and lived on this land without interruption. The Village Council of Scammon Bay has petitioned the State of Alaska and the United States to recognize their ownership of this land. They also request that the deed and title to that land be granted to them immediately. I am including a copy of the council resolution for inclusion in the RECORD:

To whom it may concern:

The people of the village of Scammon Bay, Alaska are concerned about the eventual disposal of the land which is necessary to the life and life style of our society.

Ours is a hunting and gathering society. For centuries our forefathers have occupied and used the land around our village to provide a livelihood.

We feel that in fact and in truth this land belongs to us. We do hereby, therefore, humbly petition the State of Alaska, and the government of these United States that our claim be recognized. We further petition that deed and title to our land be granted. This land, which we feel is already ours by tradition and by right is described as follows:

Bounded on the South by 61 degrees 45 minutes North Latitude, from the Bering Sea Coast East to 164 degrees 30 minutes West Longitude, thence due North to the North bank of Black River, thence West and North following the North Bank of Black River to the Bering Sea Coast, thence South along the Coast to the beginning; excepting such land within this boundary as is already in use by the United States Government.

We further state that we can prove the traditional use and ownership of this land through the location of subsistence fishing and hunting sites, both current and ancient, and that no settlement of our claim to this land will be satisfactory unless approved by the citizens of Scammon Bay, or by our duly elected Council, acting as their agents.

In witness of this description and petition the signatures of the Heads of every household in Scammon Bay are hereto affixed.

LARS E. HUNTER, Sr.
Council President.

ROY HENRY,
BENJAMIN UTTUYUK,
MIKE JOE,
DAN AKERELREA,
Council Members.

SIGNATURES OF HEADS OF HOUSEHOLDS

Herman Ulak, Homer Hunter, Sr., Nathan Kakanak, Thomas Chelielea, Francis Charlie Teddy Sundoun, David Kaganak, Pete Ulak, Felix C. Walker, Tom Tunutmuak, Edward Aguchak, Ambrose R. Aguchak, Francis Aguchak, Luke Aguchak, Sr., Tim Koganuk, David Tom, Paul Kaganak, Willie Kasayuli, John K. Johnson.

CITIES NEED SOME FORM OF AID

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. ANDERSON of California. Mr. Speaker, revenue sharing is one proposal to aid our financially plagued cities. The President's plan allocating funds to a community on the basis of revenue raised by that community is one method. Under this proposal, a town like Beverly Hills, which has a rich tax base, would receive a large proportionate amount of Federal funds. Specifically, under the President's proposal, Beverly Hills would receive \$24.40 per person, whereas Lawndale, a city with a comparatively poor tax base, would receive \$1.90 per person.

Others have advocated allocating Federal revenue sharing funds on the basis of need. Thus, a city with a poor tax base, in great need of services such as schools, police and fire protection, would have their treasury supplemented to a greater extent than the community with the rich tax base.

Still others have proposed relieving the local governments of their welfare responsibility by federalizing welfare. In effect, this would relieve a community of one of its greatest drains on the local treasury.

Mr. Speaker, being a former mayor, I know the plight of our cities. I know that relief in some form must be forthcoming.

While I am not wedded to any specific proposal, I have supported the concept of revenue sharing, and I feel that it is a viable alternative that warrants consideration.

With this in mind, Mr. Speaker, I ask unanimous consent to include in the RECORD a very timely article that appeared in the June 7 Los Angeles Times: The article follows:

CITIES NEED SOME FORM OF AID

When public pressure began to build on behalf of Mr. Nixon's revenue-sharing proposal, Rep. Wilbur Mills (D-Ark.) reluctantly promised to hold hearings—but only for the purpose of killing the bill.

Hearings finally got under way last week before Mills' House Ways and Means Committee. And it is already apparent that he meant exactly what he said.

Secretary of the Treasury John Connally, the leadoff witness for the Administration, ran into a buzz saw of opposition from Mills and other committee members. He has regretfully concluded that the revenue-sharing plan, which is the top-priority item in Mr. Nixon's domestic program, may indeed be dead.

Mills and Rep. John W. Byrnes, the committee's ranking Republican, insist their hostility to the President's proposal does not reflect any lack of sympathy for the financial plight of the cities.

They have promised to come up with an alternative program.

We hope they mean it. The need for some form of federal revenue sharing with local and state governments is simply too pressing to fall victim to politics as usual.

There is merit in the objection that inadequate tax resources are not the only reason so many cities are teetering on the edge of bankruptcy. Waste, inefficiency and corruption are major factors, too. And there is no question that federal revenue sharing, by relieving pressures for reform, may, in some cases, postpone corrective action.

Another truth, however, is that reform takes a long time, and the problems which beset our cities are so serious that we cannot afford to wait.

Waste and inefficiency aside, the expenses of local government are outrunning the ability, or at least the willingness, of the people to pay the ever higher property and sales taxes.

Revenue sharing is a way to tapping the federal income tax, a far more productive and less painful source of public revenues than either property or sales taxes, to help bridge the gap.

This does not mean that revenue sharing alone is the answer. Federalizing welfare, for example, would do more to lighten the load on hard-pressed city and state treasuries and indeed deserves a higher priority.

No one should assume, either that Mr. Nixon's particular approach to revenue sharing is the best that intelligent men can devise. On the contrary, there is something wrong with an allocation formula that would give less money to San Fernando than to Beverly Hills, which is a far wealthier community, or the City of Commerce, which has 40% fewer people.

Some of the most talented men in Congress sit on the Ways and Means Committee. They should be able to devise a formula which will meet the need without producing the inequities. It is important to the country that they do so.

A TRIBUTE TO THE DODD FAMILY OF BLOOMFIELD, N.J.

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. RODINO. Mr. Speaker, Bloomfield, N.J., celebrated its annual Historic Events Day by honoring the Dodd family. The Dodd family history is filled with numerous individuals who contributed much to the founding and establishment of Bloomfield, which was one of the first towns to break away from Newark.

One of the institutions which the Dodd ancestors were influential in establishing is the Bloomfield Presbyterian Church on the Green. A tracing of the genealogy of the family shows that Rev. Stephen Dodd wrote much of the early history of the church. Zophar Dodd, 1794-1882, was for years an elder in the church and was known also for his attention to the poor and to the sick and as an active participant in the town life. Also founded by him was the Bloomfield Savings Bank.

Amzi Dodd, a great orator and lawyer who went on to become judge of the highest court in New Jersey, built and for 20 years lived in the old community house where the public library now stands.

These are but a few examples from the Dodd family history which shows them

to have been a family who participated vigorously and enthusiastically in the affairs of Bloomfield. I would like to join the residents of the town of Bloomfield in honoring this historically civic-minded family.

"COMMEMORATION OF THE BALTIC STATES' LOSS OF FREEDOM"

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BUCHANAN. Mr. Speaker, today we note the tragic anniversary of the Soviet Union's annexation of the Baltic States of Lithuania, Latvia, and Estonia. Thirty-one years ago these three nations lost their freedom to an invading Russian Army in an illegal act which has never been recognized by the United States.

Lithuania, Estonia, and Latvia have labored under the heel of Russian domination since the mid-18th century. It was only during the period between the two World Wars that the Baltic States enjoyed independence. At the close of World War I, Baltic nationalists took advantage of military chaos and the disintegration of czarist hegemony to establish three independent nations in 1918. When the Bolshevik army failed to overthrow the new states in 1919, Lithuania, Estonia, and Latvia embarked upon a 20-year period of free government and self-determination.

Unable to defeat the three nations on the battlefield, the Russian Soviet Federated Socialist Republic "voluntarily and forever" renounced all sovereign rights over the people and territory of the Baltic States. The nascent states joined the League of Nations in 1921, and the United States extended full recognition to them in the following year. The following two decades witnessed a cultural, social, and economic renaissance in the freed nations.

The fulfillment of nationalistic goals was rudely shattered in 1940 when the Soviet Union, operating under the guise of diplomatic negotiations for mutual defense, presented an ultimate demanding new Communist controlled governments and the establishment of military bases in Lithuania, Latvia, and Estonia. The unreasonable demands were followed within a few days by military invasion, and by June 15, all three nations were occupied by Soviet troops.

After the invasion, the familiar pattern of Soviet seizure of total power began. Top political commissars were assigned by the Kremlin to each of the Baltic States, and elections were held in each of the three nations with a single list of candidates approved by Moscow. Within a year some 95,000 Latvians, Estonians, and Lithuanians were deported to the eastern regions of the Soviet Union. Approximately 80,000 more citizens were deported in 1949 in an effort to eradicate the last vestiges of national-

ism in these enslaved lands. Thirty-one years after the initial invasion, Lithuania, Latvia, and Estonia remain totally absorbed within the monolithic Soviet structure.

I am confident that all Americans join with me in deploring the unwarranted and unjust subjugation of the Baltic peoples. While it is often difficult for those who enjoy the advantages of American citizenship to empathize with and fully understand the hardships suffered by those living under oppression, we are concerned and must speak out against the dehumanizing circumstances which control the lives of those living under the heel of a repressive totalitarianism, like the peoples of the Baltic States.

The following resolution, adopted unanimously by the Congress in 1966, gives formal expression to our concern and I would like to bring it to the attention of my colleagues once again:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

FEDERAL COMMUNICATIONS COMMISSION SHIRKING ITS DUTY

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. TIERNAN. Mr. Speaker, in 1934, the Congress passed the Communications

Act in order to provide for the orderly allocation of the airways to be used for the broadcasting of radio and TV signals. In the act, the Congress laid down guidelines for making certain that the airwaves were used in the public interest, convenience, and necessity. The licenses to broadcast were not property rights to be bartered and sold. Instead, broadcasters would hold the license as a public trust and would have to seek renewal of those licenses every 3 years.

This was what the Congress wrote as law, but in actuality this is not what has happened. The Federal Communications Commission has shirked its statutory duty by automatically renewing licenses since 1934. In the very controversial WHDH case in 1969, the FCC for the first time in its history applied comparative criteria in a renewal proceeding and deposed the incumbent, awarding the frequency to a challenger. The WHDH decision became the immediate subject of fierce attack, provoking criticism from those who feared that it represented a radical departure from previous law and that it threatened the stability of the broadcast industry by undermining large financial investments made by prominent broadcasters in reliance upon the assumption that licenses once granted would be routinely renewed. Legislation was introduced in Congress to reverse this newly enforced policy. Then the FCC stepped in and, without any formal rulemaking proceedings, issued its January 15, 1970, policy statement.

The policy statement provides that the qualifications of challengers, no matter how superior they may be, may not be considered unless the incumbent's past performance is found not to have been substantially attuned to the needs and interests of the community.

CHALLENGED

On Friday, June 11, 1971, the U.S. Court of Appeals for the District of Columbia handed down its decision on the case, saying that the policy statement is contrary to law and shall not be applied by the Commission in any pending or future comparative license renewal hearing. The case is truly a landmark of citizen's rights. In this one decision, the court has announced that it should no longer be the role of the FCC to protect the vested interests in the broadcast field. The court reiterated the holding in the Red Lion Broadcasting case and said that it is the right of the viewers and listeners, not the right of the broadcasters, which is paramount.

It should be noted that the petitioners in this case were two nonprofit organizations whose goal it has been to improve radio and TV service and to promote the responsiveness of the broadcast media to their local communities. We have before us a fine example of the work which citizen groups are doing to protect the public interest at a time when the FCC has abdicated its statutory authority to the people.

The court decision of 5 days ago restores hope that the newly emerging interest groups and minorities will have

a chance to broadcast their views by obtaining licenses in their communities. By calling licensees to account every 3 years, America can have better assurances that the precious airwaves are being used in the public interest, rather than just for profit. In the past, the Congress and the Federal Communications Commission have done little to promote competition and diversity in the media. Instead, they have protected vested interests and promoted the status quo in the communications field. This is so in spite of the fact that the Communications Act of 1934 says nothing about a presumption in favor of incumbent licensees at renewal hearings. To the contrary, the act places the incumbent in the same position as an initial applicant. Still, the broadcast industry has consistently acted as if it has a property right in the airwaves.

It is most unfortunate that the FCC cavalierly decided to issue its license renewal policy statement without any formal rulemaking proceedings, thus continuing its public-be-damned attitude. The FCC did not even bother to comply with the Administrative Procedure Act. One of the purposes of the Administrative Procedure Act is to make an administrative agency more aware of the wishes of the public on whose behalf it must regulate. As the court of appeals pointed out:

The summary judgement concept of the 1970 Policy Statement runs smack against both statute and case law.

The Congress in the 1934 Communications Act, did not give the FCC carte blanche. It limited the mandate of the FCC by requiring a full hearing on the issues at renewal time. Without this hearing requirement, the FCC has made the cost of processing a competing application prohibitive when measured by the challenger's very minimal chances of success. Unless the challenger has some hope of obtaining the license for himself, then there is little reason to expend the sums of money necessary to make an effective challenge.

The FCC should be working for more, not less, citizen participation and more, not less, diversity. We in Congress must hold them to that task. We have the duty to encourage health competition by repudiating any FCC policy which is unreasonably weighted in favor of the licensees it is meant to regulate, to the great detriment of the public.

RESOLUTION OF THE CHAMBER OF COMMERCE, KETCHIKAN, ALASKA

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BEGICH. Mr. Speaker, I recently received a copy of a resolution passed by the Greater Ketchikan Chamber of Commerce in Ketchikan, Alaska, which requests that the Department of State cease its present enforcement policy of the 3-mile limit at the boundary line between southeast Alaska and Canada, pending formal determination by the respective governments.

This issue is particularly important to the people of southeast Alaska because so much of their economy depends on their ability to fish in the disputed waters. The policy adopted by the Department of State is that the 3 miles extending beyond U.S. shores has and is causing great concern between people of southeast Alaska and the country of Canada. I believe the policy is jeopardizing the excellent relationship which our country has had with our neighbors, and I believe prompt and careful consideration of this matter is necessary.

Boundary issues must be resolved and a decision must be made as to whether the Alaska Boundary Tribunal, signed at London, England, on October 20, 1903, settled this dispute. As you can well see, Mr. Speaker, clarification is urgently needed and I am including into the RECORD a copy of the Greater Ketchikan Chamber of Commerce resolution for your consideration.

RESOLUTION

Whereas, The State Department of the United States of America has adopted a policy of sovereign authority of control extending three miles beyond its shores, and

Whereas, This policy has and is causing great concern and conflict in the waters between Southeast Alaska and the country of Canada, and

Whereas, Southeast Alaska has and is desirous of continuing the excellent relationships with its good neighbor, Canada, and

Whereas, The issue of boundary may have been settled by a treaty—Alaskan Boundary Tribunal—signed at London, England on the twentieth day of October in 1903, and

Therefore, be it resolved, That the Greater Ketchikan Chamber of Commerce in regular session this 21st day of May, 1971, does hereby petition the duly elected congressional delegation of the State of Alaska to cause the State Department of the United States to cease and desist its present enforcement policy of the three mile limit at the boundary line between Southeast Alaska and the country of Canada pending formal determination by the respective governments.

WALTER B. BOLLING,

President, Greater Ketchikan Chamber of Commerce.

GOVERNMENT COST CONTROL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. JACOBS. Mr. Speaker, I insert a letter from a constituent of mine outlining a most disturbing aspect of Government cost control. I submit that this letter is applicable to other Government agencies as well as the Department of Defense:

WASHINGTON, D.C.

June 10, 1971.

HON. ANDREW JACOBS, JR.
U.S. House of Representatives,
Washington, D.C.

DEAR Mr. JACOBS: As the House of Representatives will be considering procurement authorizations for the Department of Defense in the next few weeks. I think that you and your colleagues would be interested in a small example of the manner in which Defense funding requests are originated.

I was in the Navy from November 1963 to September 1970 and attained the rank

of Data Systems Technician First Class. From June 1965 to May 1968 I was assigned to the Naval Reconnaissance and Technical Support Center in Suitland, Maryland. In the late summer of 1965, I was detailed to write a budget request for the maintenance of the new data processing system which we had just installed at NRTSC.

I obtained maintenance records on the equipments that made up the system which had been installed in other Navy installations. From these records, I derived the average annual parts usage for each piece of equipment. I then determined the cost for these parts from the federal supply catalog and came up with a figure to cover our expected true costs for maintenance of the equipment. Up to this point the process is similar to any good business practice, except that the work would probably have been done before the equipment was installed, or even procured.

The next step in the process, however, was not analogous to normal business practice. I tried to estimate the cuts which would be made at the various levels of the authorization and appropriation process. I included allowances for cuts within the Department of Defense (this was while McNamara was Secretary of Defense), the Bureau of the Budget, and the Congress. My estimates for the Congress were that each House would make cuts of at least ten per cent of the amounts which reached them. The final allowance, or fudge factor, which I came up with was a multiplier of 2.08. I multiplied the estimated true cost by 2.08 and submitted that figure.

A year passes, and our appropriations came back. Much to my surprise, there has been no cuts whatsoever. The next fiscal year I found that I had more money to spend than I knew what to do with. Under pressure to spend the appropriated sum, we spent the money on many items which were nice to have, but not really necessary to the efficient maintenance of the computer system. To the best of my knowledge, the appropriations have continued at the same inflated levels or have gone up.

In the debate on the military authorization bill (H.R. 8687), there will be opportunities to cut and limit defense spending. I urge you to do so. Some of your colleagues will undoubtedly say that cutting a single penny from the defense budget will mortally endanger the national security. That, as you know, is not the case. The experience which I have had indicates that cuts of up to 50 percent can be made in the O & M and procurement figures simply by cutting out the fat. The result, I believe, would be a greater national security as we divert the funding thus saved to meeting the pressing needs which will continue to weaken our country from within as long as they are not met.

Sincerely yours,

FREDERICK L. HOFRICHTER.

SELF-DETERMINATION OF THE BALTIC PEOPLES

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. RODINO. Mr. Speaker, the second portion of June marks a time to both rejoice and sorrow for the Baltic States of Lithuania, Latvia, and Estonia. Since the Soviet invasion of the Baltic States on June 15, 1940, and their subsequent seizure, these states have been almost exclusively under Soviet domination. The Baltic people have been able to enjoy a brief period of freedom since the initial Russian takeover in 1940. Lithuania suc-

ceeded in overthrowing the Soviet menace in the latter half of June 1941. Their triumph was short-lived, however; soon Nazi oppressors replaced their Soviet predecessors.

Today, as other imperialized peoples are shedding the bonds of their colonizers, the Baltic nations are still under the power of their Red dominators.

All free nations should make a concerted effort to dissipate the Red terror in the Baltic States. The House Concurrent Resolution 416 of June 23, 1966, which is included at the conclusion of these remarks, states that Lithuania, Latvia, and Estonia should be freed from "alien subjugation," yet there have been no tangible overtures to achieve this end. Does this not also apply to the Baltic States? Let us show the Baltics of our earnest intent by being active allies. For freedom is an unalienable right upon which the United States was founded. The time has come for each human being to enjoy this right.

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist any historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

THE 25TH ANNIVERSARY OF THE
REPUBLIC OF ITALY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. ROONEY of New York. Mr. Speaker, it would be unfortunate indeed

if, because of our Memorial Day recess, we would overlook the significance of Italy's celebration of its 25th anniversary as a Republic.

For those of us who participated in the legislative action which helped to create the Republic of Italy, this date is one of great importance. For those of us who struggled to secure recognition of Italy and for those of us who helped to nurture the infant state through its toddler years to full maturity, we take great satisfaction in the success of our efforts and the efforts of the Italian people and their leaders to regain a strong and sovereign state.

No one, not even a hopeful Italian, could have foreseen by the widest stretch of the imagination the accomplishments which the people of Italy have achieved. From a war-torn and ravished countryside and from cities and towns laid waste by month after month of war, these determined people have brought complete restoration in a generation's time.

All Americans can be gratified that our generous economic, military and political aid to the new-born Republic of Italy was an outstanding success and paid maximum dividends.

We share in the pride of the people of Italy and the pride of our great Italo-American organizations in the stature of Italy today as a highly respected and influential member of the world's leading governments. We look back over the past quarter century and rejoice that the Italian people in an honest and thoroughly democratic plebiscite decided to end their constitutional monarchy and establish a republic.

Today we note with deepest gratitude Italy's magnificent cooperation in furthering the aims and objectives of the North Atlantic Treaty Organization of which Italy is a dedicated member.

This anniversary serves to remind us not only of the magnificent progress which the Italian people have made under their new government, but it reemphasizes the contribution which the people of Italy have made to Western Civilization and most especially to the development and expansion of our own country. No country in the world and no people anywhere have influenced our culture and our way of life more than the people of Italy. We and the rest of the world would be poorer indeed if it had not been for such famous Italians as da Vinci, Raphael, Titian, Michelangelo, Verdi, Puccini and a host of other peerless artists.

One can only conjure what America would be today if it had not been for Columbus, Vespucci, Verazanno and a vast number of other dauntless explorers who made possible our own civilization and future visitations to our shores by other nations of the world.

Let us consider now on this important anniversary some of the other Italians who have made this a richer and more prosperous country in which to live. Because I am a lawyer, my first thoughts bring to mind many outstanding jurists. A host of them, Federal, State, and mu-

nicipal, are daily influencing our whole legal structure and represent the most valiant crusaders against organized crime. Still another great American, proud of his Italian lineage, was Attorney General Charles Bonaparte who founded the Federal Bureau of Investigation. Let us not forget the Italian-born artists who have so significantly enriched our music—men like Enrico Caruso, Arturo Toscanini, Luigi Mancinelli, Anna Moffo, Cleofanti Campanini, Guy Lombardo, Perry Como, Mario Lanza, and many others.

Let us remember, too, Italian leaders such as Giannini, a foremost leader in American banking circles, and Enrico Fermi, who pioneered our development of the atomic bomb.

Mr. Speaker, the honor roll of this Nation is studded with the names of scores of Italo-Americans who have enriched our economy, our culture, and our most prized traditions. But these contributions are not limited to the past. Today all over America in government, in science, in education, in the arts and in all aspects of our American way of life, the men and women who so justly pride themselves in their Italian heritage are playing an effective and active role.

But even greater than the combined contributions of all these gifted Italian leaders has been that of the thousands upon thousands of Italian immigrants who came to this country and have devoted their lives to meet the needs of our expanding economy and geographic boundaries.

As we congratulate the people of Italy on the marvelous progress they have made in the first 25 years as a republic may we also express our appreciation for all that the Italian people have done in our behalf from the earliest days of our own Republic.

To my own friends of Italian birth or descent, particularly those who are giving such fine leadership to the loyal Italo-American organizations, I want to express my personal thanks for all their cooperation. I congratulate them on the success of all their efforts in their many public service programs.

CHARLES C. FORD OF LONGVIEW,
TEX., HONORED BY TEXAS LEGISLATURE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. TEAGUE of Texas. Mr. Speaker, one of the most active veterans leaders in Texas is Charles C. Ford. He has held numerous offices in various veterans groups at the local, State, and national levels. He has always made himself available to help veterans and their dependents with their problems. Charlie has served with distinction on the Texas Veterans Affairs Commission and it has been my privilege to work with him and have him as my friend for many years. Re-

cently Charlie had major surgery at the Dallas Veterans Administration Hospital. The 62d session of the Texas State Legislature took note of his humanitarian service over the years and the House of Representatives passed a special resolution expressing to Charlie their good wishes for a rapid recovery. I want to add my special wishes also for Charlie's speedy recovery. It is a great privilege for me to insert the full text of the aforementioned resolution in the RECORD:

RESOLUTION

Whereas, That genial and capable Texas Citizen, Charles C. Ford, is confined to the hospital in Dallas, Texas, because of major surgery; and

Whereas, This widely known and highly respected gentleman is a native of Longview, Texas, and a successful businessman in that city; and

Whereas, He entered the United States Army at an early age and distinguished himself as a combat Infantryman in the South Pacific during World War II, receiving numerous medals and citations for his bravery and leadership in combat, and after discharge from military service even though he still carried scars and fragments of enemy fire, his service to his Community, State and Nation did not end; and

Whereas, He has served his community in many capacities, leaving an indelible mark of accomplishment in his community and state, and is now a member of the local draft board. He has served the State of Texas whenever called upon, and he believes firmly in the obligation of patriotic service, having served as Assistant Sergeant at Arms and Sergeant at Arms at the State Democratic conventions for many years; and

Whereas, His entire life since discharge from military service has been devoted to helping his fellow man and he has been his "brother's keeper" by helping disabled veterans and their dependents. He is active in veterans organizations and has given unlimited support to the veterans cause, and has held many important positions, including membership on State and National Legislative Committees of the Veterans of Foreign Wars, and Post, District, and Department Vice Commander of the American Legion; and

Whereas, Charlie and his wife, Jennie, have two sons: Cris, a graduate of Sam Houston State University, now employed by the Department of Public Safety, and Carl, a student at The University of Texas; and

Whereas, The Texas Legislature wishes to let Charlie know by this Resolution of the great regard and affection we have for him; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature send greetings to our good friend, Charles C. Ford, and by this Resolution extend to him our good wishes for a rapid recovery and a speedy return to his daily activities where he does so much good and is so sorely needed.

TO DISBAR THE BOMB

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BEGICH. Mr. Speaker, at last report, the Atomic Energy Commission is planning an underground nuclear test on Amchitka Island in the fall of 1971. Two weeks ago I was in Anchorage to testify before the AEC. At that time, I raised several questions I thought merited

the Commission's consideration and attention.

There are many groups in Alaska, including the Alaska Bar Association, which have expressed reservations about such testing. The Alaska Bar Association has passed a resolution urging the Governor of Alaska to instruct the State attorney general to file suit in Federal court to enjoin further nuclear testing in Alaska. I believe the resolution deserves consideration and I include it in the RECORD for your examination:

TO DISBAR THE BOMB

Whereas, a planned 5 megaton nuclear blast, the largest underground test ever detonated, is planned as an experiment by the Atomic Energy Commission on Alaska's Amchitka Island in the Fall of 1971; and

Whereas, said experiment involves the risk of radiation into the adjacent waters of this State, atmospheric radiation and the possibility of triggering an earthquake; and

Whereas, the Atomic Energy Commission, although it minimizes such possibilities, admits that it cannot guarantee that such results will not occur; and

Whereas, any risk of accidental venting into the waters of the North Pacific or Bering Sea is totally unacceptable in that Alaska Marine Resources as well as those of nations along the entire Pacific rim could be contaminated by a major accident and rendered inedible for years to come; and

Whereas, the health, safety and welfare of the people of Alaska is directly related to those marine resources, that health, safety and welfare and those resources being the responsibility of the Governor of Alaska and within the jurisdiction of the Sovereign State of Alaska; and

Whereas substantial disagreement exists in the scientific community to the conclusions of the Atomic Energy Commission, insofar as the safety of the proposed detonation is concerned; and

Whereas, a judicial determination by a Federal court would offer a greater degree of objectivity than an administrative determination by the Atomic Energy Commission on the question of whether the planned experiment should be cancelled;

Now, therefore, be it resolved by the Alaska Bar Association in annual convention assembled that the Governor of Alaska be requested to instruct the State Attorney to file suit in Federal Court to enjoin further nuclear testing in Alaska.

NO MORE KENT STATES

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DELLUMS. Mr. Speaker, I find the following document remarkable.

The following petition was signed by 446 members of the Reserves and National Guard. The signers, 23 of whom are officers, include members of all seven branches of the U.S. Military Reserve Forces—the Air and National Guard, and the Army, Navy, Air Force, Marine Corps, and Coast Guard Reserves.

I point out how remarkable the petition is because it marks the first time that so large a number of soldiers have gone on record publicly to vigorously protest the wanton use of the National Guard to suppress legitimate dissent. I agree with the 446 men that the Government must use other means than armed

force to answer legitimate demands of the people.

The petition follows:

NO MORE KENT STATES

We, the undersigned, are National Guardsmen and Reservists.

Last year many of us were called to active duty: the New York mail strike, Black protests. Demonstrations against the war. Kent State.

We are not proud of having taken arms against our fellow Americans.

We do not want to do so again.

We take this day, the anniversary of the Kent State killings, to express our wholehearted agreement with those who have demonstrated against the ever-expanding war, both then and again in recent weeks.

We do not think armed force is the answer to the demands of war protesters, poor people and strikers. We believe there are better answers: Full employment. Reconstructed cities. An immediate withdrawal of American troops and planes from the Asian war.

We have all enlisted for six years service in the U.S. military. But what we are doing now—training to shoot down our fellow-citizens—is no service to anyone. However, there is a real service in America we would be glad to do. The National Guard traditionally rescues people from natural disasters such as hurricanes and avalanches; today our nation is in the midst of a social disaster of unparalleled magnitude. We suggest: train our units not to shoot rifles, but to give the medical services millions of Americans without health care urgently need. Train us not to waste time at useless drills but to rebuild our cities. Train us not to fight other Americans, but to prevent the increasing pollution of our common environment.

That would be service we could perform with honor. Another Kent State would not.

PARTIAL LIST OF SIGNERS

Capt. Peter Sherman, Army Reserve.
 Capt. Kenneth Frankel, Army Reserve.
 Capt. Jack Maidman, Army Reserve.
 Lt. W. A. Brenner, Naval Reserve.
 Lt. James Sartoris III, Army Reserve.
 Lt. Ed Benson, Naval Reserve.
 Sp-4 Edward L. Smick, Army National Guard.
 E-2 Steven D. Frank, Army National Guard.
 Pvt. Harry Miller, Army National Guard.
 Sgt. Terry Moore, Air National Guard.
 Sgt. William Starnes, Army National Guard.
 Pfc. Gary Edwards, Army National Guard.
 Pvt. Bill Rounds, Army National Guard.
 E-5 Pete Cowie, Army National Guard.
 Spt/4 Scott Sargent, Army National Guard.
 Pfc. Joe E. Ward, Army National Guard.
 Pfc. Lonnie Snowden, Army Reserve.
 Amn. Donald Harris, Army National Guard.
 Pfc. Edward Kunkel, Army National Guard.
 Pfc. David Cass, Army Reserve.
 Pfc. Charles Johnson, Army National Guard.
 Sp-5 Brendan Lavis, Army Reserve.
 Sp-4 Ed Goodman, Army National Guard.
 Sp-4 Howard M. Loeb, Army Reserve.
 E-5 Jim Clark, Army National Guard.
 E-5 John Jenkins, Army National Guard.
 E-4 Cliff Redmon, Army National Guard.
 James Kurachka, Army Reserve.
 Sp-4 James Hummer, Army National Guard.
 Sn Brian Hayes, Naval Reserve.
 Sp-4 Jerry Lembcke, Army Reserve.
 Ps2 H. W. Darmsdadt, Coast Guard Reserve.
 E-4 Thomas Riecke, Army Reserve.
 Sgt. Martin Fleisher, Air Force Reserve.
 Pfc. Jeffrey London, Army Reserve.
 Pfc. John Malone, Marine Reserve.
 Sgt. Stephen West, Air Force Reserve.
 Pfc. William Gabler, Army Reserve.
 Qm-3 Lawrence Fisher, Naval Reserve.
 Sp-4 Danford Grant Schow, Army Reserve.
 Sgt. Michael Ryan, Air Force Reserve.
 Sp-4 William LeBlanc, Army Reserve.
 Sp-5 Kevin O'Keefe, Army Reserve.

En-3 Steven April, Coast Guard Reserve.
Sgt. Michael MacLaurin, Army Reserve.
E-1 James R. Williams, Army Reserve.
Sp-4 Stuart Levine, Army Reserve.
Pfc. Jesse M. Patrick, Army Reserve.
E-2 David Walner, Army Reserve.
Sp-4 Stuart Israel, Army Reserve.
PO-3 Kenneth B. Wanderer, Naval Reserve.
E-4 Pat Erwin, Army Reserve.
E-5 Lars Schoultz, Army Reserve.
L/Cpl Bruce Hanna, Marine Reserve.
Pfc. Dennis Nino, Army Reserve.
E-3 Lee Rubenstein, Army Reserve.
E-3 James Ryan, Army Reserve.
E-2 James Turner, Army Reserve.
E-3 William D. Ott, Marine Reserve.
L/Cpl. M. L. Moorehead, Marine Reserve.
Sp-4 Curtis G. Booth, Army Reserve.
Sp-4 Jerold Kellman, Army Reserve.
Sn Ronald Courtney, Naval Reserve.
Sp-4 Paul Guitierrez, Army Reserve.
Sgt. Dennis Thalman, Air Force Reserve.
E-4 John Shiels, Army Reserve.
L/Cpl. David Breed, Marine Reserve.
Pfc. Hiko Shimamoto, Army Reserve.
E-4 James Hengehold, Army Reserve.
Capt. Sam. F. Davenport, Air Force Reserve.
Capt. Charles Naness, Air Force Reserve.
Lt. Ernest Notar, Naval Reserve.
Lt. David Lamenzo, Army Reserve.
Lt. James Santana, Army Reserve.
A1c Mario Guarneri, Air National Guard.
Pvt Robert Sterin, Army National Guard.
Bruce Wolff, Army Reserve.
E-4 Terry Taylor, Army Reserve.
Sp-5 Allen Petrich, Army Reserve.
Douglass Hilfield, Army National Guard.
Sp-4 Donald Jensen, Army National Guard.
Sp-4 Paul Nester, Army National Guard.
Pfc Dante Venturi, Army Reserve.
Sp-4 Robert Bernius, Army National Guard.
Sp-4 James Szyper, Army National Guard.
E-6 Michael Goff, Army Reserve.
Pfc Henry Coudien, Army Reserve.
Ssgt Dennis Harford, Army National Guard.
E-1 William Shannon, Army Reserve.
Pfc Richard Stefaniak, Army Reserve.
Sp-4 Robert Holloway, Army Reserve.
E-4 Heinz Stucki, Army Reserve.
E-5 Harold Fawthrop, Jr., Army Reserve.
E-2 Robert Rothermel, Army Reserve.
L/Cpl Glenn Seymour, Marine Reserve.
E-4 Peter Marvin, Army Reserve.
E-4 Ronald A. Hall, Army Reserve.
E-4 Timothy Carney, Army Reserve.
E-4 Allen D. Israel, Army Reserve.
Pfc Maurice Wolohan, Army Reserve.
E-3 Michael P. King, Army Reserve.
L/Cpl Scott Novak, Marine Reserve.
Pfc. R. D. Piety, Army Reserve.
Hm-2 Steve Plath, Naval Reserve.
E-3 David I. Segal, Army Reserve.
E-4 Tom Cohen, Army Reserve.
E-3 Steve Winn, Army Reserve.
Pfc Tim Beatty, Marine Reserve.
Cpl. Richard Lloyd, Marine Reserve.
Cpl. John Wright, Marine Reserve.
E-2 Thomas Strauss, Army Reserve.
Pfc Jerry Grunagle, Marine Reserve.
E-3 Harry D. Gois, Army Reserve.
Sp-4 Mark A. Levy, Army Reserve.
Sp-4 Stephen O. Rothschild, Army Reserve.
E-4 H. Michael Erisman, Army Reserve.
E-4 Harold Heap Jr., Army Reserve.
E-2 J. Belisle, Army Reserve.
Cpl Jerry Hunter, Marine Reserve.
E-4 Hal Miner, Army Reserve.
L/Cpl Donald Cooney, Marine Reserve.
Sp-4 Ted Friedel, Army Reserve.
E-5 James Harris, Army Reserve.
Sp-4 Ward Condelli, Army Reserve.
L/Cpl Stephen Patras, Marine Reserve.
Sp-4 Robert Loew, Army Reserve.
E-4 Stephen P. Stolarek, Air Force Reserve.
Sp-5 Jerry Przepasniak, Army Reserve.
Sp-4 Michael Meringolo, Army Reserve.
Sn Peter K. Stremiau, Naval Reserve.
E-3 Benjamin Haberman, Army Reserve.
L/Cpl John Blair, Marine Reserve.
Sp-4 Alan Young, Army Reserve.
Sp-4 Lowell Seyburn, Army Reserve.

Sp-4 Dennis R. Manrique, Army Reserve.
Pfc Michael Morasin, Army Reserve.
Sgt Paul Ambrose, Air Force Reserve.
Sp-4 John Van Orden, Army Reserve.
Maj Kenneth Mayers, Marine Reserve.
Maj William Shyne, Army Reserve.
Capt Robert Thomas, Army Reserve.
Lt Reginald Young, Naval Reserve.
Lt Daniel Vellucci, Army Reserve.
Lt Charles, Naval Reserve.
Lt Matthew Mark Gallo, Army Reserve.
2 Lt Lynn Williams, Army Reserve.
2 Lt Richard Lehmann, Army Reserve.
2 Lt Peter Lokhammer, Air Force Reserve.
A1c Ralph Smith, Air National Guard.
E-3 Loren W. Brown, Army National Guard.
E-3 Chris Reither, Army National Guard.
Pfc Michael E. White, Army National Guard
L/Cpl Roger Wintle, Marine Reserve.
E-3 Robert T. Carlson, Army Reserve.
E-3 George Strutt, Army Reserve.
E-3 Thomas O'Connor, Jr., Army Reserve.
L/Cpl James Draper, Marine Reserve.
E-3 Robert M. Stacy, Army Reserve.
PV3 Bruce Andrews, Army Reserve
E-3 Jeffrey L. Amestoy, Army Reserve.
SP-4 Michael Jackson, Army Reserve.
E-2 David Roiger, Army Reserve.
E-3 Frederic Chiles, Army Reserve.
E-4 Dale M. Fleck, Army Reserve.
E-4 Jere J. Willey, Army Reserve.
SP-5 Charles Whatley, Army Reserve.
E-4 Larry J. Lacerte, Army Reserve.
SP-4 William Maderer, Army Reserve.
E-4 Dennis Stevens, Army Reserve.
E-4 Donald Kowalewshy, Army Reserve.
A1C Douglas Frazier, Air Force Reserve.
E-4 George Pfundheller, Army Reserve.
E-4 Douglas Hartley, Army Reserve.
Cpl Gene Edward Burch, Marine Reserve.
Sgt Richard Cirallo, Army Reserve.
E-4 Ronald B. Davis, Army Reserve.
E-2 Joseph Fischgrund, Army Reserve.
E-4 Mark J. Florentino, Army Reserve.
E-3 Robert Kjoller, Army Reserve.
E-4 Paul Merrill, Army Reserve.
Pfc Marc Rosen, Army Reserve.
SP-4 Harry Willand, Army Reserve.
E-5 Steve McColbough, Marine Reserve.
E-4 David Surles, Army Reserve.
E-3 George Kennedy, Army Reserve.
E-4 Martin I. Forman, Army Reserve.
Pvt Thomas Winer, Army Reserve.
E-3 Martin Schwartzman, Army Reserve.
E-3 Joe Wolff, Army Reserve.
L/Cpl Joseph Evancich, Marine Reserve.
YN-2 Thomas Walden, Naval Reserve.
SP-4 John McQuaide, Army Reserve.
L/Cpl Tom Linner, Marine Reserve.
SP-4 Brian Lehigh, Army Reserve.
SN Ronald L. Dion, Coast Guard Reserve.
E-2 Perry Braunstein, Army Reserve.
SP-4 Dennis Jackson, Army Reserve.
SP-4 Douglas Frenkel, Army Reserve.
E-4 Douglass Housel, Army Reserve.
E-3 Louis Housel, Army Reserve.
Sgt Larry Edwards, Marine Reserve.
SP-4 David McKeague, Army Reserve.
SP-4 Jeffrey Tapper, Army Reserve.
SP-4 Robert Kaplow, Army Reserve.
SP-4 Peter P. Wright, Army Reserve.
Larry A. Hedling, Army Reserve.
Stuart E. Karu, Army Reserve.

STOP IT, ANTI-AMERICANS!

Stop it, you anti-Americans! Stop criticizing everything and everybody and every motive and every action except your own. Stop constantly sniping at your government. What in the world is the matter with you? You have the most wonderful nation on earth, a nation that has gone to extraordinary lengths to uplift the poor, feed the hungry, comfort the afflicted, and extend justice to everyone. Yet here you are, applauding the very people who degrade and mock America, who tell you how selfish and corrupt Americans are.

Your own eyes and your own common sense should tell you that in no other land, under no other system, is the individual more respected or better treated. Nowhere is a person as free to do what he wants with his life. Nowhere in the world, despite our occasional overemphasis on getting and spending, are charity and service to mankind more practiced or revered than right here in America.

For the past couple of years you have allowed a small handful of hypocritical critics to flagellate us and our government.

Be realistic, America. Where is your sense of proportion? We aren't a debased or rotten nation. We have our share of criminal misfits, but most of us are pretty decent people—hard-working, law-abiding, God-fearing. All of us want a better life for ourselves and our children, and most of us want a better life for our neighbors too.

But this anti-Americanism is corrupting our national soul. It's having a harmful effect on our children, who are beginning to believe it. This false picture is making it easier for the haters, the doomsayers and the malcontents, those with the biggest mouths and the smallest consciences, to mislead and confuse us. It is twisting our values, making it difficult for our children to know right from wrong.

Thousands of American boys have been killed in Vietnam by being trapped in Viet Cong villages where men, women and children were paraded as villagers, when actually they were armed with Viet Cong cocktails, bombs and what have you. Our boys were trying to be decent to the villagers and suddenly they found themselves completely surrounded by the whole village, armed to the teeth. But the poor bleeding hearts in America, these anti-American so-called patriots, instead of having any sympathy for our boys, who of course had to fight back, felt sorry for the old men and children who got hurt in the mix-up. Of course they would get hurt in that kind of a mess. We had a lot of boys killed in that action. The anti-Americans had no sympathy for our boys, but they had all kinds of sympathy for the poor villagers who were simply used, innocently or otherwise, by the Viet Cong. This is war, make no mistake about it, but these anti-American loudmouths seem to believe we have no right to wage it in our own defense.

One United States senator actually made a statement that the American prisoners of war in Hanoi might as well just stay there, because they certainly wouldn't have been prisoners of war if they had had enough sense not to enlist for a useless and barbaric war. Well, the facts are they didn't enlist—they were drafted. And many of the very same men who voted to support President Kennedy when he went into Vietnam and who supported the Tonkin Resolution, later, when the war became unpopular, turned about face and blamed the whole thing on President Johnson. And now they are blaming the war on President Nixon, who didn't have a single thing to do with starting this war. But the very men who are loudest in their criticism of President Nixon and the present situation in Vietnam, which is gradually being solved, are the very ones who really helped start the whole mess. This is the worst display of national hypocrisy we have ever witnessed in this country.

STOP IT, ANTIAMERICANS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. CRANE. Mr. Speaker, the Indianapolis Star of May 23, 1971 carried an excellent editorial written by its publisher, Eugene C. Pulliam. I commend these timely remarks to the attention of my colleagues:

It is unbelievable that so small a minority of Americans could create such a terrible atmosphere in this country. If it were not for the loudmouths the world would not know anything about what is going on here, because it is so much more peaceful here, and safer, than anywhere else in the world. But to hear these bleeding hearts yell, you would think Russia is a Utopia compared to America.

Stop this anti-American rot. Because if you don't, America's youth will be consumed by the stench of this hypocritical rhetoric. Stop it, America, before it is too late!—

PRESERVE STATE BUY AMERICAN ACTS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. WALDIE. Mr. Speaker, I would like to include in the RECORD the text of a letter I recently received from Mr. James S. Lee, president of the State Building and Construction Trades Council of California, on the need to enact H.R. 976, amending the Buy American Act, to allow States to pass legislation requiring the purchase of American products when making purchases with public money.

As described in the letter, California's Buy American Act was declared unconstitutional by the California Supreme Court as being an "encroachment" of Federal powers. I am sure other States are having similar difficulties.

This bill offers us a means of supporting American labor and industry without the necessity and undesirable effects of foreign trade regulations. I request the attention of my colleagues to the contents of this letter.

STATE BUILDING AND CONSTRUCTION
TRADES COUNCIL OF CALIFORNIA,
Sacramento, Calif., May 25, 1971.

HON. JEROME R. WALDIE,
House of Representatives,
Washington, D.C.

DEAR MR. WALDIE: In the near future you will be asked to consider H.R. 976 which would clarify the rights of states and local subdivisions to provide for domestic preference in acquiring materials for public use.

As one of your constituents, I am vigorously supporting this Bill, and would request your favorable consideration. This Bill would amend the Federal "Buy American" Act, to allow those states which wished, to pass legislation or issue regulations requiring the purchasing of domestic materials when making purchases with public monies. Since 1934, over twenty-five states, at various times through legislation or administrative rulings, have given preference to domestic goods in their purchasing practices.

In a recent decision of the California Supreme Court, the California "Buy American" Act was declared unconstitutional, because it was an "encroachment upon the Federal Government's exclusive power over foreign affairs, and constituted an undue interference with the United States' conduct of foreign relations". This decision will ultimately have the effect of making all state "Buy American" Acts and regulations, which have been in existence for over thirty years, unenforceable. This Bill as drafted will not require the states to use "Buy American" practices, but will only allow such practices, if the states determine that it is to their best interests to do so. This Bill will not conflict with

any existing international agreements or treaties, as the "General Agreement On Tariff And Trade", specifically recognizes that most Governments in the world desire to "Buy National" when their public monies are involved.

Because of the number of jobs that will be affected if these long standing "Buy American" practices by the states are not allowed to be continued, I urgently request that you give favorable consideration to this most important legislation.

Thank you for your consideration and understanding in this matter.

Cordially,

JAMES S. LEE,
President.

NAVAL AVIATION CELEBRATES ITS 60TH ANNIVERSARY

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. WHITEHURST. Mr. Speaker, one of this Nation's most important military services celebrates its 60th anniversary this year. Naval aviation has served this country valiantly and with great honor. From a humble beginning it has grown to be one of the key factors in the defense of the free world. During its period of development it overcame inadequate fiscal, manpower and congressional support, and with dedication and spirit met the requirements and demands made upon it. Ready to expand when needed and tighten its belt during cutbacks, it stands today as one of the principal flexible military responses this country has in protecting our men and freedom loving nations abroad.

U.S. naval aviation has an interesting and unique history which I would like to share with you briefly.

Several aviation firsts involving naval personnel were set before the Navy officially established an air arm. The first U.S. naval officer to fly was Lt. George C. Sweet during a demonstration flight in 1909. Earlier he had narrowly missed death when he was persuaded to step aside during a Wright brothers' demonstration flight at Fort Meyer, Va., in September, 1908. Army Lt. Thomas E. Selfridge asked Sweet if he would give up his turn that day for the flight. Sweet consented, a step that saved his life. Selfridge became the Nation's first military air fatality.

Despite the tragedy, and narrow escape, Lieutenant Sweet was impressed with the potential of the flying machine as a naval weapon and stated in his official account that the airplane would be important to the Navy.

On December 2, 1908, the chief of the Bureau of Equipment, Rear Adm. William S. Gowles, recommended to the Secretary of the Navy that a number of "aeroplanes" be purchased to operate from the deck of a ship, carry wireless telegraph, operate in weather other than a dead calm, maintain a high rate of speed, and be designed for convenient storage aboard ship.

On August 16, 1909, a Navy Bureau of Equipment request for authority to advertise for the construction of two heav-

ier than air machines was turned down. The Navy Department did not feel the "aeroplane" had progressed sufficiently for use by the Navy.

However, 1 year later in September 1910, increased public interest in aviation forced the Navy to assign personnel to answer correspondence of civilian flying enthusiasts. Capt. W. I. Chambers was assigned the task, and supported by his associates made plans to have an airplane flown from a ship. In the finest Naval aviation tradition Captain Chambers forged ahead ordering an 83-foot platform built over the forecastle of the of the cruiser U.S.S. *Birmingham* despite the fact that the Navy did not have any airplanes.

Captain Chambers knew that to the early aviation pioneers such a facility would be irresistible. It proved to be so because he convinced Glenn Curtiss, a civilian builder, to supply a plane and a pilot.

On November 14, 1910, Eugene Ely flew a 50 horsepower Curtiss pusher from the sloping platform of the *Birmingham*, the first successful launching of an aircraft from a ship.

Curtiss saw the potential advantages the airplane held for a Navy that could successfully adopt the craft. At his own expense he offered to instruct a Navy officer in operation and construction of his aircraft. On December 23, 1911, Lt. T. G. Ellyson was ordered to report to North Island, San Diego, Calif. He was graduated 4 months later, April 12, 1911. Curtiss wrote the Secretary of the Navy that Lieutenant Ellyson had acquired considerable knowledge of the art of aviation and was capable of qualifying for a pilot's license.

During this time Curtiss had been developing a seaplane and on January 26, 1911, made the first successful flight with a seaplane by taking off and landing on the water in San Diego harbor.

On February 17, 1911, Curtiss set another first by taxing out to the U.S.S. *Pennsylvania* anchored in San Diego Harbor, maneuvered under the ship's crane, and was hoisted aboard. Lowered to the water, he took off and flew back to his North Island field. It was the first seaplane operation aboard a ship. The Navy still had no planes of its own. However, this was soon to be remedied.

One month before Ellyson was graduated, the Naval Appropriations Act of March 4, 1911, provided \$25,000 for developing Naval Aviation. On May 4, 1911, Captain Chambers wrote the Navy's first aircraft requisition: for a bamboo, wood, and canvas craft. For \$5,500 he ordered from Curtiss an eight-cylinder "hydroterra-aeroplane." Designated A-1, it was required among other things that it operate on land or water and fly at 45 miles an hour. It did. The Navy at last sprouted wings.

Mr. Speaker, in the district I am privileged to represent, the Second Congressional District of Virginia, the 60th anniversary of Naval Aviation will be celebrated in impressive ceremonies June 25 through the 27. COMNAVAIR LANT has set aside this weekend for a gala celebration of the Diamond Jubilee in Norfolk. COMNAVAIRLANT will host several thousand retired naval aviators,

naval aviation officers, enlisted airmen and guests at a 60th anniversary ball and open house.

Colors ceremonies are planned aboard the aircraft carriers *America* and the *Independence* docked at the Norfolk Naval Air Station Saturday, June 26, at 6:30 p.m. On Sunday both the *America* and the *Independence* will hold open house from noon to 6 p.m. Several multimedia presentations and displays highlighting the growth of Naval Aviation through the years will be shown.

From biplane to jetplane to the moon: That is Naval Aviation's boast on its diamond jubilee, 60 years of service to this great Nation. My thanks and congratulations to all who have served, from civilian engineers and builders to the military men who use and support the hardware. You have earned a "Well Done."

**MISS ROSANNE DILLON RECEIVES
"TEACHER OF THE YEAR AWARD"
FROM LOUISVILLE CATHOLIC
PARENT-TEACHER ASSOCIATIONS**

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. MAZZOLI. Mr. Speaker, it is with an unusual amount of pride and pleasure that I call to the attention of the House an outstanding educator from my district—Miss Rosanne Dillon, of Louisville, Ky. Under any circumstances, I would have been proud to represent one who has given her total energy and complete devotion to the education of young people. But, I am especially proud of Miss Dillon, because she happens to be my sister-in-law.

Perhaps a little background concerning Rosanne would be in order at this point. She is one of the first lay persons ever to be appointed principal of a school in the archdiocese of Louisville. She has always sought to improve her educational and professional qualifications, and consequently each summer has gone to school to earn credits leading to her degree. This has meant that her vacations are something less than vacations; but is has meant also that her students have been enriched and benefited by her extra effort.

Rosanne's road to excellence has not been an easy one. Not only has she labored long and hard in her profession, but has shouldered the additional burden of caring for an invalid mother. Miss Dillon's mother, my mother-in-law, has suffered from a disabling disease for many years, and her condition requires very close and nearly constant attention.

Few people know about this part of Rosanne's life; she is modest to a fault. But, I can personally attest to her cheerful acceptance of this extra responsibility and the fact that her mother's welfare is a main objective of her life.

I must also say that Rosanne is a very talented and reliable babysitter. She has taken care of our children, Michael and Andrea, over the years of their childhood and my wife and I owe her a debt we

can never repay. Because Rosanne started teaching the children early, they learned to read before entering grade school, and have done excellent work ever since.

Last month, Miss Dillon received the first annual Teacher of the Year Award from the League of Catholic Parent-Teacher Associations. An account of this award and the celebration held in her honor at Holy Family School in Louisville appeared in the Louisville, Ky. Record on June 3:

**"D-DAY" AT HOLY FAMILY FOR SCHOOL
PRINCIPAL**

All last week Holy Family School, 3926 Poplar Level Road, was literally plastered with brightly colored posters which sported slogans like "D-Day is coming!" "Watch out for D-Day!" and "What are you doing for D-Day?"

What was D-Day? "I don't know. They tell me it's for Dillon. I'm afraid to ask any more than that," replied the principal of Holy Family, Miss Rosanne Dillon.

Miss Dillon was right. "D" for Dillon Day was officially celebrated at Holy Family last Friday, May 28.

It began with a Mass during which the children asked special Offertory and Communion petitions for their principal. D-Day then shifted to the school cafeteria where the entire school participated in the special program.

Each class presented some form of original entertainment, including song parodies, poems, skits, a mock TV newscast and a take-off of the television comedy "Hee Haw". There was also a barbershop quartet singing a song specially adapted for Miss Dillon; an audience applause contest between teachers named Mr. Mean, Mrs. Homework, Miss Softie and Miss Dillon; and a playlet entitled "A School Day in the Life of Miss Dillon." The program closed with a group of third graders, whom Miss Dillon had taught last year, offering special prayers which they composed for her.

What did Miss Dillon do to deserve all this? There are several answers.

The most immediate cause is that Miss Dillon recently received the League of Catholic Parent-Teacher Association's first annual Teacher of the Year award.

In announcing the award at the League's annual convention last month, president Mrs. Schuhmann Montgomery said Miss Dillon was selected because she "symbolizes the qualities of an educator, one who is honored by parents and by fellow members of her profession . . . one who exhibits outstanding concern for children, effective cooperation in working with parents and children, and fulfillment of duties as a parochial school teacher."

When she accepted the award, Miss Dillon remarked, "Anything that comes to me is because of the people I work with." Later she said, "I would like it made clear that I know that there are other teachers who deserve it (the award) as much and more than I do. The thing that really thrills me is that someone, some small group here at Holy Family, cared enough to nominate me."

The other reasons can be attributed to the basic attitude which Miss Dillon adopted toward the role of principal when she accepted the position in April 1970—an attitude which can be summed up as an "open-door policy."

"From the very first day," she remembered, "I determined that the door had to be open. That was the way it had to be. A principal needs to be available, and she needs to be with the children and with the teachers. I didn't want the principal to be someone apart from them, but someone who was with them."

"I think I would like for the principal's office to be considered as not a foreboding

place where children shudder at the thought of visiting the principal in her office," she continued. "I have tried to foster openness and communication. My door is always open and I would like for the children always to feel free to come and visit or discuss their problems or whatever."

"I would like to think one of my biggest duties or obligations would be to be available at all times for my children and also for the teacher and the parents. This would be my philosophy; this is how I view my role."

Miss Dillon said she also likes to work with the children as much as possible. She does this by visiting classrooms, although "I would like to visit the classroom more than I have."

From 1956 until last year she taught second grade at Holy Family, except for one year when she taught a combined group of second and third graders. She has also taught groups of children who had various learning difficulties, principally in the area of reading. Now she teaches a daily fourth-grade reading class.

Speaking of the age group (second graders) which she was connected with for 14 years, Miss Dillon explained that "maybe I prefer them because this has been my experience. But I have found this year that they (all ages) are equally lovable. Different characteristics come with different ages, but they all have something to offer."

In her free time, of which she said "there just isn't that much," Miss Dillon likes to sew, to read and to work with her hands. Painting," she remarked. "And I'd like to "I think I'd enjoy just about anything where I would make use of my hands—drawing, have more time to read—to do all those things, actually."

As far as summer activities, Miss Dillon said she expects to spend a lot of time making plans for the next school year. She explained that Holy Family will drop its third grade next fall and that many changes will have to be planned for, such as use and space of classrooms.

Also, "I like to swim, and I own a bicycle," she said. "An extended vacation, no. But I'd like to have a few days I could call my own."

She also plans to take some summer courses at the University of Louisville and work toward her master's degree (she received a bachelor of arts degree in elementary education from Ursuline College).

"You can never become static in education," she explained. "You have to be constantly searching for new ways to help yourself become a better teacher, a better person. You have to constantly be open (and) be learning."

**VIEWS OF FLORIDA ASSOCIATION
OF STUDENT COUNCILS, RESOLUTIONS
COMMITTEE**

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BENNETT. Mr. Speaker, I am happy to have the opportunity to make views of the Florida Association of Student Councils Resolutions Committee available to the Congress. This material was sent to me by my constituent, Mr. Andrew E. Johnson, who is chairman of the resolutions committee of the association:

THE FLORIDA ASSOCIATION OF STUDENT COUNCILS RESOLUTIONS COMMITTEE,

Gainesville, Fla.

DEAR CONGRESSMAN: As Chairman of the Resolutions Committee of the Florida Asso-

clation of Student Councils, it is my pleasure to inform you of the various resolutions of the 1971 annual convention of the F.A.S.C. The F.A.S.C. is composed of the student body/student council officers of Florida's high schools; the resolutions are a reasonable attempt to speak out on the issues of direct concern to Florida students.

We are anxious for a reply from each member of Congress. However, resolutions numbers 7, 12, and 18 are the only resolutions which we urge you to consider. We want Congress to seek an end to the Indo-Chinese war now, through emphasizing economic rather than military aid. We want Congress to seek Red Chinese membership in the United Nations. We want to press for an immediate exchange of all Prisoners of War. More important to us perhaps than letting you know our position, we want to know your reaction and what, if anything, you are intending to do in regards to these issues.

Your response to any and all of the enclosed resolutions will be warmly appreciated. Further, you can rest assured that your reply will be communicated to the member schools of the F.A.S.C.

Thank you for your prompt and deliberate consideration. I hope that you may appreciate our sincerity in attempting to represent the opinions of Florida's students through all available channels.

I will be anxious to communicate with you further, if in any way I may assist you in your consideration of these resolutions.

Sincerely, yours for a responsive government,

ANDREW E. JOHNSON,

President, Duval County Association of Student Councils; Chairman, Resolutions Committee, Florida Association of Student Councils.

RESOLUTIONS OF THE FLORIDA ASSOCIATION OF STUDENT COUNCILS 1971 ANNUAL CONVENTION
(Gary Baker Presiding, F.A.S.C. President, Ribault High School)

1. The F.A.S.C. is resolved that the local high school newspaper should have no other censorship than that of the editors and the normal regulation of common legal restrictions.
2. The F.A.S.C. is resolved to press for open campus for lunch breaks.
3. The F.A.S.C. is resolved to press for counties to require no more than one year of physical education.
4. The F.A.S.C. is resolved that home economics should be an elective course.
5. The F.A.S.C. is resolved to oppose any attempts to merge or close FAMU.
6. The F.A.S.C. is resolved to continue with annual spring conventions.
7. The F.A.S.C. is resolved to seek an end to the war in Indo-China now, by urging emphasis to be put on economic rather than military aid.
8. The F.A.S.C. is resolved to seek a collegiate 4-quarter system for high schools, allowing the student to choose any 3 or 4 quarters per year.
9. The F.A.S.C. is resolved to seek a seat for the F.A.S.C. President on the State Board of Communication. (same resolution passed in 1970)
10. The F.A.S.C. has rejected a resolution calling for the legalization of smoking on school grounds, although we do believe that a problem exists.
11. The F.A.S.C. is resolved to urge the legislature that the primary legal deterrent be penalties on the "pusher," and that more emphasis on rehabilitation of the addict be made.
12. The F.A.S.C. is resolved to urge Congress to recognize Red China as a member of the world community, by establishing dip-

lomatic relations and by working for Red China to be seated in the General Assembly of the U.N.

13. The F.A.S.C. failed to take a stand on the draft.

14. The F.A.S.C., after heated debate and lengthy deliberation, defeated a resolution calling for a liberalized abortion law. However, there was a general consensus in favor of family planning.

15. The F.A.S.C. is resolved to use its funds to establish a scholarship system.

16. The F.A.S.C. is resolved that teachers should be required to take psychological tests before teaching in the classroom.

17. The F.A.S.C. is resolved to urge immediate ratification of the 18-year-old voting age amendment.

18. The F.A.S.C. is resolved to press for an immediate exchange of all Prisoners of War.

The F.A.S.C. then resolved to leave the convention site in such a way as to reflect the pride within our association and in such a way as to responsibly represent the attitude of the majority of students in the State of Florida.

Respectfully submitted,

ANDREW E. JOHNSON,

Paxon High.

JACKSONVILLE.

NEW COAL MINE SPRAY SYSTEM

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. MOLLOHAN. Mr. Speaker, I would like to bring to the attention of the Congress an article published in the June 10 edition of the Fairmont, W. Va., Times which describes a potentially useful device in the control of coal dust.

I offer this article to point out the need for improved technology to make our coal mines safer and healthier. It is my belief that part of the difficulties responsible for the lack of truly effective enforcement of the Coal Mine Health and Safety Act of 1969 can be traced to a lag in technology.

I commend Thomas J. DeWitt of Fairmont, his father Harry E. DeWitt, and Earl M. Damron of Morgantown for their fine efforts in trying to develop a device to lessen the health risks of working in a coal mine.

I know I speak for the coal miners across the Nation, as I urge these men to continue their research. I also urge the Bureau of Mines to examine this device in the interest of furthering its development.

LOCAL YOUTH HELPS DESIGN NEW MINE SPRAY SYSTEM

MORGANTOWN, W. Va.—A new spray system that promises to drastically reduce the coal dust that causes miners' black lung has been designed and built by a West Virginia University engineering student, his father and a friend.

Their system has shown promising results in tests performed in Midwest and Pennsylvania coal mines. But it will have to be used over a period of time to make valid comparisons and evaluations.

The student is Thomas J. DeWitt of Fairmont, who recently was graduated in mechanical engineering and has received a

National Defense Education Act Fellowship to study for this doctorate at WVU. Working with him on the project are his father, Harry E. DeWitt of Fairmont, and a family friend, Earl M. Damron of Morgantown.

SUPPRESS COAL DUST

"You wouldn't try to shoot a flock of crows with a 16-inch naval gun—but in effect that is what you're doing when you try to suppress coal dust with conventional water spraying equipment," Thomas DeWitt explained.

Most of the harmful coal particles produced in mining operations are from 0.1 to 10 microns (one millionth of a meter) in diameter. However, most droplets of water produced by conventional spray nozzles used to suppress coal dust are from 1,000 to 10,000 microns in diameter. If one of these droplets meets a particle of coal dust you get a sure kill—but it's an overkill by at least 1,000 times.

Droplets of water are able to settle coal dust because of two reasons. (1) If a liquid droplet and a dust particle meet, they stick together and their combined weight tends to make them fall faster (bodies fall at the same rate only in a vacuum.) (2) A moist particle of dust tends to cling to anything it might touch. If a dry dust particle hits another particle, they simply bounce off one another. And if a dry particle settles on a dry surface, there is a good chance that it will soon be blown back into the air since coal mines are extremely windy places because of the ventilation system.

"The ideal spray would produce a droplet of water for each particle of dust that was being produced and each droplet would be about the same size as the particles," according to DeWitt.

HOPE TO APPROACH

"Naturally, we can only hope to approach this ideal. If you don't have enough droplets, you have to miss some of the dust. If you have too many droplets, you waste water. In the same way—if the droplets are too small, they can't do the job. If they are too large, you waste water again. And clean water in a coal mine is hard to come by; once it has been used, it becomes polluted and presents a disposal problem."

The primary problem caused by coal dust is coal worker's pneumoconiosis (black lung)—a crippling and often fatal disease for which there is no cure.

"Yet disease is not the proper word—pollution is perhaps a better word for black lung," DeWitt observed. "Black lung is a pollution of the lungs, the breathing in and capturing of millions of minute coal particles."

The heart of the new water spray system is a special nozzle that produces droplets from 1 to 15 microns in diameter. (The dust particles that are most harmful to man are thought to be from 0.1 to 10 microns in diameter.)

Despite these favorable results, the new spray system isn't a cure-all. Its installation should be undertaken with the idea that it will be properly controlled, maintained and serviced. And it has to be used over a period of time in order to make valid comparisons and evaluations, DeWitt said.

ELDERLY CONTRIBUTE MUCH

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. WALDIE. Mr. Speaker, I have recently had brought to my attention an

editorial by Thelma M. Schorr, executive editor of the American Journal of Nursing, which offers, I believe, a point of view too often forgotten in our considerations of the elderly.

Miss Schorr has made an excellent statement for the need to remember the human aspects of care as well as the medical and technical aspects and I commend her editorial to my colleagues.

I include the editorial as follows:

AGES OF USEFULNESS

Serendipitous is a lovely word. It means having a nice by-product, gaining more from something than what was expected.

This seems to us to describe very well what happened when the Little Sisters of the Assumption united two worlds in New York's East Harlem community). To ease the cultural shock jarring young families newly arrived from Puerto Rico, the Sisters arranged to have elderly Puerto Rican women, long-time residents of East Harlem, come in and help the young mothers adjust to the strange ways of their new home.

The results were, indeed, serendipitous. Certainly the newly arrived mothers were helped—the original purpose of the venture. But equally, if not more so—and here is where the serendipity comes in—the helpers were also helped. These elderly women found a new purpose in their lives. Old and young alike benefited from the blending of the generations, a blending that has been pretty much sacrificed in this country to either the physical pressures of urbanization or the emotional pressures of our preoccupation with independence. For whatever reason, we have for several decades shelved our elderly and deprived ourselves.

OUR LOSSES

As a result, we have been left with that nuclear family we read so much about today, with its two generations often sullenly separate and without a catalytic third or fourth generation to help them heal the wounds and bridge the gaps. We suffer from a lack of continuity—that quality of life which can anchor a confused and searching generation. We do indeed need grandparents, and we need them to be useful and functioning.

One of the tragic consequences—or is it a cause?—of the dysfunction the aging have endured has been their assumption of the sick role. Sociologist John W. Riley, Jr., at a seminar on aging at Duke University, said that many old people define themselves as sick because society defines them as useless. The biological tolls of old age, he pointed out, "in reaction time, strength, sensory acuity, and so on, do in fact reduce the individual's capacity to deal with his environment and to achieve gratifications in accustomed ways. Yet these aging processes may also entice many older people into the sick role simply because these processes are perceived as threats—as forerunners of a future inability to perform as healthy human beings. If aging could be defined as a normal, dynamic aspect of life—requiring to be sure, many basic and traumatic role adjustments but carrying no necessary connotations of illness—it seems not unlikely that the older person might eventually be able to meet the changed social expectations with a higher chance of good rather than of ill health."

It would seem then, that a great deal depends on expectations. For example, those periods between illness and wellness are critical ones, when attitudes—those of family, friends, staff—are often mirrored in patient response. When the patient is a young person, we concentrate on his return to

function; we call in rehabilitation experts and vocational counselors. But when the patient is old, the focus in too many cases is on disposition, on finding institutions that can compensate for weaknesses instead of situations that will capitalize on strengths. Resumption of normal social roles following an illness is difficult at best; in this era of galloping automation, the skills of young and old alike are devalued and many traditional jobs are being threatened. For the aging person, continuing the role of patient is an alluring choice that is reinforced by societal approval. When it is further reinforced by the attitudes of those in the patient's immediate environment, the specter of a sick old age becomes a self-fulfilling prophecy.

Obviously, there will be persons for whom a geriatric facility is the wisest answer—whether that be a nursing home or an old-age home, a day or night hospital, or some other kind of extended care arrangement. There will also be persons who will enjoy the retirement communities proliferating in such abundance now or the specially built housing facilities for the aged in general neighborhoods.

THEIR GIFTS

But as we plan all these varieties of services for the elderly, let's not forget the importance of services from the elderly. We need them and we need their values, at the very least to test our own against. We need their wisdom from years of living; we need their love to make us more loving.

THELMA M. SCHORR,
Executive Editor.

75TH ANNIVERSARY OF THE JEWISH WAR VETERANS OF THE UNITED STATES

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. EILBERG. Mr. Speaker, on the occasion of the 75th anniversary of its founding by Civil War combatants, I wish to congratulate that splendid and patriotic veterans' organization, the Jewish War Veterans of the United States.

For three-quarters of a century, it has opposed anti-Semitism and espoused an informed and courageous love of this country. Its activities have included, during its long history, community service, veterans' benefits, and legislative action for purposes it has deemed worthy. It has striven to preserve the memory of those brave Americans of the Jewish faith who died serving the United States; the efforts of Jewish American communities throughout the country have financed the establishment of a national shrine to the Jewish war dead, a shrine appropriately located in the Nation's Capital.

The praiseworthy aims of the Jewish War Veterans of the United States were set forth in the moving language of the preamble to its original constitution of 1896:

To maintain true allegiance to the United States of America; to foster and perpetuate true Americanism; to combat whatever tends

to impair the efficiency and permanency of our free institutions; to uphold the fair name of the Jew, and fight his battles wherever unjustly assailed; to encourage the doctrine of universal liberty; equal rights and full justice to all men; to combat the powers of bigotry and darkness wherever originating, and whatever their target; to preserve the spirit of comradeship by mutual helpfulness to comrades and their families; to instill love of Country and Flag, and to promote sound minds and bodies in our members and our youth; to preserve the memories and records of patriotic service performed by men of our faith; to honor their memory, and shield from neglect the graves of our heroic dead.

The members of the Jewish War Veterans met together in convention in Philadelphia in 1936 to amend their constitution. In the newly drafted constitution were set forth in detail the duties and obligations of the national executive council, the national executive committee, the departments, district councils, and ladies' auxiliaries. The duties of officers were prescribed, uniforms and insignia designated, and a seal adopted. Almost two decades later, a congressional charter was obtained.

Now the oldest active veterans' organization in the country, the JWV has been a strong bulwark of the Jewish community's fight against anti-Semitism.

Its dynamic program emphasizes mutual understanding. It tries to reach out to every reputable group in the country, to State legislatures, to Congress, to churches, to schools, and to all other veterans' organizations, in order to find allies in its battle against bigotry.

The JWV has worked hard to maintain its close working relations with both veterans' and nonveterans' organizations in its unending campaign to advance group cooperation in all areas of American life. Among the supporters of the JWV are those organizations which advocate legislation aimed at closing existing gaps in the exercise of civil rights.

JWV programs include brotherhood rallies, school scholarship and contest awards, and civic betterment projects in localities.

Through its child welfare program, the JWV supports the Boy Scouts, provides summer camp scholarships for underprivileged children, sponsors athletic league tournaments, and equips participating teams.

As an accredited agency representing claimants before the Veterans' Administration and the Defense Department, the JWV maintains a veterans' service program staffed by professional counselors and guidance experts who assist veterans and their dependents in dealing with various public agencies. This free service is made available without regard to the race, color, or creed of veteran applicants. It helps thousands of veterans and their dependents each year.

The JWV maintains a legislative office in the Nation's Capital. For the Jewish community, the JWV's legislative office has special significance, because the leaders of our Government recognize that the JWV represents the views of a large and important part of the organized Jewish

community. Through its legislative action program, the JWV has campaigned for a veritable multitude of bills in the areas of civil rights, national defense, mutual security, foreign affairs, veterans' benefits, and other programs of interest to the American Jewish community.

In all the American military cemeteries in this country and throughout the world, there are to be seen, among the rows upon rows of crosses, many Stars of David, mute but overwhelming testimony to the sacrifice made by the men of Jewish faith who fought to the death in order to preserve American freedom.

On this 75th anniversary, we pay tribute to them and to the Jewish War Veterans of the United States.

ISRAEL'S AIR FORCE—IN A CLASS BY ITSELF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. ROSENTHAL. Mr. Speaker, while top Soviet and Egyptian officials were in Cairo signing a 15-year Treaty of Friendship and Cooperation, news reports were circulating elsewhere that the United States was deferring action on Israel's applications to purchase additional aircraft.

While the United States is faithfully discharging its commitments to send Israel all the planes already purchased, there has apparently been no decision with regard to Israel's pending request for additional aid, now some 10 months old.

There are those who interpret this as a form of pressure on Israel to accede to U.S. views on a settlement in the Middle East.

An anti-Israel propaganda campaign is underway which holds that any hope for Arab goodwill will depend on U.S. arms policy toward Israel. We have seen over and over again, Mr. Speaker, that while the United States withholds approval of Israel's arms requests, the Soviets continue and even step up arms shipments to their Arab clients.

The Soviet Union is providing the Egyptians highly advanced missiles and aircraft that it has not committed elsewhere outside its own borders, plus the personnel to operate this sophisticated equipment while they are teaching the Egyptians to handle it themselves.

There are those who would tell you Israel does not need additional aircraft. A look at the statistics shows that is not so. Egypt now has twice as many aircraft as Israel, including three times as many supersonic planes. It has one-and-a-half times as many tanks as Israel, and the Egyptian advantage in missiles is 20 to 1.

Under the new treaty the Russians are committed to equip and train their clients to the extent of Egypt's needs. Moreover, there is conclusive evidence

that the Russians themselves are operating this equipment for the Egyptians. Russian pilots, flying MIG fighters with Egyptian markings, have clashed with Israeli pilots in aerial duels over the Suez and a number of the Soviet-manned planes were shot down.

Israel's quantitative disadvantage will grow, not only because the Russians will maintain the supply, but because Israeli planes and other equipment will suffer from obsolescence and attrition.

There is one thing, however, that the Russians, with all their rubles and determination, have so far been unable to give the Egyptians, and that is quality.

That quality, made up of skill, training, and motivation, has spelled superiority for the Israel Air Force. But the Egyptian and other Arab air forces are not sitting still; they are training vigorously and rapidly acquiring the most advanced equipment available, and that adds up to a serious threat to the balance of power in the most volatile area in the world, the Middle East.

A profile of the Israel Air Force appears in the June 1971 issue of Air Force magazine, written by senior editor William Leavitt. The article follows:

ISRAEL'S AIR FORCE—IN A CLASS BY ITSELF

(By William Leavitt)

If professional skill, technical ingenuity, motivation geared to nothing less than national survival, and a continuing thrust toward self-sufficiency still count for something in human conflict, then Israel's Air Force may be in a class by itself.

A relatively small force in terms of what it has to be able to do, the Israel Air Force (IAF)—or Heyl Ha-Avir, as it is called in Hebrew—has an enormously difficult job. It must maintain air superiority over an area where flight times are measured in minutes, and it must defend, with aircraft and missiles, a tiny country where most of the population is vulnerably gathered in a few major cities and the rest is scattered in relatively small numbers in rural settlements.

At the same time, the IAF must be prepared to support Israel's mobile ground forces in the event of another shooting war in the Middle East. All this against the background of a continuing near-war situation in which Israel is surrounded by adversaries that outnumber her many times over in population and forces.

This tough, multifaceted mission is further complicated by the fact that, as a consequence of international power politics in which Israel finds herself an unwilling player, the Israel Air Force—with its fleet of French-supplied Dassault Mirage IIICs and US-supplied F-4E fighter-bombers and A-4H attack aircraft, plus its array of other, older aircraft of various origins and vintages—now faces, on the crucial Suez front that separates her from her most significant adversary, Egypt, a Soviet-created air defense system that Israeli airmen view as the thickest such barrier in the world.

That system, which has cost the Russians an enormous outlay, includes large deployment of Soviet-manned surface-to-air missiles (SAMs), reported to include the very latest types, advanced radar and communication equipment, plus a formidable collection of advanced Soviet aircraft including the MIG-23 Foxbat, claiming Mach-3 dash performance. The great inflow of Soviet equipment into Egypt since the 1967 Six-Day War is considered by most observers a bold

Russian attempt to neutralize the Israel Air Force, which four years ago this month so easily outflanked Egyptian air defenses and destroyed most of Egypt's air force on the ground.

SOVIET TECHNICIANS

This time, however, the Soviets appear to be determined not to lose their investment by entrusting complex ground equipment and advanced aircraft to Egyptian manning. They have brought in a sizable cadre of Soviet technicians and pilots to man the hardware. And, as many Middle East watchers have pointed out, the Egyptians have, in exchange, largely handed over their military decision-making to the Russians.

That Soviet pilots have arrived in some strength in Egypt has not gone unnoticed by the Israel Air Force or government. Aircraft of the IAF have already shot down a number of Soviet-manned MIG-21s in the Middle East. And Israel's Prime Minister Mrs. Golda Meir, has been quoted as saying that, while Israel is in no way anxious for a renewal of hostilities, if Soviet-manned aircraft show up in the sunsights of Israeli pilots, they will have to be dealt with just as any other adversary in a shooting war.

Such a statement is not to be viewed as bravado. Rather, it is symbolic of Israel's determination not to be intimidated. The same spirit was voiced recently—after the news stories about the flow of MIG-23s into Egypt—by the former commander of the Israel Air Force, retired Maj. Gen. Ezer Weizman. He has been quoted as saying that "if war breaks out again, we shall down the MIG-23s as we downed the others."

He added that he preferred the McDonnell Douglas F-4 any time to the MIG-23, which he described as having a top speed of Mach 2.4—rather than the claimed Mach 3—compared to the F-4's Mach 2.2. He saw the difference as insignificant in combat. The high ceiling of the MIG-23, more than 70,000 feet, General Weizman added, is more useful for reconnaissance than for air-to-air combat.

General Weizman's comments are in line with the operating philosophy of the Israel Air Force, a philosophy made quite evident to the relatively few foreign visitors to IAF installations. Not long ago, as a member of a Western press delegation inspecting Israeli aviation and technical facilities, this writer visited a spanking-new Israel Air Force desert base, and heard Israel Air Force people saying essentially the same thing. Simply stated, the Heyl Ha-Avir's operating philosophy is: "We'll find a way." In terms of the massive Soviet air defense shield in the Suez, the most that Israeli airmen will say is that an absolutely airtight Egyptian defense isn't possible. And there is little question that Israeli tacticians are presently studying everything from standoff missiles to drones and radar spoofing, in order to develop new approaches to that problem, should they be needed.

PILOTS: THE KEY

Translated into practical terms, "we'll find a way" means a way of doing things in the Israel Air Force that includes an extremely careful selection of pilots—many of whom will later be air planners—and intense training, geared to mating the man with his airplane, as well as instruction of the sort that stresses individual initiative and flexibility in combat. This is based on the conviction that Israel cannot afford to lose aircraft, and even more important, cannot afford to lose pilots. The latter point is an article of faith in the Israel Air Force. Israeli airmen will tell you that they will go to enormous lengths to rescue a pilot in trouble, not only because they want him back, but because it is vital for everyone in the IAF to know that the Heyl Ha-Avir cares for its own.

As Israel Air Force people put it, if the country has a secret weapon, it is the IAF's pilot-training program. As a consequence, the IAF is acknowledged as the nation's elite—its shield and spear—and it has the cream of the nation's youth to choose from. Every prospective pilot is a volunteer, a volunteer in a country where everyone, male and female, must perform military service—and where virtually everyone except the very young, the old, and the sick, are in the national military reserve in some capacity.

Pilot selection and training, of which more later, is but one of the factors that distinguish the Israel Air Force as excellent. Flexibility in operations and doctrine, and an organization geared to highly centralized and rapid command and control, are also quite basic to the IAF's past success and present confidence, even in the face of increased challenge.

Israel, living as it does in the midst of a sea of hostility, has been likened to one great aircraft carrier, the nation's entire territory being the flight deck. Certainly, as you drive around the country, airpower is highly visible. High-performance aircraft streak through the air regularly, and you frequently have the impression that an airstrip is not far off.

ONE BIG COMMAND

The Israel Air Force is one big command, with individual squadrons assigned to primary missions, but flexible enough to take on other missions on short notice. The structure is compact. The Heyl Ha-Avir has but one basic chain of command, from the operational squadrons on the bases to the chief of the Israel Air Force, Brig. Gen. Mordechai Hod. General Hod, who commanded the IAF during the Six-Day War, is, in turn, responsible to Lt. Gen. Haim Bar-Lev, Chief of Staff of the Israel Defense Force, in Hebrew called the Zahal. General Bar-Lev, in turn, reports to the celebrated Israeli Minister of Defense, Lt. Gen. Moshe Dayan.

At the same time, and this applies all the way up and down the line, each IAF commander has functional deputies for principal requirements such as intelligence, operations, manpower, and maintenance. Whatever job a member of the Israel Air Force may be doing, whether he's a mechanic or a medic or a pilot, he is responsible for his performance to the base commander—always an experienced pilot—who, in turn, is directly responsible to Israel Air Force headquarters. And the base commander is also the operational commander of the squadrons deployed at his facility.

Thus, at the major training base we visited, the boss was the young colonel who commanded the base. His various deputies all report to him, and he, in turn, reports to IAF headquarters. But at the same time, the people running various services or specialties on the base can get direct guidance in their specialties from headquarters. Also, they are perfectly free to relay suggestions directly to headquarters from the field.

This kind of direct contact between the field and headquarters is not viewed as end-running or going over people's heads. The idea is to have a tight, fast chain of command so that situations can be handled rapidly, while at the same time assuring flexibility and a minimum of bureaucracy and protocol. For example, if someone in a responsible position in the pilot-training business wants to suggest a curriculum change, he can pick up the phone and call IAF headquarters. Chances are he will get an answer within minutes, or, at most, hours. The Air Force chief, General Hod himself, might make the decision. Lengthy staff studies and paper analyses are things the Israelis say they don't have time for. That kind of

organization puts IAF research and development into the operations branch rather than in a separate structure.

In the overall Israel Defense Force organization chart, ground forces are grouped into Northern, Central, and Southern Commands—with IAF airstrips and bases located in all of them. In practice, the geographical commands do not affect the Air Force beyond a few housekeeping matters or such items as seasonal changes of uniform.

FLEXIBILITY

Centralized control with built-in flexibility is the Israel Air Force's style. And, with the short distances involved in Middle East air operations, that kind of control can—and did during the Six-Day War—see combat units easily redeployed from one front to another, in moments.

No frills, but constant emphasis on doing whatever the mission requires with the highest competence possible. This is evident particularly in the pilot-selection and training program previously mentioned. IAF selection and training are designed to create a cadre of pilots—and this applies to everything from high-performance fighters to helicopters—who know virtually everything there is to know about the operation and maximum performance of their aircraft, and themselves.

The emphasis is on individual capability, pilot in aircraft, rather than procedures per se. Many of the volunteers, fresh out of high school, are "kibbutzniks"—youngsters brought up in cooperative rural settlements where the group spirit is very strong. This spirit is considered a valuable asset to the Air Force. The cadets are usually around eighteen years old. From beginning to end, the selection and training program runs about twenty months and includes tough courses in subjects ranging from survival in the field to navigation, gunnery, and air-to-air combat.

It is divided into a number of stages. The first stage is crucial. Its purpose is to weed out those candidates who, for one reason or another, aren't likely to hack it. The cadets are exposed from the outset to flight in Piper Super Cubs. A hard judgment is made quite early as to whether or not to continue the investment in each cadet's training. The decision is crucial, not only in military terms but also in terms of cost—about \$150,000 to produce an IAF fighter pilot.

Yet the investment, even in first-stage candidates who cannot hack it, is not forfeited. Those who are released during the Super Cub stage are assigned either to other Air Force training or to other branches of the Israel Defense Force. In fact, the switch to other assignments can occur at any point in the pilot-training program. And in those other jobs, they do very well, having come from the cream of the country's youth, even though they were not quite up to combat-pilot standards.

The Israel Air Force will not say exactly what the selection rate is, but the figure of one trained combat pilot out of 300 aspirants, which has been reported by some observers, is neither denied nor confirmed. Every graduate of pilot training is commissioned and must serve five years. Often, he has the chance, on active duty, to be sent to a civilian university at government expense.

TRAINING

There is more to the first stage than watching the candidates in the air. Intensive psychological screening on the ground goes on at the same time, as well as a busy round of academic training in aero-related disciplines.

Once through the rigorous first phase, the would-be fighter pilot embarks on several months of intensive ground training. This

is a punishing regime in which the candidate must prove himself able to survive in a country where arid deserts and rugged mountains challenge any man's will. With the field-survival training goes another set of academic courses and psychological observations of the pilot candidates.

Once through this second stage—at this point he has been in the program about eight months—the candidate finally gets a chance to fly the versatile French-designed Fouga Magister twinjet trainer, which the Israelis build under license. During the Six-Day War, Fougas were used quite effectively for close-support operations.

In the Fouga, the cadet really learns to fly and begins to learn how to fight. When he finishes the Fouga course and the concurrent academic program, he's ready for assignment to an operational squadron. Usually he goes to a squadron flying some of the IAF's transonic aircraft: Vautours, Ouragans, Mystères, Super Mystères, or A-4s. Only later might he be assigned to squadron flying supersonic Mirages or Phantoms.

Clearly—and this is evident to the visitor to an IAF base—the Israel Air Force is run by young but seasoned commanders. To keep them fresh, the IAF rotates tours at about two years. That way, they get varied command experience. The IAF has pilots with ten and more MIGs to their credit, plus hundreds of sorties. The training base we visited was commanded by a thirty-six-year-old colonel who has been in the IAF since 1951 and who has flown everything in the inventory, including helicopters.

He briefed visitors politely and briskly in fluent English, from which he was able to slip easily into French when required. That was a heritage, he said, from the days of what he called "our romance with the French." His humor, as he greeted visitors to the striking stone building where he had his headquarters, was evident.

In the middle of the briefing, the phone rang, and he excused himself, saying with a smile, "I hope no war." He then took the call in Hebrew.

SHORT GENERATIONS

"We have learned from others," he said, "but we don't copy. We adapt to our own needs. A 'generation' in our air force can be twelve months." He said this by way of illustrating the speed with which new weaponry, tactics, and concepts can be introduced into the IAF. These range from ingenious spareparts and maintenance operations to on-the-deck flight techniques to electronic countermeasures and evasion of surface-to-air missiles. Israeli airmen point out that, perforce, the IAF has, in a couple of decades, gone through changes in aircraft and flying style that other air forces took fifty years to pass through. Change is the IAF's way of life.

The colonel went on to describe how the Israel Air Force has had to write its own handbooks after extracting what was useful from existing military literature and adapting the data to Israeli conditions and needs. Since Israel's language, Hebrew, is a revived ancient tongue, it is understandably short of technical terms. And when new Hebrew words could not be invented, foreign words were incorporated into the IAF's operational language.

At the same time, interestingly enough, the one facility that we visited in Israel that did not have signs printed in both Hebrew and English was the IAF base. There, all signs on buildings and doors, so far as we could see, were in Hebrew only, although most of the senior personnel spoke enough English to make their points. The cadets themselves, while they learn some English in school and during their Air Force training, are most

comfortable in Hebrew. They are preponderantly "sabras"—or native-born Israelis. And more than fifty percent of them come "off the land," that is, from rural settlements.

QUICK REACTION

The style of the Israel Air Force—featured by doctrinal and operational flexibility, intense training, unquestioned motivation—is geared to what they call Quick Reaction Capability, QRC for short. QRC is applied to the wide range of military endeavors that simply have to work if Israel is to survive. In the Air Force context, QRC can mean an aircraft modification put into effect air-force-wide in one day.

Other examples range from military intelligence, about which, for obvious reasons, the Israelis will say very little, to their adroitness in the art of electronic warfare. One of the reasons the Russians are reported to be installing in Egypt one of their most advanced ground-to-air communication systems, one using digital displays rather than voice, is that the Israelis have been able to monitor enemy communications with relative ease.

QRC has also motivated the imaginative Israel Air Force research and development, performed in close cooperation with the Israeli aircraft industry, that has simplified and stretched the utility of their expensive combat aircraft. For example, the usually clear skies of the Middle East have made it possible to dispense with much of the expensive nav-aid gear that comes with a piece of machinery like the F-4. And, as the Israelis like to point out, guns are vital to combat aircraft, even in an age of air-to-air missiles, and they have added guns to their aircraft as needed.

But dedication, imagination, skill, and an effective command structure are not all the factors that have made the Israel Air Force the compact and competent organization that it is. There is another factor that has always been important, and which could become even more important as the Middle East cold war proceeds: Israel is frankly searching for maximum possible military self-sufficiency.

SELF-SUFFICIENCY

As a result of their experience in the international arena, particularly their often frustrating efforts to buy combat aircraft and other equipment from friendly nations, they have created a strong aviation and technical industry on their own soil. This complex could, in the clinches, put together combat aircraft of the highest sophistication.

There have been reports, neither confirmed nor denied, that the Israelis have already developed and test-flown a prototype Israeli air-superiority fighter. On this point the most their aviation-industry people will say is that they most certainly know how to build such aircraft and that all they need are the orders. Of course, as is well known from open press reports, the Israelis now produce most of their own ordnance needs in Israel, from small-arms ammunition to airplane bombs. And they are marketing beyond their borders such diverse items as their Uzi submachine gun and their Gabriel sea-to-sea missile.

The idea of Israeli military self-sufficiency goes back a long way, to the days when Jews and Arabs were girding for the 1948 war that both sides expected after the departure of the British from the Holy Land. England had ruled there as League of Nations mandate power from the end of World I until after World War II. (For an excellent account of the history of the IAF, see "Israel's Little Air Force and How It Grew," AIR FORCE, January '68.)

The Israel Air Force was at the outset a ragtag collection of obsolescent foreign airplanes, including, ironically enough, leftover

German Messerschmitts airlifted into Israel from Czechoslovakia by Israelis and American sympathizers who flocked to the young state's defense in 1948.

Only recently has the story of that remarkable post-World War II period, when arms and aircraft were being smuggled from North America and Europe into Israel, been revealed in detail. It is a hair-raising tale. The cast of characters includes such diverse personalities as Israel's first Prime Minister, David Ben Gurion, American and Canadian businessmen, and members of the post-World War II Czech government, among many others.

Aviation, military and commercial, is clearly Israel's lifeline. Not only have they built a seasoned air force and sophisticated aerospace industry, but also a profitable flag international carrier, El Al, which brings in vitally needed foreign exchange and which is one of the few international airlines where it's hard to book a reservation these days. The Israelis see aerospace technology as an ideal enterprise for a small country which, while it is pressed by huge defense costs, is also blessed with a highly skilled labor force made up of native-born Israelis and new and old immigrants who have brought solid technical experience to the country.

Knowing that they live in a threatened environment, they have decided to make their indispensable defense investment serve as the forced draft for their internal development. As is the case with the Israel Air Force, their aerospace industry style is eclectic. They acknowledge technical and management debts to the Americans, the French, the British, and others, but they emphasize that out of it all has emerged something quite uniquely Israeli.

Virtually a quarter of the population is involved in defense in one way or another. In the words of Yeshayahu Lavi, the Director General of the Defense Ministry, "for us to maintain this level for a long time is not good for our national identity." Yet, he adds, there are few arguments about the necessity for defense and few polemics about the existence of an Israeli "military-industrial complex."

WORLD MARKETS

With the existence of a vigorous home-grown aerospace industry that, under the leadership of the eighteen-year-old Israel Aircraft Industries, Ltd., is entering world markets with its Arava turboprop STOL transport and its Commodore Jet executive aircraft—a descendant of the old Jet Commander, bought outright from Rockwell-Standard in 1967 and redesigned for manufacture in Israel—there seems little doubt that they mean what they say about technological self-sufficiency.

Along with commercial airplane building and a thriving aircraft maintenance and modification business that serves a number of prestige international carriers as well as the IAF, the Israelis are also building a sophisticated electronics industry that is already developing and manufacturing complex military systems as well as civilian goods.

The Defense Ministry's Mr. Lavi, along with many other Israeli officials, views the thrust toward self-sufficiency as vital to cutting the outward drain on the country's finances. "The size of [Israel's] defense needs are about the same as any major power," he notes, "[but] the difference is in the density of our forces."

Although analogies always have limited utility, there is a kind of rough parallel between the Israeli approach and that of Sweden, which has managed to put together a high-quality, indigenous aerospace industry geared to her own military needs. There are, of course, obvious differences between Sweden's and Israel's military situation. Sweden is not surrounded by adversaries.

But if Israel can manage the cost—building high-performance military aircraft is a costly business—she will probably do so, in order to make sure she is not totally dependent on outside supply. If she does, the Israel Air Force will fly them, Israeli style—to win.

IAF INVENTORY

According to the most recent edition of "The Military Balance," published by the London-based Institute for Strategic Studies, the Israel Air Force inventory includes (beyond their F-4E and Mirage IIIC fighter-bomber/interceptors, and their A-4 Skyhawk attack aircraft) an array of French-built Vautour light bombers, Mystère IV-A fighter-bombers, Ouragan fighter-bombers, Super Mystère fighter-bombers, and Pougas Magister jet trainers also used in ground-attack and close-support roles.

The IAF is also reported to have French-built Noratlas transport craft, C-97 Stratocruisers that can be used for midair refueling, and C-47s.

Israel's helicopter force is said to include Sikorsky CH-53s and UH-34s, plus Bell AB-205s and French-built Alouettes and Super Frelons. They also operate Hawk surface-to-air missiles.

Israel some time ago ordered and paid for fifty Mirage Vs, but the French government has blocked delivery.

HORTON COMMENDS MRS. DONALD H. FOREMAN AND "SEAFISH GROUP"

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. HORTON. Mr. Speaker, the great contributions to communities throughout the country of the FISH organizations are well-known.

Friends In Service Here is nationwide in its scope and, where there is a FISH operation, the entire area benefits from the volunteers who help their neighbors in time of need.

One of the outstanding FISH groups in upstate New York is one whose foundations were built by Mrs. Donald H. Foreman of Rochester. She continues in a leadership role, giving countless hours of service to the group.

Known as SEAFISH—Southeast Area Friends In Service Here—this group has more than 200 volunteers who take on many good deeds and services to others.

Mrs. Foreman read about FISH in a magazine several years ago and now she maintains she does not have time to read magazines—she is so devoted to her volunteer work.

Recently the Rochester Times-Union saluted Mrs. Donald H. Foreman and the SEAFISH group in a feature story written by Jose Echaniz, Jr. It tells of the background of Mrs. Foreman and some of the details of this organized volunteer organization, which in my opinion, could certainly serve as a model for others who want to volunteer their services to help others.

I commend Mrs. Foreman for her outstanding efforts and would like to share with my colleagues in the Congress this

article which tells the inspiring story of SEAFISH.

The article follows:

MRS. DONALD H. FOREMAN

(By Jose Echaniz, Jr.)

One of the more successful FISH groups in Monroe County is flourishing, thanks to foundations laid by Mrs. Donald H. Foreman and her continuing guidance and concern for the organization.

FISH (Friends In Service Here) is a nationwide movement in which groups of persons volunteer to help their neighbors within a community or neighborhood in times of need.

Mrs. Foreman read a magazine article about FISH in February, 1969. "I haven't had time to read a magazine since," she says.

As an interviewer for child health research projects for the pediatric department at Strong Memorial Hospital, she called at many homes where help was needed.

Thus she recognized immediately the need for an organization like FISH. "FISH is needed everywhere," she says. "There are people in need in Brighton as well as the inner city." She consulted her pastor at Mt. Hor Presbyterian Church and together they approached the Southeast Ecumenical Ministry. Through the churches in the southeast area, volunteers were recruited to man the FISH emergency telephone and to be on call to provide specific services.

That's how SEAFISH—Southeast Area Friends In Service Here—started. Today they have 227 volunteers who man the phone in 12-hour shifts once a month, or who provide services in a number of areas. These range from providing meals, transportation or child care to visiting or shopping for the sick, reading to the blind or locating needed articles.

Mrs. Foreman takes a regular turn on the phone "because that's where it's at," but she also has signed up under all the other service categories as well.

SEAFISH now serves some 21,000 households with an estimated population of 41,000. In the past 10 months, the group has handled 1,709 calls.

Mrs. Foreman was born in Rochester, was graduated from West High School and attended Northwestern University.

She and her husband lived in Florida for seven years before returning to Rochester, where he is a machine adjuster at the Eastman Kodak Co. Elm Grove Plant. They have three children, Craig, 10, Mark, 8, and Grant, 7. The family recently moved to 46 Seminole Way, Brighton.

MESSAGE OF ISRAEL

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. MINISH. Mr. Speaker, many Americans are confused about the so-called dual citizenship conferred upon Jews; one citizenship they receive by virtue of their nationality and one other is in Israel as a result of their being born Jewish.

A good explanation of this division enjoyed by world Jewry is contained in a radio address by Rabbi Maurice Davis which was heard on radio station WABC in New Jersey on the program, "Message of Israel." As Rabbi Davis says in this address, Jews are more than a religion, they are a people.

I believe that Rabbi Davis' explanation of Jewish peoplehood is most informa-

tive, and I am grateful to Mr. Sigmund Steckler who performed a service by providing me with this speech.

The speech follows:

MESSAGE OF ISRAEL

(By Rabbi Maurice Davis)

My dear friends, one of the most common questions put to Rabbis constantly is, "When do the holidays fall this year?" It sounds like a strange question until you realize that Jewish holidays seem to arrive each year on a different date. The reason is that our holidays are not based on the civil calendar. They are based on the Jewish calendar which is a highly involved and intricate piece of machinery based upon the moon and corrected by the sun.

The result is a possible variance from the civil calendar of as much as thirty days. Thus the Jewish New Year, Rosh Hashana, might appear as early as the beginning of September, or as late as the early part of October. I could go more deeply into the intricacies involved but the result—for you—would be a massive headache.

This year Israel's Independence Day was observed on the 30th of April. When Israel was established twenty-three years ago, it took place on the 14th of May 1948. As far as we Jews are concerned, however, it always takes place on the 5th of Iyar. It is only that the 5th of Iyar falls on different dates.

My concern, however, is not with the date, but with the day itself. That day took on a special significance this year. Not only did it mark Israel's 23rd birthday, but for the first time it was celebrated as a Jewish religious holiday. The Reform Jewish movement voted last year to include this day in its festival calendar, under its Hebrew name of Yom Atzmaut.

We are an old people, and some of our festivals have origins in the dimmest of antiquity. The Passover, for example, is surely older than the 3500 years of which it speaks. Into such a calendar has now been placed our youngest and newest festival, Yom Atzmaut.

There are many who ask, and with apparent justification, "Why take such a day, a day of national significance to a nation 7,000 miles away, and celebrate it as a religious holiday for Jews not only in America, but for Jews around the world?"

The answer tells a great deal about the Jews, and about Judaism. Of course my nation is America, the land of my citizenship, and if we Jews were simply a religion the question of Yom Atzmaut might possibly not even occur. But we Jews are more than a religion. We are a people. And for our people, the State of Israel represents the hope and dreams of almost 2,000 years.

More accurately 1900 years. For it was in the year 70 of this era that an earlier Israel was defeated. Its Temple was destroyed, and the conquering Armies of Rome carried back trophies of that destruction.

A few Zealots, 969 of them, held out on the Mountain Fortress of Masada. But when the Romans finally broke through the defenses they were met by 969 bodies. Every man had killed his wife and his children. Then ten men had killed all the rest. Then one man had killed the nine, and then himself. Rather than submit to the tortures and the slavery of Rome, these people chose death. They knew the Temple had been destroyed, and Jerusalem was in ruins. As far as they were concerned, they were the last Jews on earth. With them the story would end for all time.

Well the story did not end, and now 1900 years later we celebrate the birthday of an Israel reborn. For all the years from then till now, it was the dream of Israel that kept our people as a people. Not a land—for we had no land—but the dream of a land.

And the love of the Jew toward Israel is a love that can never be diminished or destroyed. It is true that most Jews have no desire to make Israel their home, but they

do want it as their spiritual homeland, and an ever available land for those who desire or need it.

I have recently returned from Israel for perhaps the eighth time, and I never fail to thrill to it all. I am overwhelmed by it, engulfed by it, and yet as an American Jew I am forced to ask myself, "What truly is my personal relationship to that land?"

Perhaps the best way to explain it is for me figuratively to divide Israel into three parts—as Ceasar once did to Gaul. Only my three divisions are not geographical. They are the land, the people, and the government.

For me, at least, the land is *admat kodesh*—sacred soil. Not simply because the ruins are there, ruins to see and touch; the Western Wall, the Tell of Megiddo, the Synagogue at Capernaum, the ruins of Jericho. It is rather all the land. To walk where Amos walked, where Jeremiah wept, where David sang! It is as if I hear the voices, and see the faces of my people and my past.

The land is sacred soil. Here it was that Judaism was born. Here it was they dreamed the dream of a universal God. Here it was they first conceived of a society that would have a single justice. Here it was they heard the word, "It hath been told thee, O man, what is good, and what the Lord doth require of thee." And here it was they sought to take that word, and make it live. The land is sacred soil, the very womb of Judaism.

The second division is the people. My fellow Jews are there. They came from the concentration camps of Germany, from the anti-Semitism of Russia, from the persecutions of Egypt, from the medieval Yemen, from the freedom of the western world. They are there, many were born there, and I am here, and yet I know that they and I have but a single future, and a single fate.

'Twas ever thus. The fate of the Jew has never been an isolated matter. What happens to Jews in one part of the world, and what happens to Jews in another part of the world has always been related. These are my people, and I share with them 4,000 years of history and fellowship, 4,000 years of culture and religion, 4,000 years of dreams and deeds. We are the co-inheritors of a common, most uncommon heritage.

Thus for the land, and thus for the people. The third division is the government of Israel, and that is none of my business. I do not vote in Israel's elections, and I have no voice in her internal politics. America is my country. And here it is I vote, and speak, and do. I am a Jew, not an Israeli. I only hope that Israel will choose a government that will care for the people, and care for the land. For the people are my brothers, and the land is sacred soil.

And so it is that wherever my people live, they turn in hope to the land where Israel was born, and on the anniversary of her independence, we gather in our synagogues in gratitude for her existence, and to pray for the welfare of the people.

When do the Jewish holidays fall this year? They fall upon their appointed days, and the youngest of them all we cherish from old Yom Atzmaut, the day of Israel's Rebirth.

May she find a favor in this world of ours. May she find meaning and worth. And may she find peace—for herself and all mankind.

BEN REIFEL TO SERVE ON NCPC

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. NELSEN. Mr. Speaker, the Aberdeen American-News, Aberdeen, S. Dak., recently commented editorially on the

appointment of former Congressman Ben Reifel to serve on the National Capital Planning Commission. As the editorial suggests, Ben's public administration expertise, his long residency in the Nation's Capital and his background and experience uniquely qualify him for this important position. I include the editorial at this point for the information of congressional colleagues:

RECOGNITION FOR BEN REIFEL

Ben Reifel, the Aberdonian who represented people of South Dakota's First District in Congress for 10 years before voluntary retirement, has been selected by President Nixon for an important assignment that will have an influence on the nation's capital for many years. He will serve on the National Capital Planning Commission. (It will be another parttime job in addition to serving as adviser to the National Park Service on ways to involve Indian culture and Indians in its program.)

In Aberdeen a few weeks ago the former congressman told friends he had been asked to accept the appointment and he joked about his qualifications.

"What expert advice on improving one of the world's most beautiful cities (Washington, D.C.) can they expect from a country boy who was born in a log cabin on a barren Indian reservation in South Dakota?" he asked in fun.

Seriously, he will have important contributions to make to the commission. The privations of his early boyhood and the obstacles he endured in obtaining an education gave him a greater than average appreciation of the opportunities offered by this country and its capital has a profound significance to him.

His studies at Harvard leading to a doctor's degree in public administration, his 10 years as a resident of the District of Columbia while serving in government and his inherent respect for preservation of natural beauty qualify him for decisions that will keep the capital functional and pleasing to the eye.

It is gratifying to his many friends in South Dakota that the federal government leaders are mindful of his talents and continue to call upon him for service to his country.

Incidentally, it is also pleasing to those same friends that South Dakota State University, from which he received a bachelor of science degree in 1932, has selected him for an honorary doctor of humanities degree to be conferred June 6.

STUDENT CALLS HISTORY AND SOCIOLOGY CLASSES PLATFORM FOR EXTREMISTS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. COLLIER. Mr. Speaker, a letter which I recently received from Theodore R. Winkler, a constituent, should interest all who are disturbed because of the situation existing in our institutions of higher learning. It is difficult, if not impossible, for young people to acquire a good education when but one side of a controversial subject is presented. Let us hope that more high schools and colleges will prevail upon the more philosophically partisan professors to permit full discussion of both sides of public issues.

I am convinced that the overwhelming majority of our young people are responsible and law-abiding and anxious to get an education that will enable them to become productive and useful citizens. Full discussion of all aspects of every issue free of strong opinions of the professors removes the possibility of any student feeling that disagreement with the instructor might jeopardize his academic status. Whether it did or did not, this is the obvious impression many students with whom I have spoken get these days. Mr. Winkler's letter follows.

RIVER GROVE, ILL.,

May 12, 1971.

Congressman HAROLD COLLIER,
House of Representatives,
Washington D.C.

DEAR CONGRESSMAN COLLIER: I am a recent graduate of Northeastern Illinois State College. While at the college, I noticed that a number of my history and sociology classes were often turned into political platforms for leftist and extreme liberal views. Instructors, students, and guest speakers gave highly biased views regarding the Viet Nam War, Cuba, poverty, and race. The conservative view was either ignored or belittled.

I believe that the highly leftist slanted social studies classes are to an extent responsible for the civil disobedience committed by many of today's students. I know for a fact that fears of failure and at times physical abuse often deter opposition to classroom bias.

A social studies class that is biased on the left or right is a perversion of the teaching profession. As a history teacher by profession, I must say that this is indoctrination; not education.

Attempts have been made at Northeastern to eliminate some of the radical professors. Some have been successful. In 1968 a policeman successfully infiltrated Northeastern's SDS. Later he testified at the "Conspiracy Seven" trial in Chicago. Therefore things are not hopeless.

However attempts to crush campus radicalism are often attacked as attempts to curb academic freedom. Academic freedom, as with all types of freedom, demands responsibility—to the law and to present both sides fairly on any issue. Radicals want academic license; not freedom.

As one of your constituents, I urge you to cooperate with the FBI and especially J. Edgar Hoover; HUAC; and the Senate Internal Security Subcommittee in the investigation of campus disorders. I also urge you to support state and national efforts to deal with these problems as well.

Things may seem quiet now, but many of the radicals have gone into teaching and social work where they can influence future generations of young people. The next time they disagree with the government there could be more violence.

Sincerely Yours,

THEODORE R. WINKLER.

SCOUTS CARE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DERWINSKI. Mr. Speaker, as a former Boy Scout, I am always pleased to note the continued effectiveness and wonderful service rendered by the Scout movement throughout our country and

wherever Boy Scout organizations are permitted to function.

As many Members know, Boy Scouts of America recently conducted a "Keep America Beautiful Day" on which the young men concentrated specifically on cleaning up litter in their communities. The Blue Island Sun-Standard, commenting on the participation of Boy Scouts in that community, gave this program a well merited editorial endorsement in its June 10 issue.

The editorial follows:

SCOUTS CARE

Saturday, in record high temperatures and intolerable humidity, about 800 area Boy Scouts made a massive clean-up of areas in their communities.

The attack upon local litter and filth was part of a nationwide scouting program called Scouting Keep America Beautiful day.

Involved in the effort were several businesses, government at every level, the Illinois National Guard and even a major league baseball club. All these phases of society lent support in some way to the scouts.

The result was the cleaning of some areas in our towns which have needed a good picking up for quite sometime.

All those involved in the effort should be given a hearty thank you from the public for cleaning its mess.

Scouting spokesmen said the effort made Saturday was not just for one day. Scouts will continue throughout the year to work at preserving our environment.

In one day, 93 tons of litter and trash was picked up in the communities involved. Blue Island had the highest share of that total with 32 tons collected here.

But more important than the promise of a continuing effort or the total amount of litter collected is the well organized and cooperative vacuum cleaner developed for that day.

Litter as a national problem and one which is absurd should not surprise the public.

Over the years the media have drowned the public with messages against using nature for a dumping ground. It has been pointed out that the litter problem can be solved if everyone would show the cooperation exhibited Saturday.

And while the scouts should be thanked, it would be insane to rely upon them as the tool to clean up the litter problem.

The responsibility for the litter problem and a clean environment belongs to each individual of our society.

The worst part of the litter problem is that it would disappear if everyone would simply put his own garbage in the proper place.

We wish to thank the scouts for not only a good job but also for showing how the job should be done.

FINANCIAL PLIGHT OF OUR CITIES

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. O'NEILL. Mr. Speaker, my colleagues in the House are well aware of the financial plight of our cities and towns. With the issue of revenue sharing soon to come before the House, I think it advisable that all members of Congress be exposed to all viewpoints and opinions

regarding revenue sharing. For this reason I am submitting for the RECORD the remarks of the very able and concerned David M. Bartley, speaker of the House of Representatives for the Commonwealth of Massachusetts before the Ways and Means Committee on June 10, 1971, in Washington, D.C. I believe they will be of interest to every Member who is concerned about the condition of America's urban areas.

The remarks of Mr. Bartley follow:

STATEMENT BY DAVID M. BARTLEY

Mr. Chairman, members of the House Ways and Means Committee, for the Record: My name is David M. Bartley. My residence is 25 Hillcrest Road, Holyoke, Mass. I am a State Representative from the city of Holyoke, and am in my second term as Speaker of the Massachusetts House of Representatives.

I very much appreciate your kind invitation to testify before this committee on the important issue of revenue sharing.

I hope, in the next few minutes, to explain to you why I consider Federal revenue sharing so important to the future of both the Commonwealth of Massachusetts and her 351 cities and towns.

But, at the outset, I would like to point out that when I refer to revenue sharing, I refer not to any one specific plan, but rather to the need of increasing the flow of Federal dollars from Washington back to the States and cities.

And I might point out at this time that I'm rather more fond of a welfare takeover proposal than I am of the plan being sold across the country by the President.

I believe you understand why.

I think that when you begin to talk about revenue sharing, two questions ought to be legitimately asked.

First—Do the Cities and the States need the money?

And the answer you receive, I would imagine, is a unanimous and emphatic 'yes.' Let me record Massachusetts in the affirmative as well.

And second—have you, the Cities and States, done anything to help yourselves, financially?

I can't speak for other States, but I can say that over the past five years Massachusetts has made a concerted—and costly—effort to help herself and her cities and towns.

Speaking first of need:

In Massachusetts, our proposed budget for fiscal 1972 is approximately \$2 billion, of this, two-thirds will be allocated to people programs: Public Health, Mental Health, Public Education and Public Welfare.

Our welfare bill this year starts off at an estimated \$800 million of that \$2 billion * * * or * * * 40 percent of our entire State budget. By the end of fiscal 1972, I fully expect that the welfare bill will be \$1 billion.

Of course, there will be Federal reimbursements amounting to close to fifty percent of that cost. But, initially, we have to raise the money on the State level.

In terms of per capita expenditures on Public Welfare, Massachusetts ranks fifth in the Nation.

(Society certainly has an undeniable obligation to help those who—because of age or infirmity, or just plain economic bad luck—can't help themselves.)

A revenue sharing plan based on a Federal assumption of welfare costs would free-up almost one half of our present State operating budget for other use.

And I think immediately of having such "found money" channelled into such "investment areas" as elementary education (which is presently a local government function in Massachusetts), and public higher education.

You can see then why proposals for

revenue sharing via a welfare pick-up are so attractive to Massachusetts.

Because welfare is—by far—the single greatest expense to my State. It is an expense growing at an astronomical rate. It is an expense which is forcing Massachusetts this year to seek a fourth major tax increase in the short span of just six years.

And that proposed tax increase leads to the second important revenue sharing question:

What has Massachusetts done to help itself, financially?

The question might also be phrased this way: What has the Commonwealth of Massachusetts done for her cities and towns.

The answer is: We've done a great deal.

So I can come before you and ask you to share Federal Revenue with the States, knowing full well that in Massachusetts our State Government has made important contributions of its tax revenue to its client communities; its cities and towns.

Here's what we've done in the past half-decade:

1966—We enacted a sales tax.

1967—We increased our income tax.

1969—Another income tax increase, plus new taxes on the so-called "special interests."

1971—Now pending, increases in sales and income taxes.

The 66-69 taxes produced an additional \$400 million in State revenue.

Of this, \$300 million has gone either directly to our local governments or to pay costs formerly borne by local government. Specifically, \$144 million in direct financial aid: The balance going toward meeting the cost of Public Welfare—a local function and local cost picked-up by the State in 1967.

That means that since 1967, seventy-five percent of the \$400 million raised by the Commonwealth of Massachusetts in new state taxes has gone to help our local communities.

That's revenue sharing—Massachusetts style.

Presently pending before our legislature is still another tax plan from the Governor, this one worth \$411 million—more than the previous three combined.

Again, a substantial portion of this proposed new State revenue would go for local aid—\$178 million or roughly 44 percent of the proposed new tax yield.

When you take the three tax plans already passed since 1966, and when you add the new State taxes proposed for 1971—we're talking about more than \$800 million in new taxes in six years. That's almost as much new revenue as our entire state budget was in 1968, three short years ago!

Yet, in spite of all of the new and proposed State aid to cities and towns, local governments in Massachusetts are still having to raise their property taxes, their chief source of self-raised revenue.

They claim they're reaching the point where their locally imposed real estate taxes are becoming absolutely confiscatory; where local real estate taxes are suffocating growth; where local real estate taxes are actually beginning to price many low and middle income people right out of home ownership.

And so the cities turn to the State for help.

And we in State Government—in turn—look to Washington for help.

Just as State taxes in Massachusetts are a more effective and efficient revenue raiser than are local taxes, so too are Federal income taxes a better revenue raiser than our own State taxes.

In terms of all taxes collected in Massachusetts in 1968—the last year for which full figures are available—here's an idea of how taxes shape up in my State.

In 1968, a total of \$6.7 billion in taxes of all kind were collected.

Of this, \$1.1 billion were State taxes.

\$1.2 billion were local taxes.

And \$4.4 billion were Federal taxes.

In terms of Federal revenue returned to

Massachusetts that year, we received \$506 million in Federal aid and reimbursements. That's a ratio of \$8 dollars going down to Washington for every \$1 sent back up.

We believe Washington can do better.

And to me, that's what this whole debate over revenue sharing is all about.

Finally, just a few general observations about revenue sharing and the politics of revenue sharing, from one—who like you—serves in the legislative side of government.

I have absolutely no doubt whatsoever that the phrase "revenue sharing" contains a certain magic which will lend itself well to upcoming political campaigns.

It is a neat, clean and easily understood phrase, perhaps too neat and too clean.

Because it begs the question: "If revenue sharing is so simple a concept, then why doesn't Congress pass it instead of just talking about it?"

The answer is, of course that salesmanship and a slick phrase can cover up a multitude of real and practical problems.

And while slick phrases can be easily coined by an executive it is the legislative branch of government which ultimately must come to grips with the real and practical problems which lurk behind even the simplest sounding proposal.

I'm afraid, for example, that people are being sold revenue sharing as a panacea for local and state fiscal problems.

That's a lot of malarkey.

Some form of increased federal aid would be a big help—but it won't be a cure-all.

You know that.

I know that.

Your committee, however, has the unenviable job of assessing the various revenue sharing proposals—not as political public relations gimmicks, but rather as potential public law.

Congress does have a right to ask hard questions even about popular proposals with great public appeal. Congress does have a right to be skeptical about cure all promises.

Congress does have a right—indeed, Congress as a responsibility—to make sure the dollars it raises through federal taxes are prudently spent—even when those dollars are sent back to state and local governments.

There are some who will attack Congress' legitimate inquiry into the constitutional, legal and fiscal propriety of revenue sharing as "another example of legislative delay and legislative log-rolling."

They will demand your total and immediate capitulation to revenue sharing. If they don't get that, they will attack you as obstructionists and seek to make political capital out of the seemingly slow and deliberate way you work, as you attempt to develop a realistic new approach to share new revenue.

I certainly want to see more federal money flowing back to Massachusetts, and I certainly want to see the money freed as fast as possible.

Yet—as a fellow legislator—I know you have a job to do, a very difficult job to do.

But I have confidence and hope that Congress, in its wisdom, will respond in an affirmative way and with a good and viable and realistic plan to help our states and cities.

Gentlemen, thank you.

POLISH-AMERICANS BECOMING MORE INTERESTED IN POLAND

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. PUCINSKI. Mr. Speaker, as we Americans come more and more to appreciate the special qualities of our di-

verse ethnic heritage, many of us seek to learn of the specific traditions of our cultural past.

The New York Times in a recent article described the renewed interest in Poland by Polish-Americans. With the more relaxed political atmosphere in Poland, American families of Polish descent have begun to visit their cultural homeland and to re-establish ties with friends and relatives of earlier times.

This interest in a cultural heritage is a healthy and vigorous indication of the great pride that Americans of varying ethnic backgrounds have for their special heritage.

I believe this increased travel, particularly to countries that have been sealed off too long from the normal, happy exchange of visitors, will be of significance for the future. Americans who travel abroad to acquaint themselves with the history, language, and traditions of their ancestors cannot help but awaken a special interest in these nations in the unique differences represented by "American" tradition.

Mr. Speaker, this most encouraging article in the New York Times follows:

[From the New York Times, June 6, 1971]
POLES IN UNITED STATES APPARENTLY MORE INTERESTED IN POLAND

WARSAW.—The long dormant ties between Poland and Americans of Polish origin appear to be stirring under the influence of new factors here and in the United States.

In the United States, the trend has been encouraged by a growing sense of ethnic awareness by "Polonia," as the Polish diaspora is known, as well as by other groups. In Poland, policy changes have helped.

Direct commercial air links have been opened between New York and Warsaw by Pan American World Airways. LOT, the Polish airline, has purchased three Ilyushin 62 airlines to join the route next year.

The Polish Government is negotiating with several international hotel companies for two 400-room structures in Warsaw and others in three or four provincial cities.

One example of the new trend will become evident this fall in the Detroit area when two major newspapers will offer half-page advertising paid for by a Philadelphia businessman, seeking to generate interest in Poland. The businessman, Edward Pishek, is of Polish origin, and his appeal will be aimed at the general public rather than at Polonia, as has been the case was Polish-American organizations in the past.

ANCIENT EDICT CITED

One advertisement will say, "Seven centuries ago, a Polish king knew that men could differ and yet live productively and did something about it."

It will cite the Edict of Kalisz, signed in 1264, and says "For the first time in Christian civilization, a Government granted equal protection under the law to Jews."

The campaign, which will be extended to other cities with large Polish communities, has not gained much favor with the established Polonia groups, who feel that such an aggressive campaign could generate a strong backlash against what could be interpreted as a "Polish-power" movement. These groups, which emphasize social and cultural activities, concentrate on reaching their own members rather than the general public.

There are 10 million people of Polish origin who live outside Poland, about six million of them in the United States. The Polish Government is expressing increasing interest in this Polonia.

"Recently the climate for closer ties between Poland and Poles living abroad, particularly in the United States, has improved

considerably," said Mieczyslaw Fudali, spokesman for the Polonia Association in Warsaw.

He noted that Polish-American organizations had often lobbied for such issues as giving Poland most-favored-nation treatment, expanding cultural exchanges and recognizing her western frontiers.

The Polish press has reported widely on contributions made by Poles abroad for rebuilding the royal castle in Warsaw. The castle will contain a museum featuring the cultural achievements of Polish émigrés.

The press also has given extensive coverage to groups of Polonia tourists, and special efforts are made to encourage them to visit Poland. For example, the requirement that American tourists must exchange at least \$7.50 for each day of their stay here, is reduced to \$3 for tourists who come either on organized Polonia tours or to visit relatives.

TOURIST CENTER PLANNED

Plans are under way to build a hotel and recreation center for the exclusive use of Polonia tourists, 160,000 of whom visited Poland last year, double the number of five years ago.

The Kosciuszko Foundation in New York City, is one of the main organizations in the United States promoting cultural exchange with Poland.

Last year it initiated a "junior year abroad" program for students wanting to study at the Jagiellonian University in Cracow, and a six-week summer course in English on Polish culture at the same university. This summer it will also send 50 students and teachers of Polish folk dances to study folk art here.

The foundation also grants about a dozen fellowships for one year of study in Poland to American graduate students in fields related to Polish culture. An equal number of Polish Academicians are sent to the United States each year under its auspices.

Eugene Kusielewicz, president of the foundation, is in Warsaw this week to negotiate still another exchange program and a Polish-American publishing venture, and to consult with the Polish Academy of Sciences on organizing a separate institute on Polish ethnic studies here.

AVCO ACTION FAVORS TELEVISION VIEWERS

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. MYERS. Mr. Speaker, AVCO Broadcasting Corp. has initiated a bold plan to reduce commercialization in television programming which I feel deserves national recognition.

Expressing the hope that someday there will be an industry-wide movement to reverse the over-scheduling of commercial announcements in television programming, AVCO President John T. Murphy announced that AVCO Broadcasting decided not to wait, but to take leadership toward correcting this situation.

I share Mr. Murphy's hope that other broadcasters will elect to join AVCO in this effort to improve the quality of television programming for both the viewer and the advertiser. A full explanation of the decision appeared in the following announcement by AVCO:

NEWS RELEASE

"Effective June 1," said M. Murphy, "a ten per cent reduction from the commercial time

allowable under the National Association of Broadcasters Television Code will be made on all live, film, or tape programs we originate on our television stations."

Murphy, long an advocate of reduced commercialization, said "There is no question in my mind but that viewers are increasingly offended by over-commercialization and clutter. Many factors have contributed to this, not the least of which has been the widespread adoption of the 30-second spot. Although we strongly favor an industrywide movement to improve the broadcasting service offered the public, Avco has decided to assume leadership and move now to reduce commercial time on its television stations. Obviously, we hope others will join us."

Among program areas affected will be the early and late evening newscasts, and the live daytime variety shows for which Avco has become famous. "We believe reducing the commercial time will make each commercial spot more palatable to our viewers and more valuable to our clients," said Murphy.

At the same time, Mr. Murphy announced a new "Avco Firm Card" in which all rates quoted will be firm, and all spot announcements (excluding run-of-schedule) non-preemptible. "This new commercial policy and sales plan which eliminates spot preemptibility was devised after a number of discussions with marketing executives, advertising agencies, and broadcasting leaders. The Avco Firm Card will be effective June 1. All clients who buy under the new plan will have rate protection for 13 weeks, or the end of their contract, whichever is the shortest length of time."

Murphy added that "Avco Broadcasting hopes these positive steps to reduce commercialization and to eliminate the morass of preemptibility will provide policy building blocks for the broadcasting industry. Both viewer and client will benefit. We believe they are logical, practical, much-needed moves and sincerely hope other broadcasters will incorporate such policies in their own planning."

BALTIC STATES

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mrs. GRIFFITHS. Mr. Speaker, in June of 1940 the Soviet Union invaded the Baltic States and took over Lithuania, Latvia, and Estonia by force of arms. The Soviets have since been bent on the systematic destruction of the national identity of the Baltic peoples. Tens of thousands of innocent and helpless citizens have been deported to live in exile in the remote areas of Siberia. And yet, throughout all this physical terrorization the Baltic peoples have persistently retained their will to resist communism. The United States has never recognized the seizure and occupation of the Baltic States and has continuously restated this position.

On this anniversary of the destruction of the Baltic States, I wish to express my admiration for the courageous peoples of Lithuania, Latvia and Estonia. The unfortunate events whose anniversary we observe this month should remind us once again that the hopes and dreams of these peoples are also our own. They should remind us that we must continue to strive for a free and peaceful world in which all people will have the opportunity to live their lives as they choose. The denial

of freedom to the Baltic people is intolerable and a blow to the rights of all mankind.

THE VIETNAM ELECTIONS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. WOLFF. Mr. Speaker, as many of my colleagues are aware, the forthcoming elections in Vietnam will constitute an important test of our purpose in fighting in Southeast Asia and of Vietnamese support for the Thieu-Ky government.

An editorial in the New York Times of June 13 included a cogent analysis of the current political situation in Vietnam, and the need for increased American pressure for a fair election, if the presidential campaign in October is to be a genuine contest. I myself have introduced legislation providing for the appointment of an American study team to observe the elections this fall, and I believe the Times' support for repeated visits by congressional observers indicates the need for such a team.

In view of the recent passage by the Vietnamese assembly of a restrictive new electoral bill, and in view of the fact that any efforts to rig the elections are taking place now—rather than on election day—I believe that passage of such legislation is more important than ever.

I commend the Times editorial to the attention of my colleagues and urge prompt action on my legislation, cosponsored by 48 Members of the House:

THE VIETNAM ELECTIONS

South Vietnam's approaching elections, for the National Assembly in August and the presidency in October, pose critical problems for the United States.

The White House is following a "hands-off" policy to avoid any impression that it is trying to influence the results. But the fact that this policy inescapably benefits President Thieu—a wartime incumbent who controls the police, the provincial governors, vast patronage and other means of shaping the outcome—is not lost on Washington. The continuity and stability of Saigon's military regime are seen as the keys to substantial American withdrawal through Vietnamization of the war.

This policy is shortsighted. More important to the United States than the outcome of the elections is the manner in which they are conducted. A major American objective in the war from the start—and the central moral purpose proclaimed by every President from Eisenhower to Nixon—has been to enable the South Vietnamese people to choose their own government. The United States will be vitiating that purpose in its own eyes and those of the world if it does not do everything it can to assure that the coming elections are fair and open.

Even in so-called "realistic" terms, a genuinely free election is in the interests of the United States as well as the Vietnamese people. If it were won by President Thieu, this evidence of popular support would greatly strengthen his position, advance Vietnamization and permit a speedier withdrawal of American forces. If Mr. Thieu were defeated by a peace candidate, such as Gen. Duong Van (Big) Minh, there would be an opportunity to broaden the Saigon Government and seek a political settlement with the Communists, who refuse to negotiate

with Mr. Thieu. Unlike Vietnamization, which presumes continuation of the war and some degree of American participation, a political settlement would permit total American military withdrawal.

A rigged election would not serve the interests of the United States, or the Vietnamese people, or even of Mr. Thieu, except possibly for a brief period. If South Vietnam's President with all his built-in advantages is unable to win a fair election his tenure is unlikely to last very long. The stability the Nixon Administration hopes Mr. Thieu's re-election will provide could prove to be a mirage.

All this suggests that a vigorous American effort—rather than futile *pro forma* protests by Ambassador Bunker—should be made to convince Mr. Thieu to revise or veto the controversial new electoral bill he and his supporters have pushed through the National Assembly over the strong objections of the Senate and the opposition parties. The new bill is designed to permit Mr. Thieu to be elected by an absolute majority rather than the 35 per cent vote he gained in 1967 in a field of eleven candidates. It would require each presidential candidate to be nominated by at least forty of Saigon's 197 National Assemblymen or 100 of the country's 554 provincial and city counselors. Since most of these gentlemen are expected to endorse President Thieu, neither Vice President Ky nor any other prospective candidate evidently can assemble enough endorsements to run, except possibly "Big" Minh. But General Minh has denounced the electoral bill as unconstitutional and he may prefer to leave Mr. Thieu embarrassingly alone on the ballot, if he concludes that the electoral law is a precursor of other measures designed to make Mr. Thieu's election certain.

To avert this danger, more American pressure for a fair election may be needed than that provided by Ambassador Bunker's slaps on the wrist, although Mr. Thieu is already reported to be having second thoughts about the election bill. Repeated visits by Congressional observers would be one useful move. Private groups also have a role to play. Clark Kerr's National Committee for a Political Settlement in Vietnam has already dispatched a seven-member study group to Saigon, including the executive director of the U.S. Fair Campaign Practices Committee.

The time for such missions is now. What happens prior to the elections is more important than what happens on election day. Every means of pressure and exposure must be employed to convince President Thieu that the greatest service he can render his country is to run a fair election—even if it should result in his own defeat.

L.B.J. LIBRARY DEDICATION

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. ROBERTS. Mr. Speaker, it was my privilege and honor to be among those present for the dedication of the Lyndon B. Johnson Library and School of Public Affairs at the University of Texas in Austin on May 22. I would like to join my colleagues in praising these outstanding facilities.

As one writer put it:

Every Texan and every American has reason to be proud of these unique and magnificent facilities.

The exhibits, films, tapes, Presidential papers, gifts from heads of state, bridal gowns worn by daughters of a President, and personal gifts to the President which are on display in the library are of vast educational and historical worth to this and future generations of Americans. Every citizen, not just the historian and the scholar, will derive immeasurable benefit from visiting the library and the school.

The thing that most impressed me about the library was the great insight it gives into Lyndon Johnson's life as President. From the moment one enters the library, he is able to see, hear and sense the overwhelming problems and achievements which marked the sixties and the Presidency. One of the most interesting exhibits in the library is the replica of the Oval Room of the White House exactly as it was during Mr. Johnson's 5 years there.

The vast and bipartisan array of guests who attended the dedication is a clear indication of the high regard this Nation holds for our former President, Lyndon Johnson. The school and the library, the largest of its kind in the world, are fitting tributes to a great American leader.

SEVENTH DISTRICT CONSTITUENTS OPPOSE EDUCATION REVENUE SHARING

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DELLUMS. Mr. Speaker, various aspects of the administration's proposed revenue-sharing program in education were aired at a public hearing held March 12 in San Francisco. After sitting through the hearing, members of the Berkeley Unified School District Advisory Committee for Berkeley ESSA title I projects undertook a petition campaign to express their views on this type of education funding.

Over 300 constituents of the Seventh District signed the following petition. I agree with their position, but, just as importantly, I appreciate their efforts at involving local citizens in the important issues before us.

The petition follows:

We, the undersigned, do hereby declare our opposition to the Education Special Revenue Sharing Act. We are opposed because it affords too much power over Educational Funds in the hands of governors—the governor of California included. Such legislation is bound to have severe effects upon Black, Brown, and poor children throughout the entire United States. Great strides are being made with Federal funds for Education, especially Title I funds in California. Berkeley too, has begun to use these funds more effectively than ever before. If insensitive agencies, designated by the governors, handled these educational funds, we are not certain that those who need them most would receive the benefits. As a consequence, we are urging our Congressmen and Senators to vote against President Nixon's Education Special Revenue Sharing Act and that Title I remain untampered with.

(Signed by over 300 constituents.)

REVIEWERS CONSPIRE AGAINST
THE "BOSS"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DERWINSKI. Mr. Speaker, a column by the Reverend Andrew M. Greeley in *The New World*, the official publication of the Catholic archdiocese of Chicago, was certainly an interesting commentary on the journalistic ethics of what he described as "the liberal intellectual establishment."

The criticism that Father Greeley directs against most of the book reviews of the "Boss," a book written by Mike Royko, hits the nail on the head.

Although every 2 years I must face a political challenge from a candidate selected by Mayor Daley, I respect him as an individual. As the acknowledged political strongman in the State of Illinois as well as the head of the only effective big city political machine remaining in the country, Mayor Daley is naturally a controversial individual. However, he deserves to be recognized as a hard-working, effective administrator of the city of Chicago, a brilliant political strategist who unquestionably understands public reaction to current events, especially on issues which affect election results.

Mr. Speaker, I believe it is accurate to state that the city of Chicago is far more effectively served by Mayor Richard J. Daley, the political boss than is New York City by Mayor John Lindsay, who does not lead a political machine, but appears to be incapable of governing.

The column by Father Greeley follows:

REVIEWERS CONSPIRE AGAINST THE "BOSS"

(By Father Andrew M. Greeley)

A good measure of the intellectual honesty of the liberal intellectual establishment which acts as arbiters of how all of us should think is the treatment by reviewers of Mike Royko's book, "Boss," which purports to be a biography of Richard J. Daley.

It is not my intention either to defend the mayor (on the basis of the last election in Chicago, I don't think he needs my defense) or to attempt a formal criticism of Royko's book. But it does seem appropriate to ask some questions about the way the book was reviewed in the official journals of the liberal establishment.

The book is unquestionably a brilliant, fascinating piece of work. It is also, as I think hardly need be observed at the present time, anything but favorable or even fair to Mayor Daley. Mr. Royko, of course, is perfectly within his rights to write a book of attacking the mayor and the reviewers are perfectly within their rights in agreeing with what Mr. Royko has to say. But the important question, it seems to me, is who are the reviewers.

I am unaware of a single review of "Boss" in a major national journal that was not written by a sworn public enemy of the mayor. In other words, the review editors of these journals deliberately and consciously turned the book over to men who could be counted on to endorse Royko's view of things, and indeed, to use the review for yet another attack on the mayor of Chicago.

The *New York Times* chose Studs Terkel, whose dislike of the mayor is patent to anyone who reads his books. Interestingly

enough, Mr. Royko thanks Mr. Terkel in his introduction for urging him to write the book. I wonder how often the *Times* assigns a book to someone openly acknowledged as having inspired it.

Another journal gave the book to Roy Fisher who is Mr. Royko's boss and whose support is also acknowledged in the introduction. The *Critic* chose Nelson Algren, who is also thanked in the introduction. The *New Yorker* turned it over to Richard Harris whose worship of Ramsey Clark would scarcely incline him to take an objective view of anything that happened in Chicago.

However, the *Saturday Review* certainly deserves the top prize for bias, since it gave the review to Dan Walker, a candidate for governor, who is runningly avowedly and explicitly against the influence of the mayor—an action which, I take it, is rather like giving Eugene McCarthy an opportunity to review a book that attacks Lyndon Johnson. To top things off, the *Saturday Review*, in an attempt to present the other side, commissioned a review by a critic who was at least as unfavorable as Walker, though in a more subtle way.

This author explains the mayor's corrupt behavior in terms of his "Irish ethics"—obviously, an inferior brand of morality. I am not, mind you, suggesting that a reviewer is under any obligation to disagree with Mr. Royko; what I am saying is that if the journals in question were really impartial and unbiased, they would have assigned the reviews to writers where there was at least a chance of disagreement.

One must conclude that the editors were not really willing to take this sort of chance and wanted to guarantee a review that was favorable to Royko and hostile to Daley. It is interesting to compare this technique with the reviews for Catherine Gray's book on the Catholic radicals. With one or two exceptions, all the reviews were written by people who could be relied upon to praise both Mrs. Gray and the brothers Berrigan and their allies.

It ought not to be hard to find writers who are both well informed about Chicago and capable of being objective about its politics and its mayor. One looks in vain in any of the liberal journals, for example, in search of a review by Prof. James Q. Wilson of Harvard who is perhaps the outstanding scholarly expert on city politics. But the mayor of Chicago has no right to scholarly, objective, and expert evaluation. He has been tried, convicted, found guilty. It only remains for the liberal establishment to execute him.

Before the recent Chicago election I signed a statement of a group of "scholars for Daley," not because I particularly thought the mayor needed my support (he certainly didn't), but because I was furious at the obvious and blatant anti-Irish tone of the university community's opposition to Daley—and the irresponsible refusal to recognize the fact that, as Adlai Stevenson puts it, the mayor is the most competent municipal administrator in the United States.

I was deluged with complaints, phone calls and nasty comments. The editor of the University of Chicago student paper called up outraged to demand whether I really was in favor of political corruption. In the world of the University of Chicago undergraduate, apparently if you were for the mayor you had to be for corruption.

Mr. Royko and his literary admirers have it all figured out. Daley wins because of fraud, corruption, and the patronage army. It's just that simple. There is no other reason why people would vote for him. In the election, of course, he carried 80% of the black vote, 80% of the Polish vote, and 65% of the Jewish vote (against a candidate who was Jewish). But the only reason for that was that the people of Chicago are so stupid.

COMMUNISTS SPREAD
ANTISEMITISM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. CRANE. Mr. Speaker, ever since the Russian Revolution of 1917 Judaism in the U.S.S.R. has been subject to unique discrimination.

Jewish congregations are not permitted to organize a nationwide federation or any other central organization. Judaism is permitted no publication facilities, and no Hebrew Bible has been published for Jews since 1917, nor is a Russian translation of the Jewish version of the Old Testament allowed.

The study of Hebrew, even for religious purposes, has been outlawed and the production of religious objects, such as prayer shawls, is prohibited.

The number of Jews in the Soviet Union is over 3 million, of whom 1 million have been estimated to be believers. For these there are approximately 60 synagogues and rabbis, or one synagogue and rabbi for each 16,000 believers. No new rabbis are now being trained and the average age of rabbis is over 70. Little hope remains for a continuation of Jewish religious life in the Soviet Union.

Despite those advocates of "detente" in our own country who tell us that the Soviet Union is changing, the unhappy fact remains that for its citizens that country is a vast prison, forbidding emigration. But, beyond this, the Soviet Union is now pursuing an active propaganda policy of antisemitism.

My distinguished colleague, Representative JOHN ASHBROOK of Ohio, recently cited a Moscow-published booklet entitled "Caution: Zionism!" He described it as "the most vicious anti-Semitic piece of literature I have ever seen since the Nazis were wiped out in Germany in World War II." According to Ashbrook, the anti-Semitic document has been published in several languages, including English, and is being circulated around the world.

This book accuses Jews throughout the world of being involved in a "conspiracy" and even states that the Roman Catholic Church is itself controlled by "secret" Jews.

An important article concerning this book and the Soviet policy of spreading anti-Semitism on a worldwide basis has been written by Victor Lasky and appears in the June 12, 1971 issue of *Human Events*.

I include this article for insertion into the RECORD.

ANTI-SEMITISM OF THE LEFT ACTIVELY
PROMOTED BY U.S.S.R.

REPRESENTATIVE ASHBROOK'S WARNING

(By Victor Lasky)

A warning to American conservatives to beware of those peddling anti-Semitic nostrums has been delivered by a prominent political figure long associated with anti-Communist causes.

In effect, says Rep. John Ashbrook of Ohio, the ranking Republican member on the House Committee on Internal Security, formerly known as the Committee on Un-American Activities, the anti-Semites are playing the Communist game. For the No. 1 dispenser of hate-the-Jew propaganda is the Soviet Union.

As an example, Ashbrook cites a Moscow-published booklet entitled "Caution: Zionism!" He describes it as "the most vicious anti-Semitic piece of literature that I have ever seen since the Nazis were wiped out in Germany in World War II." Written by Yuri Ivanov, the booklet was printed by Progress Publishers, the official Soviet publishing house.

According to Ashbrook, "Caution: Zionism!" has been published in several languages, including English, and is being circulated around the world. The congressman inserted passages from the document in the CONGRESSIONAL RECORD and they are vile indeed.

So vile, in fact, that it continues to astonish many like Ashbrook that so many Americans of the liberal persuasion, while wholeheartedly opposed to the Nazis, seem to adopt a more forgiving attitude towards official Communist bigotry.

Ashbrook, who obtained a copy of "Caution: Zionism!" from the official Soviet distributing agency in New York, charges that "The booklet accuses Jews throughout the world of being involved in some sort of syncretist conspiracy—a conspiracy, of course, in collaboration with 'American imperialism,' the usual target of Soviet vilification.

Typical of the charges contained in the anti-Semitic document was the grotesque claim that "the money earned by the labor" of French Catholic workers was transferrable to Israel by "Rothschild, Pierre Dryfus and other financiers and businessmen."

Moreover, according to the booklet, the Roman Catholic Church is controlled by secret Jews, the most prominent of whom was Cardinal Augustin Bea.

The cardinal is described in the Communist booklet as having "long ago abandoned his Jewish faith to embrace Catholicism in order to help cement the alliance between the Catholic and Jewish churches by means of the Second Vatican Council declaration of Nov. 20, 1964. . . ."

As Ashbrook noted: "A man such as Cardinal Bea is considered Jewish because he was born Jewish, even though he now embraces the Roman Catholic Church. This was the Nazi definition of a Jew—anyone who is born of Jewish parents regardless of his religion was eligible for extermination in the gas chambers of Nazi Germany.

"The old Nazi fantasies about the international Jewish bankers and about the Jewish control of everything in sight are now repeated by the Communists because it serves the needs of the Soviet Union. The spread of these Nazi-style fantasies against the Jews provides the excuse for the continued persecution of the Jews in the Soviet Union."

Ashbrook, who until recently was chairman of the prestigious American Conservative Union (ACU), then had this observation:

"It is always sad for me to note that some Americans who call themselves anti-Communist or conservative fall into the anti-Semitic trap. I am one who has never said that all of the un-Americans are on the left. Unfortunately, many on the American right are pure and simple anti-Semitic. They are helping Communism, not Americanism, when they preach hatred or contempt of any race. They should read 'Caution: Zionism!' and beware of those Americans who spread this same hatred on our shores."

Well said, Congressman Ashbrook!

RABBINICAL COUNCIL CALLS FOR STUDY ON ABORTION LAWS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. HOGAN. Mr. Speaker, I reiterate my firm convictions against abortion on demand. I feel that those who endorse liberalized abortion policies are not fully aware that the fetus is human. It is my hope that, through education, the public will come to be fully cognizant of the fetus' basic humanity and will realize that abortion is, therefore, the destruction of a human life.

The Rabbinical Council of America, a major Jewish organization composed of more than 1,000 rabbis, has also strongly denounced liberalized abortion laws and the resulting sharp increase in abortions.

At a convention in Miami Beach, the council issued a strong statement calling for a reexamination of permissive abortion laws. This resolution brings forth many salient facts and I ask, therefore, that a news statement from this organization describing the action be inserted in the RECORD at this point:

RABBINICAL COUNCIL CALLS ALL STATE LEGISLATURES TO APPOINT STUDY COMMISSION TO REVIEW AND REVISE ABORTION LAWS

MIAMI BEACH, FLA., May 6.—Rabbi Pesach Levovitz called upon all State Legislatures throughout the United States "to review and to revise the permissive abortion laws which have been enacted throughout the country."

Rabbi Pesach Levovitz issued this appeal at the Sea Gull Hotel. "Abortions," he declared, "have already assumed epidemic proportions. In New York City alone, over 100,000 unborn children have been aborted since the liberalized law went into effect last July 1. Most of these abortions are dictated by considerations of convenience, not of health, and the murder of these fetuses is a reflection of the hardening of human sensitivities characteristic of our age."

Rabbi Levovitz stressed, "we are not seeking the imposition of Jewish Religious Law upon the general society. As regards members of our faith, our own spiritual leaders are conducting an avid campaign of enlightenment. What does perturb us, however, is the general deterioration of moral values in our society, of which permissive abortion is a significant symptom. To make the termination of life or potential life a mechanical affair is to cheapen human life. A person who is casual about abortion is a diminished person. It is our religious duty, as descendants of a noble faith which inspired the moral codes of the Western world, to issue a clarion call of crisis about threats to our sense of decency and civilization."

"We call upon all legislators to submit their abortion statutes to a serious evaluation in view of the experiences of several states during the past year. Fetuses, already with breath and with a capacity for survival, are being killed. Advertisements in the daily press offering "easy abortions" reflect the casual insensitivity one associates with other disposable objects of no value. Legislators must consider the deeper implications of what is transpiring with a view of reviewing existing legislation. Particularly, the State of New York, whose legislation is frequently a model for their states, which is presently

considering the matter, should subject its abortion laws to serious reconsideration with an awareness of the disastrous experiences of the past year."

Rabbi Levovitz continued "we must not confuse civil permissibility with religious allowance. In the final judgment, we will have to render an accounting to God and to our religious tradition. No woman is the final arbiter about the disposition of her body and the embryonic human life flourishing therein. Doctors, too, must face up to the moral dilemma whether they can play havoc with the basic worth and dignity of human life when they freely perform abortions at all stages of pregnancy."

"In Judaism," the Rabbi stressed, "the life of an unborn child is sacred and only when it is a threat to the mother can the moral issue of abortion be resolved. For each person to decide arbitrarily, on the basis of economics or convenience, whether a foetus is to survive is literally for man to play God and is religiously blasphemous and socially destructive."

Rabbi Levovitz was reacting to the recent passage of the New York State Abortion Law which, he said, has opened a Pandora's Box of frightful implications. Already, we hear talk of legislation allowing euthanasia for the chronically ill and aged. What we are witnessing is a basic dehumanization and depersonalization. "The very worthiness of human life," Rabbi Levovitz emphasized, "is depreciated if man both proposes and disposes. We reap here the moral corruption implanted into our generation by the virulent Nazi ideology which regarded men as 'disposable objects,' expendable and exploitable for human ends."

"We particularly deplore, Rabbi Levovitz stressed, "the claim of higher morality by proponents of permissive abortions. They wrongfully ascribe to traditional religion an insensitivity to human problems. This is totally erroneous. Judaism has been the moral mentor of Western civilization and no code of morality surpasses our Bible's concern for human life. Our holiest days and every religious precept must be set aside in order to save a human life. A sensitivity to social injustice is imbedded with our tradition. "And it is Judasim," Rabbi Levovitz said, "which resists a blanket allowance to abortion, except under controlled circumstances as prescribed by competent rabbinic authority."

"We call upon state legislators throughout the country to set up special study commissions composed of members of medical, legal and religious groups to restudy the entire matters in view of the considerations mentioned above."

FREEDOM FOR THE BALTIC STATES

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. STEELE. Mr. Speaker, the fate of the three Baltic States, Estonia, Latvia, and Lithuania represents a tragic reminder of one of the most unfortunate phenomena of modern international relations; the loss of freedom suffered by the people of courageous states such as these.

Throughout the history of the Baltic States the goal of self-government has almost continuously eluded the peoples

of this region. For only a brief time in the modern era; between the two world wars, did these people enjoy the self-respect and the opportunity for self-development which accompany the attainment of national sovereignty. The determination of the Baltic peoples to exhibit their willingness to survive as independent nations is well documented as each state surpassed its pre-1914 standards of living within only 5 years; largely as a result of hard work, thriftiness, and self-reliance.

It is all the more tragic, therefore, that this proven determination was extinguished especially by the ruthless force of aggressive Communism.

Mr. Speaker, it is appropriate at this time that I express my support for the House Concurrent Resolution 416 in the name of my constituents—many of whom are of Estonian, Lithuanian or Latvian descent—and that I urge the President to implement the aforesaid legislation. In spite of the loss of their nation, the democratic spirit of the Baltic peoples is still present and is still strong. As members of the most prosperous democratic nation of the world, we cannot afford to neglect the aspirations and goals of such a strong and exemplary freedom-loving movement.

THE FLAG OF FREEDOM

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BIAGGI. Mr. Speaker, at a time when patriotism seems dim in the hearts of our countrymen, my spirits are uplifted by a poem that was sent to me from one of my constituents. The words of Mr. Louis Valente of the Bronx should inspire us all to remember that patriotism is not a partisan privilege. Nor, I would add, is the flag an object of controversy. Rather, these national symbols are the property and pride of every American—the unifying symbol of our Nation in a world of conflict.

I commend the poem to my colleagues which will be included at this point in the RECORD:

THE FLAG OF FREEDOM
(By Louis T. Valente)

The wind is passing through the trees,
as the parade is passing by.
All the banners are unfurled,
and smartly snapping in the breeze.
Here comes the proudest banner of all,
and to it we doff our hats.
It surely brings a warmth to our hearts
as old glory goes passing by.
The fifty stars on a field of blue
represent all the fifty States.
The red represents the blood that was shed,
when the patriots fought for freedom,
and the right to govern themselves.
The white tells of their undying courage,
While the blue says always be true
To America, land of the free.

Let us make a solemn vow,
to protect her with our very lives,
and to see that she is not trod upon.
We must stop those who desecrate her,
and try to burn her for selfish reasons.

Our forefathers protected her
and we must protect her now.
Let us hope and pray
that that day won't come
When old Glory shall wave no more.

GENERAL ACCOUNTING OFFICE MARKS 50TH ANNIVERSARY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DULSKI. Mr. Speaker, the General Accounting Office this month marks its 50th anniversary.

Actually, the Treasury Act of 1789 provided for an Auditor and a Comptroller in the Treasury, but it was not until 1921, under the Budget and Accounting Act, that the General Accounting Office was created under the direction of the Comptroller General of the United States and responsible only to the Congress.

Over the past half century the role of the General Accounting Office has become extremely important in the oversight function of the Congress, as well as in the operation of the Congress itself.

Several distinguished Americans have served as Comptroller General, and the agency has built an inspiring record of service to the Government and the Nation.

CREATED JUNE 10, 1921

The law which created the GAO was signed on June 10, 1921, and the General Accounting Office officially opened for business on July 1. There was a direct link with the past in the provision of the law which vested in GAO all of the powers and duties formerly prescribed for the Comptroller of the Treasury.

Every Member of the Congress and every committee in the Congress has had continuing occasion to work with the GAO and to seek its help and advice on a variety of matters.

This is true in my own case as an individual Member and also in my role as chairman of the Committee on Post Office and Civil Service.

Indeed, our committee has had the benefit of the services of several GAO employees on a continuing basis as consultants—in particular to the Manpower and Civil Service Subcommittee. The counsel and assistance of these experienced employees have been most helpful to both the Members and the staff.

LOOKED TO GAO FOR STAFF

In selecting professional employees for our staff, we have at least four times turned to the GAO.

Our present chief counsel, John H. Martiny, is an alumnus of GAO, as was his predecessor, Charles E. Johnson, who retired last December 31. Recently, Robert E. Lockhart has come to our professional staff from GAO. Some years ago Clarence R. Jauchem joined our staff and later went to the executive branch.

Over the years, before and after the GAO was organized, there has been a

sequence of developments in law dealing with the oversight role now performed by the GAO.

Following is an interesting chronology of the changes which have occurred, the most recent being those responsibilities given to the Comptroller General under the Legislative Reorganization Act of 1970:

CHRONOLOGY 1789-1971

1789—The Treasury Act of 1789 approved, providing for an auditor and a comptroller in the Treasury.

1894—The Dockery Act approved, creating the office of Comptroller of the Treasury. The act was named for Congressman A. M. Dockery of Missouri, chairman of a joint Congressional commission created to determine whether legislation was needed to secure greater efficiency in Federal fiscal operations.

1920—A bill to establish a General Accounting Office vetoed by President Wilson. He said he would have approved the bill but for a provision making the Comptroller General and the Assistant Comptroller General removable only by impeachment or concurrent resolution of Congress. He said the concurrent resolution provision was unconstitutional.

1921—The Budget and Accounting Act of 1921 approved by President Harding, June 10. It established a national budget system by creating (1) the Bureau of the Budget in the Treasury, administered by a Director responsible only to the President, and (2) the General Accounting Office (GAO) under the direction of the Comptroller General of the United States, responsible only to the Congress.

It prescribed that the Comptroller General and the Assistant Comptroller General be appointed by the President, with the advice and consent of the Senate, and that each hold office for 15 years. The Comptroller General and the Assistant Comptroller General could be removed from office only by joint resolution of the Congress (instead of concurrent resolution) or by impeachment. The effect of the change was to make removal action by the Congress subject to Presidential approval or veto.

INVESTIGATIVE ROLE

Among other things the act directed the Comptroller General to investigate all matters relating to receipt, disbursement and application of public funds, to make regular and special reports to Congress, and to recommend steps toward greater economy and efficiency in public spending.

All the powers and duties formerly exercised by the Comptroller of the Treasury and auditors of the Treasury now were vested in the GAO.

J. Raymond McCarl sworn in June 29 as the first Comptroller General of the United States. A lawyer from McCook, Nebraska, Mr. McCarl had been private secretary to Congressman George W. Norris and later Executive Secretary of the National Republican Campaign Committee.

1926—GAO moved from quarters in the Treasury and other buildings to the Pension Building on G Street, N.W., near Judiciary Square.

1936—Mr. McCarl retired June 30, the expiration of his term.

1939—Fred H. Brown sworn in as Comptroller General, April 7. He was a former Governor of New Hampshire and U.S. Senator before his appointment as Comptroller General. Mr. Brown was a native of New Hampshire. He was a professional baseball player, subsequently studying law and being admitted to the bar.

1940—Retirement of Mr. Brown. Lindsay C. Warren sworn in as Comptroller General, August 1. Mr. Warren had been a Congressman from North Carolina since 1925.

AUDITING U.S. CORPORATIONS

1945—The Government Corporation Control Act approved. It directed the Comptroller General to audit the financial transactions of Government corporations, in accordance with principles and procedures applicable to commercial corporate transactions, and under rules and regulations prescribed by the Comptroller General.

1948—The Joint Financial Management Improvement Program established. Discussions begun in December 1947 between staff members of the Senate Committee on Government Operations and representatives of the Comptroller General, the Secretary of the Treasury and the Bureau of the Budget, led to the creation of this program.

1949—The Federal Property and Administrative Services Act of 1949 approved. It directed the Comptroller General to prescribe principles and standards of accounting for property, cooperate with the General Services Administration (created by the act) and with the executive agencies in developing property accounting systems.

1950—The Post Office Department Financial Control Act approved. It authorized GAO to conduct more comprehensive examinations of the Department's financial transactions than previously. Accounts of accountable officers, contracts, vouchers and other documents, required under previous laws to be sent to GAO, were now retained in the Department, GAO's audits being conducted in the places where accounts were normally kept.

The Budget and Accounting Procedures Act of 1950 approved September 12. President Truman called it "the most important legislation enacted by the Congress in the budget and accounting field since the Budget and Accounting Act of 1921 was passed."

AUDIT ROLE EXPANDED

It embodied the principles and objectives of the Joint Financial Management Improvement Program that had been carried on since 1947. Provision was made for a more comprehensive and selective type of audit by the Comptroller General, to be developed in line with improved agency accounting systems, internal controls, and related administrative practices. Whenever possible, an audit was to be conducted at the site where the agency normally kept its financial records.

1951—GAO's move began January 15 from the Pension Building across G Street to a new GAO building. President Truman dedicated this building, September 11.

Public Law 82-245 approved. It authorized the Comptroller General to examine books, documents, papers or records of the contractor, or any of his subcontractors, directly pertaining to, and involving transactions relating to, negotiated contracts.

1954—Retirement of Mr. Warren as Comptroller General, April 30. Joseph Campbell given a recess appointment as Comptroller General, December 14. A CPA of New York and Connecticut and former Treasurer of Columbia University, Mr. Campbell had been a member of the Atomic Energy Commission prior to his appointment by President Eisenhower.

1955—Mr. Campbell received his commission as Comptroller General on March 18, following Senate confirmation.

TRUTH IN NEGOTIATIONS

1962—The Truth in Negotiations Act approved. An amendment to the Armed Services Procurement Act of 1947, it was designed essentially to require suppliers in contracts negotiated with the Government of \$100,000 or more to certify as to the accuracy of their costs and pricing proposals.

1965—Retirement of Mr. Campbell, July 31.

1966—Elmer B. Staats sworn in as Comptroller General, March 8. A native of Kansas,

Mr. Staats came to the Bureau of the Budget in 1939 after service with the Public Administration Service in Chicago. He served with the Bureau for most of the next 26 years, and was Deputy Director of the Bureau under Presidents Truman, Eisenhower, Kennedy, and Johnson.

1970—The Legislative Reorganization Act of 1970 approved. Among other things it directs the Comptroller General to review and analyze the results of Government programs and activities carried on under existing law, including the making of cost benefit studies, when ordered by either House or upon his own initiative. It directs the GAO to develop systems analysis capability for analyzing and making cost benefit studies. And it requires Federal agencies to report to the Congress on actions taken as a result of recommendations in GAO reports.

Mr. Speaker, it is a pleasure for me to join with my colleagues—in particular the gentleman from California (Mr. HOLIFIELD), chairman of the Committee on Government Operations—in paying tribute to the General Accounting Office on the occasion of its golden anniversary.

My compliments are directed especially to the incumbent Comptroller General, Elmer B. Staats, a career public servant, with whom I have had the pleasure of working closely since I became chairman of the committee.

AN AMERICAN SUCCESS STORY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. CARTER. Mr. Speaker, just recently a once-illiterate garbage collector, Michael Balzano, received his doctorate from Georgetown University here in Washington.

At age 16, this young man flunked out of high school, unable to read or write. He held a series of odd jobs, finally settling on a job as a garbage collector for 2½ years. Ironically, it was a disabling back injury which was the turning point in his life.

The following story, printed in the Evening Star last Wednesday, tells of his extraordinary accomplishments. Through hard work, patience, and perseverance, he learned to read and write, completed high school and reached his ultimate goal—that of receiving a Ph. D. in political philosophy.

The topic of his doctoral dissertation is closely related to his own experiences. He chose to study the VISTA volunteer program. During the time he was working on his dissertation, Michael spoke with me on several occasions concerning VISTA and the ramifications of its training programs. His analysis of these programs is cogent and incisive.

I commend the story of this young man's rise from poverty to preeminence to my colleagues. He is an example of a dying tradition in our Nation. I would hope that many people would take heed of the limitless opportunities available in our great country.

The article follows:

GARBAGE MAN TO PH. D.

(By William Delaney, Star staff writer)

On a dark December morning in 1954, as a freezing drizzle glazed the streets of New Haven, Conn., an illiterate young garbage-man slipped on a patch of ice as he hurled a heavy can, and wound up flat on his back.

His back torturously sprained, husky Mike Balzano—at age 19—appeared doomed to a bleak world of obscurity in New Haven's Italian ghetto.

Two weeks ago Mike Balzano—at age 36—got his Ph. D. degree in political philosophy from Georgetown University. Today he faces a future that promises to be far from bleak and obscure.

Balzano is writing a book about VISTA (Volunteers in Service to America) that could cause a few ripples in Washington's political seas.

The 530-page dissertation, which he says contains "the only thorough analysis ever undertaken" of VISTA's training program is the basis for Balzano's projected book, which will conclude that:

The VISTA program (now being merged with the Peace Corps and other volunteer units under the Nixon administration's Action corps) has strayed often and far from the goals of Congress when it approved "a low-key, service-oriented program, helping the underprivileged within the context of the Horatio Alger-American dream tradition."

From its establishment in 1964 through 1969, VISTA was essentially a "rudderless" agency, sending tens of thousands of volunteers into America's poverty pockets with vague, varying and often unrealistic goals.

Unable to attract many older, skilled workers, VISTA increasingly had to rely on youthful volunteers who were "idealistic rather than altruistic," and whose well-intentioned "power to the people" schemes not only scorned the work-ethic notion of rising from poverty, but also tended to cause new frustrations for the poor, local politicians and the volunteers themselves.

"I have had no ulterior motives in examining VISTA," says scholar Balzano, who plans to complete his book by the end of the summer. "That's one thing that I hope would make my research valuable in policymaking."

But the other Mike Balzano, the slum-kid dropout who remembers New Haven's garbage routes, admits that he did have a very personal motive for delving into political philosophy in the first place—his own experience in his native America.

Raised in a home in which Italian was the dominant language, flunking out of high school at 16, deprived of a laborer's career by his back injury, Balzano somehow found—without the aid of a VISTA volunteer—the determination to make a better life for himself.

BACK TO SCHOOL

First he took a job as an apprentice lens grinder with the American Optical Co. in New Haven; then, at 21, still feeling shame at not being able to read, he "took the plunge" and began going back to high school at nights.

Four years later, with diploma in hand, he became a licensed optician—"the youngest in the state at the time"—and gradually built up a business in affluent Darien, Conn., that earned him \$10,000 a year.

Meanwhile, he had begun taking evening courses "just for enjoyment" at the nearby University of Bridgeport.

"After I reached one full year of credits," Balzano recalls, "several of my professors convinced me that I would never be content as an optician and that I would not be true to myself if I did not attend college full-time."

"DEEMED UNQUALIFIED"

"By every traditional standard I was deemed unqualified to go to college. But in this country I figure you can do anything if you really want to. That's the philosophy I've lived by."

And it was a philosophy that increasingly fascinated Balzano as he sweated through Bridgeport, working part-time, giving pep talks to dropouts in local adult education classes, winning scholarship aid and, finally, graduating at the top of his class.

"I was thinking of going to law school, but the thing that kept striking me during that time was that people seemed to lose faith in the blue-collar tradition. The achievement ethic was somehow falling in this country, and I just couldn't understand how this could be."

LAW SCHOOL ABANDONED

"So I decided that before going to law school I'd go for a master's in political philosophy, at Georgetown, and before I knew it the idea of law school was totally abandoned."

From that point on, the future which had seemed so shattered that icy morning on the garbage route began to fit together quite nicely.

For the achievement ethic, the old "pull-yourself-up-by-the-bootstraps" philosophy that had so transformed Balzano's own life, became a central part of his work as a scholar in political theory.

And the VISTA program—envisioned as a federal effort to spark the sagging "Achievement ethic" in low-income areas—was thus a natural topic for Balzano's dissertation, which he entitled "The Political and Social Ramifications of the VISTA Program: A Question of Ends and Means."

Balzano found that during the 1960's, the attitudes of the various training program directors—and the attitudes of the overwhelmingly youthful and unskilled volunteers themselves—increasingly turned toward the anti-Establishment concept of bringing political muscle to the poor.

"What were considered very liberal goals in the 1960-62 formative period of VISTA—encouraging self-help, getting the government involved in volunteerism—became viewed as very conservative by those within the program."

From his analysis of a nationwide array of VISTA training program materials, interviews, with instructors and volunteers and visits to sharply differing training centers in Oregon, Maryland, and Colorado, Balzano concluded that, except for training at the University of Colorado, the training generally did not jibe with the original "low-key, service-organization" philosophy.

Specifically, it presented volunteers with an unrealistic assessment of what is humanly possible in battling poverty, consumed large amounts of time exploring the volunteers' own personalities in "sensitivity training," and failed to point out to the volunteers that they themselves are part of the Establishment.

Though Balzano's training-center research stopped after the first year of the Nixon administration, he says he is confident that VISTA's inner confusion over goals still exists.

And he adds: "If the original goals were too clearly known, it is my belief that many of the people in VISTA now would not want to pursue those goals, because they would perceive them as being too conservative."

He plans, if necessary, to get a part-time job as an optician as he sees to the birth of the book, buoyed by the hope that his research will have an impact on VISTA policy as the organization merges with Peace Corps.

"I would hope President Nixon could see parts of my study, and know the spirit in which it was written. Gee, all this is right up his alley—all his friends are self-made men."

"You know, public office was given in the American colonies to those who had proved themselves "chosen" people. How did they do it? By work, sacrifice, succeeding . . .

CREW HAIRCUT

"The Japanese have done more in the last 20 years by adopting a philosophy we threw away. The Israelis have it. All great nations are built on this—and we just don't seem to have it anymore."

Shaking his head (Balzano calls his crew haircut "my badge of individuality"), he sits silently for a moment at his modest apartment near Ft. Myer, staring out the window.

"This is utopia," he finally says. "Right here."

Then he turns back to his books and notes and dissertation summary and his memories of growing up in a home with no books, where both parents spent their lives at factory jobs, where the achievement ethic and the American dream were still very real to an illiterate young garbageman named Mike Balzano.

"You know," he says, "sometimes I wonder what would happen if I met him today . . . if we could even talk."

ACCELERATED PUBLIC WORKS**HON. JOHN H. DENT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DENT. Mr. Speaker, as one of the original cosponsors of the accelerated public works bill, I am pleased at the progress attained so far toward enactment of S. 575, which includes accelerated public works under title I, Titles II and III extending the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965, are also noteworthy aspects of this bill.

With approval of both Chambers of the Congress now registered, the bill needs only signing by the President. I hope that signature is forthcoming, for the unemployed who would be aided by the measure cannot afford to wait for new programs or new economic concepts to be devised.

The accelerated public works program is a test-proven method of providing immediate help. It worked effectively in the 1960's when unemployment persisted. It will work again in this period of recession induced by misguided economic policies at the national level, by bringing direct and immediate relief to the areas of highest unemployment by providing \$2 billion in Federal funds for public works projects already planned by local governments but delayed through lack of funds.

The jobs that would be created are meaningful ones, and the projects planned would benefit permanently many communities across the country. Many public service construction projects have lagged far behind need because of the financially depressed condition of local governments.

The Economic Development Act and the Appalachian Regional Act are long-range programs which together with the Accelerated Public Works bill comprise a

three-pronged approach to stimulating our entire economy which still has not taken a significant upturn despite optimistic reports from administration spokesmen.

It is to be hoped that we in Congress may be able to move on now to some further action to enliven the economy and save jobs for American workmen by stemming the flow of low labor-cost imports that have been flooding this country. A special report compiled for the House General Subcommittee on Labor has shown that among more than 300 industries engaging in foreign trade in 1969 the number of American jobs created by this trade was nearly 223,000 less than the number of jobs lost. This condition aggravates the generally depressing employment picture in this country.

With more than 5 million jobless at present and with the unemployment rate now at a 9-year high of 6.2 percent, we would hope that both major political parties would join forces to put the jobless back to work. Yet the conference report on S. 575 was adopted in the Senate last week along strictly partisan lines, with 32 Republicans and only one Democrat lined up against the measure. This is regarded as an indication that the administration opposes the bill and that the President will veto it.

If a Presidential veto is forthcoming, I urge that Congress keep in mind the needs of the people, which can be met by this legislation, and act promptly to override that veto.

OUR INVOLVEMENT IN VIETNAM**HON. JOHN J. DUNCAN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DUNCAN. Mr. Speaker, I would like to place in the RECORD an outstanding letter written by a very concerned and interested constituent, Mrs. F. J. Sherrod of Knoxville, Tenn.

Her discussion of the involvement of the United States in Southeast Asia is very worthy of the reading of each Member of this body.

KNOXVILLE, TENN.,

June 2, 1971.

Congressman JOHN J. DUNCAN,
House of Representatives
Washington, D.C.

DEAR CONGRESSMAN DUNCAN: There are many questions that must be answered honestly and openly.

The government can not be a government of the people, by the people, for the people unless it does, in fact, represent all of the people and does not allow itself to be completely dominated by those who are only interested in the welfare and desires of those who will help them to achieve political ambitions.

President Johnson and President Nixon have been accused of "credibility gaps." Isn't it true, that the accusers have been inconsistent in their words and actions just as those who have accused others of dividing the country are themselves, guilty?

The Resolution, to the Standard of Conduct for members of the Senate states: "A public office is a public trust signifies in trust that

the officer holds this power in trust to be used only for their benefit and never for the benefit of himself or of a few and that the officer must never conduct his own affairs as to infringe on the public interest.

Is it not true that all do not abide by the resolution? I think the "credibility gap" involves much more and goes much deeper.

I have read articles, saying the war was not going to be used as a political issue. Yet, it can not be denied that the ones that kept silent or openly backed it, when the first combat troops were sent in, have used it the most. I have also heard and read, some say "Yes, they had backed it but now they thought they had made a mistake."

We hear the war called immoral and illegal. Is it not true, that the Constitution gives Congress the power to declare war but it does not say anything about a war not being a war simply because Congress has not taken the action?

Is it not true, that former President Truman, did not seek authority of the Congress for his intervention in the Korean war?

The article in Life, Aug. 7, 1970, written by Kenneth O'Donnell, is one that I have read many times. It is obvious that political careers are more important than American lives.

Having lost a son, in Vietnam, I cannot tell you, how this article has made me feel.

We hear over and over that the American people have the right to be informed. So, why were we not informed of President Kennedy's decision to withdraw the troops in 1963?

The article states that President Kennedy told Senator Mansfield "but I can't do it until 1965 after I'm reelected."

What about the lives lost and the wounded, before the election?

The O'Donnell article is confirmed by Senator Mansfield. Why did he not speak up? He is very outspoken now.

Did Senator Mansfield inform President Johnson of President Kennedy's decision?

Dr. Mr. O'Donnell inform President Johnson, of the decision?

If President Johnson was not informed, why wasn't he?

Was it now Mr. O'Donnell's "patriotic duty" to inform the American people in 1963 or even after he left the White House of President Kennedy's decision?

Is it not true, that after President Kennedy's remarks to Mr. O'Donnell, that on Sept. 9, 1963 he said on TV "but we shall not withdraw."

Yes, the American people should have been informed, self interest should have taken second place.

I would also like to know, if those, who urged, President Johnson to continue the policy of President Kennedy, advised of this decision.

Why were there no open hearings or committees appointed, when the first combat troops were sent in?

Was it not immoral and illegal then?

How many others in the government knew of this decision?

Did President Kennedy seek authority of the Congress before sending the combat troops to South Vietnam?

If they informed President Johnson of the decision, why did they not tell the American people, that he had been told of the decision?

On a TV news program April 1, 1971, I heard that several Senators had demanded that hearings be held by the Senate Armed Services Committee, on alleged violations in South Vietnam and if this committee, did not, they would form their own committee, I think this has been done.

From all that has happened, I feel, that is not a demand made in the interest of the people of South Vietnam, but rather to exploit our sons.

Why have they not protested against the barbaric murders, tortures and kidnappings of the men, women and children by the Reds?

Why did they not protest when the Reds violated both agreements?

Why has there been no outcry about the barbaric way our sons died or were wounded?

Why no protest against the inhuman way our prisoners of war are being treated?

Isn't it true that Senator Allott asked Senator Fulbright to call hearings of the Foreign Relations Committee, concerning our prisoners of war? Why hasn't this been done?

Could it be that hearings are only called and committees appointed when personal desires can be accomplished?

And, as I have said before, how many have we heard and read about them talking about the lost of the war, money wise, and never mention our sons—but—if they did, it was in second place. They should have thought of the money when the first combat troops were sent in and they had an opportunity to save money in 1963.

Is it not true that Ramsey Clark said "There is no line of demarcation between freedom of dissent and downright treason."

But then, is not treason against the United States defined by the Constitution Art. III Sec. 3 to consist only in levying war against them or in adhering to their enemies giving aid and comfort to the enemy?

Our son left for Vietnam the first week of Jan. 1966. On Feb. 27, 1966 Hanoi said "In America the debates on the Vietnamese problem will become increasingly fierce. The U.S. Imperialist war will become the scene of great confusion, which in turn will exert great influence upon the morale of the U.S. servicemen in the front line. That is why the Johnson clique is very perplexed and afraid faced with the ever stronger anti-war movement which like a sharp knife is stabbing them in the back."

On Nov. 6, 1966 from Radio Hanoi "The Vietnamese people hail and support the struggle waged by the American people against the aggression in Vietnam. The struggle is a valuable encouragement and backing for the Vietnamese people, who sincerely thank the American peace fighters for their efforts to strengthen their solidarity with the Vietnamese and coordinate their struggle with them. This is only two of the "thank you" messages from Hanoi.

When your read about North Vietnam sending messages to the anti-war groups to keep up the good work and to intensify their protest, can the government deny that they have and are being given aid and comfort? The government can not deny that this has cost many lives, many wounded and is directly responsible for the treatment of our prisoners of war.

Again our sons took second place. Will the government deny that this has been premeditated aid and comfort to the enemy?

How much of the tax-payers money goes into this? Are the American people being told the complete story or will we hear it, ten years from now?

I can not understand how the government can have Americans sacrificing so much to help another country remain free from Communism yet allow travel to Hanoi and other Communist countries. It can not be denied that some of our problems are the result of this.

Doesn't the Logan Act forbid a citizen to negotiate with foreign officials?

Does the government really believe that the Paris peace talks can or will accomplish anything considering the aid and comfort they are receiving other than to be used as a propaganda outlet?

We have appointed representatives to the Paris peace talks. I would like to ask if the Senators, who have met with the Hanoi delegates, requested to do so.

We were told, not only by representatives

of Hanoi but also by some in our government, that if we stopped the bombing of North Vietnam, they would talk peace. What happened to the promise? Why were the VC and the North Vietnamese not required to stop sending the rockets into South Vietnam? If Russia helped negotiate the agreement, to stop the bombing, why have they not demanded that Hanoi really start the peace talks?

Isn't it true that the Vietnam war is being fought like the Korean war? The Communist given all the advantage. We would not go beyond the Yalu River, the result, a great buildup of men and supplies by the Reds, and as in Vietnam, the Americans paid the price.

We were told over and over that Cambodia was neutral and we could not cross the border—but in this neutral country there were thousands of North Vietnamese and the VC who crossed into South Vietnam to kill and wound our sons.

How long had it been known that Prince Sihanouk was meeting (in secret) with the VC and North Vietnamese?

We also heard the outcry against the use of napalm. Will the government deny that the Reds used it in flame throwers?

How much material marked (made in USA) has killed and wounded our sons?

Is it not true that Senator Karl Mundt introduced legislation to declare an embargo exports to Russia and its east European satellites saying "they are the ones feeding the war machine in North Vietnam."

Is it true that Averell Harriman, at that time a roving Ambassador, on a TV show said "Opponents of the expanded trade are bigoted, pig headed people, who don't know whats going on in the world".

Isn't it true that American ships, that are leased or loaned, are carrying materials to North Vietnam?

Isn't it true that Poland was released from paying \$12,000,000 on their debt to this country?

Is it true that on Mar. 10th and Aug. 16th, 1966 approval was given by the government for shipments of diethylene glycol, used to make explosives and liquid rocket propellants?

We were asked to boycott Rhodesia, did they not offer to stand by us in South Vietnam? The United Nations did vote sanctions against Rhodesia, but isn't it true, that Russia violates the sanction, buys chrome from Rhodesia and sells it to us, at a large profit?

Much that is happening in our country today is excused as being done by the concerned and frustrated.

The Constitution says "the right of people to assemble peaceably and to petition the government for a redress of grievances." Then, is it not true that violence or to advocate violence does not have Constitutional sanction?

We also see those, who use their freedom of speech, deny others theirs. It seems to be a case of "who you are" and if you say what we want to hear. What about the rights of those, who wish to hear the speaker?

I have read about request being made, not to investigate the dissenters as it might infringe on the freedom of speech or cause political repression. You read about request being made, concerning internal security, ignored. Yes, we hear about the cost of the war, money wise, but silence on the millions lost here.

Adlai Stevenson said "Preaching and breaking the law in a so-called good cause encourages anarchy and said the country's leadership could pass to those contrivers who have spent some time in jail.

Daniel Webster said "Good intentions will always be pleaded for every assumption of power."

Much has been said on TV and many articles written about My Lal and the men.

I think, by the publicity given, before the trial a verdict had already been reached.

The statements made after President Nixon ordered Lt. Calley released from the stockade and his decision to personally review the final military judgment, can not be over looked. 1. That he was playing politics. 2. That President Johnson, President Nixon and General Westmoreland, also should be prosecuted for what happened at My Lai. 3. Spoke of American justice and our image abroad.

Considering the fact, that the war has and is being used as a political issue, there can be little doubt that a lack of fair play is being utilized by the (clique, Hanoi's word) in our government.

If the first combat troops, had not, been sent to Vietnam or if they had been withdrawn in 1963, before the election, how many would have known that place called My Lai, existed? And our sons would be at home.

Is it true, that at Portland, Senator Robert Kennedy admitted his part in President Kennedy's decision to send the first fighting troops to South Vietnam?

Is it true, that also at Portland, when questioned about the Bay of Pigs, Senator Kennedy said "No, we did not handle the Bay of Pigs, very well."

Is it not true that Cuba has a missile base? Is it true that South Vietnam did not ask for the combat troops to be sent there?

It was not President Johnson, President Nixon or General Westmoreland, that was advised not to send the troops into South Vietnam by General MacArthur and Charles de Gaulle and President Eisenhower.

History tells of other disagreements on wars and it also tells us of "political military strategy" that backfired and costs many lives. They blamed it on the military then.

We hear remarks made about other members of the government but if you are a member of the (clique) your age, credibility, capability, words and actions are overlooked, applauded and you never outlive your usefulness.

We hear remarks made about the CIA, the National Guard, General Hershey, the FBI and Mr. Hoover. The attack on Mr. Hoover reminds me of Otto F. Otepka. Is it not true that the harassment of Mr. Otepka began Dec. 1960? Didn't the testimony taken by the Senate state: "A dedicated and loyal patriot suffered extraordinary calculated harassment because he attempted conscientiously to carry out the National Security program."?

And is it not true, his trouble began when he was asked by two members of the Kennedy Cabinet to relax security regulations in regard to newly appointed State Department officials?

Wasn't it also admitted that most of the charges, used for dismissal, were false? Is it not true, that Mr. Otepka was, locked out of his office, his telephone tapped, his safe drilled open, placed under surveillance?

Is American justice for all Americans? I have heard our sons called murderers, militants and racist. We have not been given one chance to defend our sons.

Did our sons become men, at war, without a government to represent them? They were and are Americans and so are we.

I would like to ask this question, what happened to our rights and to the words "invasion of privacy" and harassment, when our sons, killed in Vietnam, names were being used? Who's son was dying, being wounded or taken prisoner of war, while this was taking place?

How many in the government have lost sons in Vietnam, or were wounded or taken prisoner of war?

Our son was not born—to die—for "face"

saving purpose, political power or ambitions or images, here or abroad.

It is obvious that the death of our 45,000 in combat, over 9,000 from other causes, the wounded, loss of eyes, arms, legs and the agony of our prisoners of war is considered irrelevant, by some, in our government.

It is a poor example of American justice when our sons are condemned by those, who have never been to Vietnam and the politician, who openly backed it or kept silent, polishes his halo, at our sons expense.

The ones that talked President Kennedy out of sending the aid, to those at the Bay of Pigs, should have spoken out against the first troops being sent to Vietnam.

Isn't it strange that the great defenders of rights and no discrimination, have never, offered to help us defend our sons?

Could our own government, not be guilty, of atrocities and a massacre?

It is long overdue that we be heard. The price has been to high and the heartache to great, for me to remain silent.

If the government does represent all of the people, there should be open hearings on the war, from the time the first combat troops were sent to Vietnam. If it is true, as some say, "a long drawn out Bay of Pigs," perhaps the beginning, is there.

I can not accept the "not a declared war," "immoral and illegal," or the "I backed it—but now I think it was a mistake" or "I'm against the war" as excuses for what has happened—it does not bring our son back.

Who will deny that our sons found themselves caught between two enemies, foreign and domestic?

I think the accusers have many questions to answer. The "who you are" complex should not be allowed within the government or without if democracy is to have a true meaning. There has been entirely to much of one side being heard whether for political or personal reasons.

Those, who would degrade, accuse, intimidate and are for others being prosecuted should be questioned about the part they played in our involvement in Vietnam.

Who can deny, that this war, has not, been shared? When military strategy is dictated by politicians, who have made it, very clear, by words and actions, as well as those outside the government, that our sons lives and safety were and are not important, the question is, did the government meet its moral and legal obligations to our sons?

What is the difference between those convicted as being an accessory and those who have given aid and comfort to the enemy, in the killing and wounding of our sons and the torture of our prisoners of war?

Our son, did not, want the war and neither did we. This faith and trust in the government cost him—his life. Our backs were not turned to our son in life and they will not be in death. Do we not have the right to demand that questions be answered, openly?

As for our image abroad, will we be trusted? Is it not true, that the Vietnamese people were told, in Saigon, Feb. 1962 "we're going to win this war in Vietnam. We will remain until we do win. I think the American people understand and fully support the struggle."

But after thousands of American deaths the wounded and the treatment of our prisoners of war plus the promise to the Vietnamese people, it is decided that South Vietnam and its people, are not, so important, after all.

Perhaps, less emphasis should be placed on images and more on honesty and integrity, both would be remembered long after the images have faded.

Is American justice for all Americans?

Sincerely,

Mrs. L. J. SHERRON.

FLAG DAY 1971

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. HOSMER. Mr. Speaker, on the occasion on Flag Day 1971, columnist L. A. Collins, Sr., of the Long Beach Independent Press-Telegram, reflected on the good in America, the good in the flag, and what we all have to be thankful for.

Because I found his column a refreshing example of good old-fashioned patriotism, I wish to share it with my colleagues. The article follows:

WE HAVE SO MUCH OF WHICH TO BE PROUD

(By L. A. Collins, Sr.)

As we become depressed over the headlines and TV reports of daily happenings it is wonderful to realize how decent and wonderful are all but a small minority of our people. We miss so many of the good things written about our country and the progress we have made. If we have come to be complacent about our Flag—each of us might carry with us its description given by an unknown author. I give it as follows because tomorrow is Flag Day 1971.

It's just a piece of cloth, that is all it is—just a piece of cloth. But when a little breeze comes along, it stirs and comes to life and flutters and snaps in the wind, all red, and white, and blue! And then you realize that no other piece of cloth could be like it.

It has your whole life wrapped up in it—the meals you eat; the time you spend with your family; the kind of things your boy and girl learn at school; the strange and wonderful thoughts you get in church on Sunday.

Those stars in it—they make you feel just as free as the stars in the wide deep night. And those stripes—they are bars of blood to any dictator who would try to change this way of life.

Just a piece of cloth, that is all—until you put your soul into it, and give it meaning. Then it is a symbol of liberty, and decency, and fair-dealing for everyone. It is just a piece of cloth until we breathe life into it! Until we make it stand for everything we believe in, and refuse to live without it.

From another source I clipped an address made by an 18-year-old young man at a Junior Achievement banquet. His name was Eric Fredrickson. It is an example of what I believe to be the real sentiment of the great majority of our young people. Some of the excerpts are as follows:

"Now I am only 18 years old and there are still a great many things about the world that I don't understand but there are a few simple truths I am sure of; and these truths I will keep with me the rest of my life. It is these ideals which I think make it important to be an American . . .

"This I believe: It was the idea of free enterprise conducted freely and without undue hindrance which made it possible for this country to get ahead through individual imagination, intelligence, and industry.

"This I believe: That America grew into the great country it is today through positive constructive action by all people in the society . . .

"This I believe: America is a nation for all people who want to be involved and work hard to make democracy work . . . who want to make their own lives better and this nation greater by the sweat of their brows . . .

"This I believe: American business has played a vital role in helping this country forge ahead and that American business will continue to carry on its great tradition and take an ever greater role in keeping the American society strong . . .

"This I believe: America will remain a great nation as long as her people do not forget that the ideals of dignity, honor, pride of accomplishment and respect for one's fellow man are for all times and all ages . . .

"This I believe: It is not shameful to love one's country, to be proud of one's heritage, to stand up for those very values which have made and still make this country strong."

If each of us would carefully read and evaluate the sentiments expressed in these two quotations we would have a greater appreciation of what has been and is being accomplished in this nation of which we are privileged to be citizens.

RAILROAD PASSENGERS SUPPORT NONSMOKERS RELIEF ACT

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. YOUNG of Florida. Mr. Speaker, the National Association of Railroad Passengers has joined the chorus of support for H.R. 4776, the Nonsmokers Relief Act I introduced on February 22. Spokesmen for the bus industry and some of the Nation's largest airlines already have voiced approval for this badly needed legislation.

In line with an American Medical Association policy adopted last year, the Nonsmokers Relief Act would require airliners, buses, and trains to set aside separate areas for nonsmoking passengers. This measure would place no burdens on the smoking passenger, but instead would protect the rights of the nonsmoker from being forced to inhale fumes from others' cigarettes, cigars, and pipes.

Since this bill was introduced, letters of support have poured in by the thousands from across America, and even abroad.

The need for relief is self-evident. Nonsmokers, I would point out, outnumber those who continue smoking despite the ever-growing evidence that it damages health.

Here, for the consideration of my fellow Congressmen, is what the National Association of Railroad Passengers had to say about the Nonsmokers Relief Act:

NATIONAL ASSOCIATION OF
RAILROAD PASSENGERS,
Washington, D.C., June 14, 1971.

Hon. C. W. BILL YOUNG,
House of Representatives,
U.S. Congress, Washington, D.C.

DEAR CONGRESSMAN YOUNG: I have noted with much interest the introduction of legislation by you regarding the absence of facilities on many passenger vehicles for nonsmoking travelers. It is encouraging that your activities have received considerable support from aviation leaders.

It should be known that the railroad passengers are also on your side. The National Association of Railroad Passengers—a non-profit consumers' group with 7,000 members—supports the concept of providing a non-smoking traveler with an area where he is protected from cigars, cigarettes and pipes.

For many years railroad trains had a non-smoking section for the benefit of tobacco abstainers. Alas, the deterioration of rail service has been accompanied by a lack of consideration for non-smokers. Your legislation would assist the effort by some people who wish to convince Amtrak to provide non-smoking facilities.

We wish you success in this endeavor and offer you our support.

Sincerely,

JOSEPH VRANICH,
Executive Director.

PROSPECTS FOR A PACIFIC COMMUNITY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1971

Mr. HANNA. Mr. Speaker, on May 5, it was my privilege to include in the RECORD an excellent article by George S. Kanahele, administrator of the Hawaii International Services Agency. Today I would like to call to the attention of my colleagues another important statement by Mr. Kanahele.

"Prospects for a Pacific Community" is a concise statement drawing together many of the threads of thinking from leaders throughout the Pacific Basin.

The article follows:

PROSPECTS FOR A PACIFIC COMMUNITY

(By George S. Kanahele)

Ten years ago any mention of the Pacific community was a rare occurrence that is probably just as rarely remembered today. But in recent years it has become fashionable for statesmen, business leaders, journalists and scholars to use the term as if there were or should be a Pacific community. Is there a Pacific community? If the model is the Atlantic Community, then the answer is no, for there is no transpacific alliance of a large bloc of nations which have been able to define their common needs and viewpoints. What we have at best is an aggregate of nation-states or territories or, as one observer remarked, "just a hemisphere." The Pacific is not even a region. The countries are not only separated by as much as 7,000 miles of water and 17 hours of flying time, but also by seemingly unbridgeable distances in life-styles, political systems, economic development, historical outlooks, and so on. In effect, the Pacific is merely a big ocean where certain countries, having little in common, happen to border its shores.

Is there a sense of community, however? Or to phrase it differently, are there the beginnings of a community? And what are its prospects? These questions are not as easily answered, but they are the ones I propose to deal with in this paper. They are important questions, for they touch on the scope of potential cooperation for peace and prosperity among the nations of the Pacific Basin, who embrace more than one-half the world's population, all the super-powers (both actual and potential), the largest consumer market, the largest trading community, and some of the fastest growing economies in the world. This is the arena in which the world's main events will take place in the future with or without a sense of community.

DEFINITION OF COMMUNITY

Like the Holy Ghost, "community" is a term we should perhaps use with respectful vagueness to mean as much or as little as may be desired. But for the purposes of this discussion, let us define *community*, which is

short for "common unity," as a body of nations or groups distinguished by shared needs, common viewpoints and mutual problems whose resolution requires cooperative effort. There are several levels of abstraction at which one can view community—the purely psychological, the procedural, the functional, and the institutional—each of which corresponds to a level of progressive integration. Using the Atlantic model again, it is the nearest thing to being an integrated community operating at all of these levels. Its member nations maintain strong psychological bonds emanating from cultural, ethnic and historical similarities; over the course of its existence it has established a wide-ranging, cohesive system of consultation on political, economic and military matters; it has developed and effected a division of labor; and all of this has been more or less institutionalized in easily recognizable structures and forms. Furthermore, the Atlantic Community is a historical fact. It has survived and grown by accretion for a generation and, by and large, with exceptions that have turned out to be both temporary and exceptional, the Atlantic allies have stuck together. In the final analysis, the real test of community is a kind of dynamic cohesion which enables member-states to behave in divergent ways without seriously jeopardizing their common interests. The Atlantic Community has passed that test, although no one can tell what a drastic change in, say, the Soviet-U.S. power balance might do to the alliance. Nevertheless, we have in the Atlantic experienced some criteria to go by in assessing the Pacific community.

A BASIS FOR A PACIFIC COMMUNITY

There can be no community unless there is a basis for developing common ties and mutual cooperation. Is there such a basis for a Pacific community? When compared to the Atlantic nations, which are tied together by a common cultural heritage and by more or less similar political and economic ideologies, it is difficult at first glance to see any common denominators among the Pacific nations. They represent, after all, diverse and conflicting patterns of development ranging from the least developed to the most affluent societies of the world. They include the world's oldest civilizations and some of its youngest. Their political institutions range from Communist, to military dictatorship, to constitutional monarchy, to parliamentary democracy. Culturally, linguistically, philosophically, religiously and in almost every other respect they differ, and sometimes irreconcilably. Finally, while the Englishmen, Germans, Italians, Belgians, and others will often refer to themselves as Europeans few, if any, Chinese, Indonesians, Koreans, Japanese or Filipinos will regard themselves as Asians (which only underscores what Prof. Steadman has convincingly argued—namely, Asia is a myth).

Notwithstanding this diversity, I think there are some common denominators. The most obvious, of course, is the Pacific Ocean itself, which is a common geographical boundary for six continents, more than 30 countries and territories and countless islands. But a neighborhood is not a community. We know that living in the same block, even being next door neighbors, does not necessarily produce community. Besides, geography can create some thorny problems when it comes to deciding who does or does not belong. For example, Burma is separated from the Pacific by a thin strip of land belonging to Thailand. Should this accident of geography—and politics—exclude Burma, which in all other respects may be just as entitled to membership in a Pacific community as her neighbor, Thailand? Another question which is always asked is whether India, Pakistan and Ceylon or countries in Latin America should be included in the Pacific community. Perhaps a more vivid

illustration of this last point may be found in an anecdote involving a conversation I once had with the editor of the *Pacific Community*, a Tokyo publication with which some of you are probably familiar. The cover of the journal, if you recall, has a map of the Pacific that excludes the Western slope of Latin America, but includes India, Pakistan and Ceylon which, of course, do not border the Pacific. When I asked him why, he replied that geography was not the sole criterion of membership in his Pacific community. Still another question raised by purely geographical considerations is, since there are many island territories in the Pacific controlled by metropolitan powers in Europe whose shores are never touched by the Pacific Ocean, are they also entitled to membership in the community?

But far more important than the matter of common boundaries is the fact that these nations can find common interest in the Pacific Ocean—in things such as joint exploration and exploitation of mineral resources; cooperative scientific work in the study of ocean currents, winds, storms, and similar phenomena; multinational cooperation in seeking legal determination of territorial and exploitation rights in the sea; and joint research in harnessing energy resources from tidal power and ocean waves, in farming the sea, in maintaining ecological balances in the undersea environment or in preventing marine pollution. Since every country bordering the Pacific has a proprietary interest in the ocean, here is a basis for cooperative action on a Pacific-wide scale. No single country is capable of going it alone, but it would clearly be to the benefit of the poorer nations to work with their more affluent neighbors in developing the vast resources of the world's largest ocean.

Another basis for building a Pacific community is cooperation for economic growth and development between the developed and less-developed countries in such areas as investment and trade expansion; tourism promotion; exchange of capital and industrial technologies in agriculture, mining, oceanography, and other fields; exchange of economic information; consultation on economic problems; management training; and so on (all of which are matters the PBECC is vitally concerned with). However, cooperation for development ought not to proceed on the basis of the old formula of "massive capital, omniscient planner, and the 'trade not aid' slogan," nor depend on traditional institutions which have not been able to solve the problems for which they were originally set up to solve. In other words, the Pacific ought to be the region in which new ways and better institutions for economic development are formulated and tried, for if there is any one common denominator in the Pacific rim countries it is dynamism. This is a situation which requires more sophisticated approaches to development. I believe that this is the element of challenge needed to strengthen any movement toward economic cooperation in the Pacific.

There are additional bases for Pan-Pacific cooperation that might lead toward a Pacific community in education, communications and transportation, science and technology, research and development, culture and the arts, labor and management, banking and finance, medicine, mental health, and a host of other areas. The needs are so great and the resources available to any one country so limited that the only hope for resolving some of the problems that exist is for Pacific countries to pool their knowledge and resources and act together.

In sum, although marked by diversity, Pacific rim countries have common interests that can form the basis for establishing a community. The task before us is to identify what these are and determine how they can be collectively acted upon, for this is the key

to international cooperation. A family of nations cannot truly exist unless there is something for its members to do together. In Ortega y Gasset's terms, "people do not live together merely to be together. They live together to do something together."

THE BEGINNINGS OF A PACIFIC COMMUNITY

In discussing the question of the existence of a Pacific community, an American authority on Pacific-Asian affairs once told me that there was really no need to discuss it because such a community already exists. The point he was trying to make, I think, was that as soon as people around the Pacific begin to think that there is a community, then its existence becomes real. Cogito ergo sum. Perhaps, this Cartesian approach to the problem may help us to see better the beginnings of a Pacific community.

One fact that is already clear is that there is a growing awareness of community, and a desire for it, around the Pacific. It is an articulated awareness—that is, people are not only thinking but talking about it. Thus, if enough people, particularly important and influential people, talk about it often enough within and beyond their national boundaries, the circle of consciousness widens, understanding and knowledge spread, and the sense of community grows stronger. This process is going on now, and I'd like to take a few minutes to describe it.

It is difficult to ascertain exactly when in the post-World War II period the idea of a Pacific community emerged as a topic for serious discussion. I suspect it was about the time (circa ten years ago) when statesmen, business leaders and others from both sides of the Pacific began to make pronouncements heralding the coming of a new epoch promising unprecedented growth and prosperity for the Pacific Basin—what President Johnson often referred to as the "Pacific Era." Since this growth and prosperity could not be achieved without the closest kind of Pan-Pacific cooperation, which to some degree was already taking place, the idea of a Pacific community was a natural outgrowth and symbol of this need. Besides, it was sufficiently vague so that few would be offended by it; nor would it commit anyone to any particular line of policy. The Pacific Era and the Pacific community were perfect companion pieces.

One of the earliest major statements on the Pacific community, if not the first, made by an American political leader was a speech given on the floor of the House by Representative Richard T. Hanna, Democratic Congressman from California, in 1965. Appropriately entitled "Let's Hear More About the Pacific Community," his remarks are worth noting here: "Certainly we who are concerned with developing a Pacific community are fully cognizant of the concept. However, it is going to take more than just the recognition that the Pacific community is desirable, and can be. It is going to take tremendous effort. We are going to have to determine what our mutuality of interests are, and then we will have to carefully build the machinery that will make the community. The concept is here, now let us move on to the building process." While his remarks at the time aroused little active interest, they must have stirred the minds of a few. It is significant to note that during the past six years Representative Hanna has continued to speak out on the need to build the Pacific Community.

An even more important statement was made two years later by the then-Republican presidential candidate, Richard Nixon. Writing in the *Foreign Affairs Quarterly* (Autumn 1967), he wrote:

"The United States is a Pacific power. Europe has been withdrawing the remnants of empire, but the United States with its coast reaching in an arc from Mexico to the Bering Strait, is one anchor of a vast

Pacific community. Both our interests and our ideals propel us westward across the Pacific, not as conquerors but as partners, linked by the sea not only with those oriental nations on Asia's Pacific littoral but at the same time with occidental Australia and New Zealand, and with the island nations between . . ."

This statement has probably had far-reaching impact because the article, appearing in a prestigious journal, has been widely circulated and extensively quoted. And one would like to believe that it has also had an impact on its author, who is in a position now to do more for the concept than any other American leader.

A handful of American intellectuals and scholars have also been engaged in spreading the idea of a Pacific community, although, I must hasten to add, not with any monumental fervor. In 1968 the American authority on Asia, Professor Robert Scalapino, said: "Even now we should be advancing the idea of a Pacific Community, with its core membership the United States, Japan, Canada, Australia, New Zealand and Mexico." In his view "such a Community of the more advanced Pacific nations could plan and coordinate developmental policies, interact with groups like ASEAN, and ultimately serve broader purposes. It could serve as a dynamic new symbol of peaceful progress and cooperation throughout Asia." (Prof. Scalapino still believes the idea is worth pursuing, although he himself has not been able to expand his initial ideas in either research or writing.)

Still another example of how the idea is being spread is Herman Kahn's new book of prophecy, *Japan: The Emerging Superstate*, a small section of which presents a futuristic view of the "Pacific Basin Community." He foresees Japan playing the leading role in building this community around what he calls the "new Mediterranean," which in the twenty-first century would become the "creative center of the post-industrial culture and civilization."

While the above statements may have helped to stimulate American interest in the Pacific community, they are solitary examples, for the fact of the matter is that few Americans understand or care. There is simply no perceptible public groundswell in the U.S. for a Pacific community, at least not yet. In time there may be, just as there was for the Atlantic Community some 25 years ago.

In Japan, the idea of a Pacific community is much more widely disseminated and accepted than in the U.S., partly because almost all Japanese take it for granted that the Pacific will be the major arena of action for Japan. Prime Minister Sato made this clear in a remarkable speech to the National Press Club in Washington in 1969 describing Japan's new policy leading toward a "New Pacific Age."

"There is emerging among the Japanese people a desire to play a meaningful role in making a positive contribution to the world. There is no doubt that the settlement of the Okinawa problem will give confidence to the Japanese people and that it will become the turning point in directing the constructive will of the nation to the aim of bringing stability to Asia. . . . But Japan alone cannot hope to secure the peace and prosperity of Asia. Along with the efforts of the Asian countries themselves, both the material and moral cooperation of the industrial countries that have a great interest in this area are required. . . . Here again we find the shape of the New Pacific Age, where a new order will be created by Japan and the United States, two countries tied together by common ideals. . . ."

The "new order" envisions a community of Pacific rim countries working together for economic development and stability in the whole region.

Significantly, Prime Minister Sato was not saying anything strikingly new, for many others in Japan had expressed similar views. For instance, his one-time foreign minister, Takeo Miki, had two years before tried to crystallize government thinking on the notion of a cooperative association of Pacific countries, or what he called the "Asian-Pacific Zone." Miki's "brain-trusters," principally Professor Kiyoshi Kojima, have continued to elaborate the idea with a number of proposals aimed at creating an economic counterpart to the European Community in the Pacific. This thread of thought has long been woven into the fabric of Japanese official thinking even prior to the Second World War.

Even outside government circles the idea of a Pacific community has its articulate advocates. One of them is Professor Ato Masuda, an authority on Southeast Asia, who has been leading a research effort focusing on the Pacific community concept. He has said: "It is important now to nurture among the people of the Pacific nations an awareness and an image that they are all part of the Pacific chain of nations, held together by a common bond. To create such an awareness there must be a common bond between each nation; a common bond with the Pacific Ocean as its setting that would bring forth a cooperative unity of all the Pacific nations."

The sense of and desire for a Pacific community is probably most pervasive in Japan and, therefore, it is no surprise that efforts to attract world-wide attention to the idea are in part centered in Tokyo. The outstanding effort in this regard is the one-and-half year old journal, *The Pacific Community*, edited by Saiji Hasegawa and published by the Jiji Press. It purports to be the means by which countries in the "Asian-Pacific Zone" can carry on a dialogue on mutual problems, and from the looks of its articles and contributors, it is doing just that. Circulation has steadily increased so that now it can boast of nearly 5,000 subscribers throughout the world. I also understand that special pains are taken to see that copies are sent to important government and business leaders in the major capitals of the world. I think we can safely conclude that while it is difficult to measure the journal's impact upon the thinking of its subscribers, the title, if nothing else, must draw attention to the idea of a Pacific community.

While Japan and the United States are the two crucial countries upon which a great deal of the success of a Pan-Pacific movement hinges, there are other countries and areas around the Pacific where the idea of a Pacific community has captured the imagination. Australia has evinced strong interest particularly in an economic or trading community. Only last week former Australian Defense Minister Malcolm Fraser urged formation of a Pacific trade alliance to safeguard trading interests against Common Market policies. Also in Australia, curiously enough, another journal with the name, *The Pacific Community*, has been published with the aim of creating "an economic, cultural, political association of nations stretching from Japan to India which may ultimately create a stable military power balance in the region." Despite its vigorous anti-Communist "free world" editorial bias, the publication does serve to bring public attention to the Pacific community movement.

There is also evidence that an awareness of the Pacific community exists in other Asian nations on the Pacific rim. This may be best illustrated by citing a recent editorial in the most authoritative Asian economic journal, *The Far Eastern Economic Review*. It reads: "Over the last year or so, East Asia has been increasingly developing a Pacific Basin consciousness—looking towards the west coast of the American continent, towards Japan and Australasia and regarding itself as part of a developing market region circling the Pacific Ocean."

Similarly, Latin American countries are becoming more and more aware of their ties to a Pacific community. Partial proof of this was the conference held in Santiago, Chile, last autumn, which brought together government officials and scholars from the U.S., Canada, Japan, Australia, Southeast Asia and other countries to look at Latin America's relations with the Pacific Basin. It was the first time that a conference had been convened for that purpose in Latin America. Furthermore, as trade contacts and investment activities increase between Asian nations (especially Japan) and Latin America, as they are bound to, interest in the Pacific community will spread even wider and deeper.

Although this constitutes a very impressionistic assessment, I think it illustrates that there is a growing awareness of a Pacific community. To be sure, it is in large part a vague awareness because the concept is still amorphous and undefined. It is also clear that the level of awareness varies from one country to another, with perhaps the highest degree of interest to be found in Japan. Finally, as part of the *Zeitgeist*, the idea will become more and more a topic for national and international discourse around the Pacific. And the more one talks about it, the more real it becomes. *Cogito ergo sum.*

THE MANY PACIFIC COMMUNITIES

In one of my many discussions on the subject, a scientist with life-long experience in the Pacific argued that there was no single Pacific community and doubted that there ever would be, but he maintained instead that there were many Pacific communities. He gave as an example the Pacific Science Association, which is an organization that traces its origins back 50 years and counts thousands of participants from countries all around the Pacific and beyond. Here was an international fraternity of scientists who had common interests in the study of scientific phenomena in the Pacific and who had banded together to work jointly on a wide range of scientific projects. He pressed his argument by concluding that the fraternity had survived a half century of social, political and economic upheavals in the Pacific, proving that people from different backgrounds who have a universal discipline and shared values can cooperate come hell or high-water. And, if there was a model for the Pacific community, here was one in microcosm.

Of course, he made his point, for in addition to the Pacific Science Association, there are many other cooperative organizations running the gamut from oceanography and fisheries to agriculture, travel, medicine, radio and journalism, women's affairs, education, ecology, commerce, philosophy, religion and so on. Some of these, attesting to the fact that Pacific cooperation is not new, go back several decades, while others are as recent as yesterday. New organizations are being formed continuously and the proliferation of these organizations demonstrates that there is an extensive framework of multinational cooperation in the Pacific upon which the Pacific community could be built.

It might be instructive to examine in detail a small part of the nature of these "communities in microcosm," if only to suggest their extent and complexity. (See accompanying list of organizations). I have no accurate idea of the total number of such organizations, but this would depend entirely on the kinds of categories one sets up. For example, there are truly Pan-Pacific organizations such as the Pacific Science Association and the Pacific Area Travel Association, but the number is very small. Many are trans-Pacific only to the extent that Asian countries and the United States are included (Canada sometimes, but Latin America almost never). Most so-called Asian-Pacific organizations such as the Asian and Pacific Council (ASPAC) are geographically

limited to countries bordering the Asian rim of the Pacific, including Australasia, plus South Asia. Then there are narrower sub-regional organizations such as the Association of Southeast Asian Nations or the Law Association for Asia and the Western Pacific (LAWASIA). Many more are actually regional sections of international organizations such as the Eastern Regional Organization for Public Administration (EROPA) and the Asian Regional Organization of the International Confederation of Free Trade Unions. So, you can see, the geographical breakdown can become rather confusing.

There are other categories by which these organizations could be analyzed. These include wholly inter-governmental organizations such as ASEAN and ASPAC which may be limited to as few as two members to as many as 27 (the Asian Development Bank). There are also semi-governmental groups, i.e. those whose memberships are open to both public and private agencies, such as the Pacific Area Travel Association. Of course, there are the regional organizations and commissions that belong to the United Nations such as ECAFE, WHO, FAO, and UNESCO. Apart from these, I think it is safe to say that most of the organizations are private, such as the Pan Pacific Surgical Association, Pan Pacific and Southeast Asia Women's Association or the Pacific Basin Economic Cooperation Committee.

As I have indicated throughout, these organizations cover a broad range of subject-matter. No single field predominates, just as no organization seems to loom large over everyone else. Generally speaking, however, the fields most represented are oriented toward science and technology, communications, trade and productivity, and social-welfare. This might give us some clue as to the kinds of activities and interests that the Pacific community would focus upon.

In the context in which I have chosen to analyze these organizations, many more questions are raised than can be answered. How do these organizations relate to each other in theory or in practice? Who are their leaders? What is the nature of their influence? How many people are involved? To what extent? And at what level? How much cooperation in fact is generated by these organizations? What impact do they have on their constituencies? Have they done any good? If so, at what cost? Are they conscious of a larger community of interest in the Pacific? Can they be made conscious? Or do their special interests preclude their participation?

These questions demand further research, but in the meantime let me venture out on a Pacific limb and tell you what I think is happening, as well as what can happen. There is gradually developing today a random linking of Pacific countries and peoples within an intricate system of interrelated organizations and groupings. For the moment these organizations seem to interact with each other only informally and horizontally; that is, I do not see much vertical interaction as would characterize a cartel of interlocking directorates, except, of course, in the case of regional branches affiliated with larger international parent bodies. At the people-to-people level, this system of organizations brings large numbers of people together at regular intervals and at various levels in conferences, negotiations, workshops, executive meetings and so on. As you know, this traffic of conference-goers has skyrocketed so that among some organizations there has emerged an international conference jet-set. In any event, the proliferation of these organizations has allowed many people to interact and, in the process, acquire deeper understanding and knowledge of the needs and problems of the Pacific. In this manner, the way is made easier for the spirit of the Pacific community, as it is based on

understanding and cooperation, to develop and increase.

To summarize, the existence of these Pacific-oriented organizations shows that the barriers of diversity have not prevented Pacific countries and peoples from interacting in cooperative associations; if anything, diversity has exerted centripetal pressures leading toward amalgamation and cooperation. It is as if the peoples of the Pacific are finding unity in diversity. Thus, what we see happening may all be very much a part of the building process toward a Pacific community.

SECOND STEPS TOWARD BUILDING THE PACIFIC COMMUNITY

I think we have actually taken the first steps toward the formation of a Pacific community: we have developed the idea, however nebulous, the desire, although uneven, and we have some of the building blocks embodied in existing Pacific regional organizations. At this juncture we might consider some of the next steps we can take, modest though they may be.

Eugene Black, in his book *Alternative in Southeast Asia* (published in 1968), relates the story of how shortly after World War II Prince Bernhard of the Netherlands formed an organization called the Bilderberg Group which brought together prominent people from government and private life from both sides of the Atlantic to discuss, privately and without press coverage, fundamental problems affecting the Atlantic community. He writes: "I attended several meetings of this Group over the years, got to know many important people, and heard many points of view that I might not otherwise have understood. The organization had no official standing; its meetings were always informal. I think it would be a very good idea if some such high-level, unofficial organization were formed to bring together important people from the Pacific community of nations at this time. This should not be an American initiative; it would be very good if it could be a Japanese initiative. But the important thing is to provide a means whereby political problems [and I would add economic, social, the whole range of major problems] affecting the Pacific community could be talked out in private among those whose attitudes and actions will be influential."

I think this is a pregnant idea that should be pursued, for it does not seem to demand much expenditure of effort or capital. It can be done quietly so as to minimize political embarrassment to any of the principals involved. Its informality would insure off-the-record discussions and encourage frank and straightforward dialogue. While I tend to agree with Mr. Black that the initiative should come from the Japanese rather than the Americans, it would not make that much difference if it were conducted informally and in as low a key as suggested. But, in any event, given the Japanese interest and commitment, it might be only natural for the Japanese to want to take the initiative. I believe the composition of the group should be open not only to government leaders, preferably of ministerial or sub-ministerial rank, but also to top business leaders, military men, scientists and scholars. The group should be kept small, adding members only on an ad hoc basis when the subject matter requires special expertise. It should not be an exclusive club of the advanced nations, but open to representatives from the less-developed countries as well. The group might begin its first agenda with a discussion of the prospects for a Pacific Community.

Concurrently, at a lower level I would propose the establishment of a Pacific Community Institute to conduct research and studies of problems and issues of Pacific-wide importance. It would also seek to encourage public discussion of these issues through conferences, workshops, seminars,

lectures, and other means. As part of its charge to disseminate its findings as widely as possible, it would carry on an extensive publication and distribution program. The Institute would be managed under the auspices of an international board of directors and funded from multilateral sources. And its staff would be recruited from Pacific rim countries.

One of its more important functions would be to monitor the activities of Pacific organizations. It would work closely with these organizations in enlisting their cooperation in building a Pacific community. This might be done by encouraging them to enlarge their membership to include, say, Latin America, or to pool their resources in order to minimize duplicated efforts, or, in the case of competing organizations, to consider merging, or, in the face of proliferating organizations, to dissuade a new group from coming into being. Thus, the Institute could materially help in providing a semblance of direction and coordination to the many Pacific "communities" that now function quite independently of and at times in opposition to each other.

At still another level—the "grassroots"—I would suggest setting up a Pacific Council, similar to the Atlantic Council, which would act essentially as an informational clearing-house for the general public in matters pertaining to the Pacific community. It would also work closely with citizen groups and organizations interested in promoting the Pacific community. One of its tasks would be to organize local councils in countries around the Pacific for the purpose of encouraging grassroots participation in and support for the Pacific community movement. Presumably, in time there would emerge a network of local chapters functioning under the central direction of the parent Pacific Council, all working toward the same goal.

Now, these institutional arrangements are designed to function largely at the educational and informational levels. They are necessary in order to marshal public understanding and support for the Pacific community movement. All this is fine, but however useful and productive these steps may be, they are at most only intermediate measures. They still fall far short of actually bringing into being the Pacific community. For this, political decisions must be made at the highest level of government.

PROSPECTS FOR A PACIFIC COMMUNITY

What are the chances of such decisions being made? Suppose the United States, Japan, Australia, and other governments were faced with the question of whether they should support the establishment of an Organization of Pacific States? Or a Pacific Free Trade Area? Or a Pacific Education Community? These are questions that require decisions which must be made in the cold light of national interests and policies which may change from time to time.

Let us take then a look at a particular proposal, say, the establishing of an "organization of Pacific States" on the basis envisioned by Prof. Scalapino, i.e. an organization with its nucleus of members consisting of Japan, the U. S., Canada, Australia, New Zealand and Mexico, which would "guide and coordinate developmental policies, interact with groups like ASEA, and ultimately serve broader purposes."

What are the prospects for such a proposal in the United States? At the moment, nil. The U.S. is too preoccupied with more urgent political and economic problems at home—and of course Vietnam, which overshadows every foreign policy question in the Pacific today. Not until the Vietnam issue is resolved will the U.S. consider any major new policy initiative, especially one of this magnitude. While the idea would not be dismissed outright in Washington, it would

probably have a political feasibility quotient of "zero."

In the absence of any direct intelligence from the White House, we might glean a bit of President Nixon's present attitude from the long silence following his statement in 1967 on the Pacific community. As you recall, we urged at the time the building of a Pacific community, similar to the Atlantic Community and I quote: "This has to be a community in the fullest sense: a community of purpose, of understanding and of mutual assistance, in which military defenses are coordinated while economies are strengthened; a community embracing a concert of Asian strengths as a counterforce to the designs of China; one in which Japan can play an increasing role, as befits its commanding position as a world economic power; and one in which U.S. leadership is exercised with restraint, with respect for our partners and with sophisticated discretion that entails a genuinely Asian idiom and Asian origin for whatever new institutions are developed."

I may be wrong, but this appears to be the only reference he has made on the Pacific community, for I can find no explicit reference to the term in the public statements he has uttered since he became president three years.

Nonetheless, the President has continued to articulate the need for regional cooperation, the need for "effective regional groupings and for new institutions to meet the developmental demands of the Pacific and Asia," ideas quite congenial to the building of a Pacific community. But as to what form and purpose these groupings and institutions might take, he has not given much guidance. I think the President is still groping for a new approach in Asia and the Pacific, a fact which is apparent in his recent report to the U.S. Congress on *US Foreign Policy For The 1970's*. To cite his own words, Nixon is looking for "a readjustment of the whole international order in the Pacific region." The best thing that can be said for this attitude is that it at least keeps open all the options. For this reason, therefore, the long run or post-Vietnam prospects for the proposal may be better.

In contrast, the prospects in Japan for such a proposal are better in both the short and long term. It seems clear from the statements of Prime Minister Sato and other responsible leaders that Japan is committed to building "a new order" in the "Asian-Pacific Zone." This is based on sound economic, political and historic reasons which have already been alluded to. The important question seems to be how to share the burden of leadership with the United States, in particular, and the rest of the Pacific Basin countries, including the People's Republic of China. There is no doubt that Japan will want to see China welcomed into a Pacific community, although it appears that she may not be in the mood to participate at present. (But the way things are happening, who can tell what will happen tomorrow.) A cooperative association of Pacific states, in short, would offer Japan one of the best guarantees for her own security and economic prosperity in the foreseeable future.

Are the prospects any better for a more limited community based on economic development, more specifically, a Pacific free trade association? Apparently not. Japanese scholars put forward such a proposal three years ago and it aroused considerable interest in some government offices, particularly the Foreign Ministry. The proposal called for the more advanced countries to reciprocally eliminate trade barriers and unilaterally grant similar concessions to the developing countries in the region. Despite some strong arguments in its favor put forward by Professor Kojima, it has not received any support from Washington. As long as the United

States remains committed to the multilateral approach, in particular via GATT, the idea has no chance of being accepted. The American position is not to foster or participate in any trade scheme that is not at the outset universal, i.e. inclusive of both the Pacific and Atlantic countries. This has serious implications for U.S. policy in the Pacific.

Since trade and investment—economic development—are the most promising sectors of Pacific-wide cooperation, "this reluctance could mean a virtual vacuum in U.S. policy in the Pacific." The way out of this impasse is a free trade initiative embracing both the Pacific and the Atlantic, but this may not be possible if the European Common Market turns inward. It is fear of this latter possibility that prompted former Australian Defense Minister Malcolm Fraser to state recently that a Pacific trade alliance of Australia, the U.S., Japan, Canada and New Zealand might have to be formed to safeguard trading interests against Common Market policies.

If the prospects for these larger schemes for building a Pacific community appear less promising, it might be wiser to consider smaller steps, projects which may be less ambitious in scope but more feasible in terms of agreement and implementation. I can only suggest a few examples: a Pacific Trade Bank to make trade currency more readily convertible; a Pacific Ocean Agency to manage and coordinate the exploration and exploitation of marine resources; a Pacific Educational Community to pool resources for carrying out cooperative educational ventures; and a Pacific Educational Satellite System to facilitate the exchange of educational information in the Pacific Basin. These may be better avenues to follow in the building process.

There are many if's and but's in forecasting anything and when it comes to predicting the Pacific community's future, it is almost foolhardy. But these are some of the variables and issues that must be intelligently assessed if we are to make any sense out of the talk we have heard about the Pacific community. It is too important a matter to ignore, for it may affect the whole course of development in the Pacific. If there is to be a Pacific Era or New Pacific Age, it is not likely to be fully realized without a Pacific Community.

EXAMPLE OF GENIUS OF
OGDEN NASH

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. SCHEUER. Mr. Speaker, I think we were all greatly saddened by the death of the great wit and poet, Ogden Nash, who brought laughter into so many American homes. Mr. Nash always preferred laughter to sadness, and so I would like to share with my colleagues a little-known example of his genius for making people laugh.

He once wrote of a certain borough of New York, "The Bronx? No Thonx!" Let anyone get the wrong impression of his true feelings, however, he later experienced a change of heart, and wrote the following:

I wrote lines, "The Bronx? No thonx!" I shudder to confess them. Now I'm an older, wiser man I cry, "The Bronx? God bless them!"

POW-MIA WIFE ASKS NO TROOPS
BE WITHDRAWN UNTIL STATUS
OF PRISONERS IS CLARIFIED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. TEAGUE of Texas. Mr. Speaker, the following letter mailed to each Member of this body represents the feelings of the wives and families of our prisoners of war with whom I have spoken:

POW-MIA INTERNATIONAL, INC.,
Tustin, Calif., June 11, 1971.

DEAR MR. CONGRESSMAN: As prisoner of war and missing-in-action families, we have a deep personal concern in your vote on the Nedzi-Whalen Amendment. We therefore pray you will take a few minutes of your time to try to understand how we feel about such an important issue.

There has been a vast, concerted, expensive and professional campaign waged via media, advertising and lobbying to influence your vote on this amendment. Obviously the great majority of American people want to see the end of this tragic war. The major emphasis however, of those who want the date of December 31 set for unconditional withdrawal, is that when this date is set, Hanoi will then respond by releasing all the prisoners. Recently Mr. Clark Clifford made such a statement as if it were absolute fact. We feel this is a complete deception. Xuan Thuy stated on the same day as Mr. Clifford that "the question of the prisoners relates to the aftermath." Not only have they refused to commit themselves to actually releasing 339 prisoners, but if they do honor their commitment to discuss the prisoners if the United States sets the date, they will be discussing only 339.

The question we as families want to know is which prisoners does Mr. Clifford and the others who are pushing toward a December 31 deadline refer to? The ones the communists admit to holding or the far greater number that our government has evidence that are alive?

Mr. Charles Ray's son is held in South Vietnam. The only reason we know this is because an escaped prisoner, Spec. 5 Tom Van Putten, was held with him. The communists will not allow him to write to his family nor will they acknowledge his presence. Over 100 other young men that the communists refuse to acknowledge are known to be alive in North Vietnam, South Vietnam, Laos and Cambodia.

There are undoubtedly many others, however, the 100 that we are aware of are the men that your conscience will knowingly write-off if you bow to the communists' demands to set a date before Hanoi is willing to let the International Red Cross inspect the camps and identify the prisoners. Is it truly too much to demand that they show that small measure of "Good faith" before we make the final concession of unconditional surrender?

The question has often been asked, "What has happened to the conscience of the American people?" We feel the people can be forgiven, for even in this era of mass communications, they are frequently ill-formed of all the facts. This excuse cannot apply, however, to those of you elected to decide our fate. How can the Congress of the United States keep on playing politics with a war which has cost 50,000 American lives. It is referred to as Mr. Nixon's war. Are memories so short to forget that our first prisoners were sent there by President Kennedy? Although the public is often told that Lt. Alvarez was the first prisoner, the truth is that Eugene DeBruin was lost in 1963.

Most of us find it hard to understand that after all those years and lives were committed by Presidents who saw a need to send our men overseas to contain communism, that there could not be more patience and unified support for the logical termination which would insure the return of all our men.

Admittedly, it is difficult for us to be concerned about the people in South Vietnam or for that matter, whether the communists enslave all of Asia, for we have been living a nightmare for many years. Some of us not knowing whether their husbands or sons can withstand all the years of mental and physical torment. All we want is our men back—all of them! Any reasonable person knows that unless you members of Congress demand that the communists account for the men via a neutral, international inspection team before any more concessions are made by our country, we have no chance of obtaining more than the 339 they admit to. You are responsible if not as a member of Congress, then simply as an American for the fact that three duly elected Commanders-in-Chief sent them over there.

We pray that your conscience will not let you abandon the men who have served you at such great sacrifice.

Mrs. Darrel Pyle, the wife of one of the 339 men who at least the communists promise to talk about, has as much at stake in your actions as any living American. She feels as many other POW wives and mothers do, that no matter what their men have gone through, they would not be ready to abandon their fellow Americans. She states, "My son and I have been without Darrel for five years. God knows that I would trade my life for his safe return. Only those of us who have lived in this manner would probably be able to realize that we would do anything to see our husbands again—that is with one exception, I cannot sell my soul and that of Darrel's by bowing to the communist demands of writing off the other men who have made the same sacrifices for their country as he has. I know that to do so would mean that even though he has been able to withstand all the mental and physical abuse for these five years, he would never be able to withstand the last and most abominable cruelty of finding his release had been arranged at the cost of abandoning his fellow Americans and all he has ever believed in."

We beg you to not allow the POW/MIA issue and the lives of our husbands, sons, and ourselves to be tossed around like a political football.

May God guide your conscience.

Sincerely,

Mrs. STEPHEN HANSON.

RIGA TRIAL REMINDS US OF RED
TERROR IN LITHUANIA, LATVIA,
AND ESTONIA

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. KEMP. Mr. Speaker, the steps taken by the Soviet Government to obstruct the entry of outside observers to the recent trial of Jewish defendants in Riga have served to intensify our concern, and that of Americans of all faiths, that the Baltic people in the U.S.S.R. are being denied fair and equitable justice.

I recall that the Baltic States were overrun by the Soviets 31 years ago and 30 years ago Lithuania was successful

in their revolt against the Soviet Union. However, during the past 31 years the Baltic people have lost more than one-fourth of their population as a result of Soviet terror and occupation.

The Lithuanian American Community of the U.S.A., Inc., sent to me materials on the self-determination of the Baltic people which I call to the attention of my colleagues. The Congress should do all in its power to bring the force of world opinion to bear on behalf of the restoration of the right of self-determination to the Baltic people.

I include the essay and resolution at this point:

**SELF-DETERMINATION OF THE BALTIC PEOPLES:
RED TERROR IN LITHUANIA, LATVIA AND
ESTONIA**

The Soviet Union invaded the Baltic States on June 15, 1940, and took over Lithuania, Latvia and Estonia by force of arms. These three peace-loving republics have been suffering in Russian-Communist slavery for more than 30 years.

At a time when the Western Powers have granted freedom and independence to many nations in Africa, Asia and other parts of the world, we must insist that the Communist colonial empire likewise extends freedom and independence to the peoples of Lithuania, Latvia and Estonia whose lands have been unjustly occupied and whose rightful place among the nations of the world is being denied. Today and not tomorrow is the time to brand the Kremlin dictators as the largest colonial empire in the world. By timidity, we invite further Communist aggression.

The Balts are proud peoples who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 720th anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251.

The Lithuanians, Latvians and Estonians have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Balts, it should be kept in mind, are ethnically related neither to the Germans nor the Russians.

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into the Baltic republics and annexed them in June of 1940. In one of history's greatest frauds, "elections" were held under Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire.

Then began one of the most brutal occupations of all time. Hundreds of thousands of Balts were dragged off to trains and jammed into cars without food or water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic or Siberia. The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, these three nations have lost more than one-fourth of their entire population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. During the period between 1940 and 1952 alone, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end

of the Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

This year marks the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established.

This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Governments of the Baltic States. Since June of 1940, when the Soviet Union took over Lithuania, Latvia and Estonia, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to get rid of the Communist regimes in their countries.

The case of the Baltic States is not a question about the rights of self-rule of Lithuania, Latvia and Estonia, since this is established beyond any reasonable doubt, but the question is how to stop the Soviet crime and restore the freedom and independence of these countries. The Select Committee of the House of Representatives to Investigate the Incorporation of the Baltic States into the U.S.S.R., created by the 83rd Congress, after having held 50 public hearings during which the testimony of 335 persons was taken, made a number of recommendations to our Government pertaining to the whole question of liberation of the Baltic States. According to the findings of this House committee, "no nation, including the Russian Federated Soviet Republic, has ever voluntarily adopted communism." All of them were enslaved by the use of infiltration, subversion, and force. The American foreign policy toward the Communist enslaved nations, the aforesaid House committee stated, must be guided by "the moral and political principles of the American Declaration of Independence." The present generation of Americans, this committee suggested, should recognize that the bonds which many Americans have with enslaved lands of their ancestry are a great asset to the struggle against communism and that, furthermore, the Communist danger should be abolished during the present generation. The only hope of avoiding a new world war, according to this committee, is a "bold, positive political offensive by the United States and the entire free world." The committee included a declaration of the U.S. Congress which states that the eventual liberation and self-determination of nations are "firm and unchanging parts of our policy."

The United States Congress has made a right step into the right direction by adopting *H. Con. Res. 416* (89th Congress) that calls for freedom for Lithuania and the other two Baltic republics—Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States to the United Nations. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union, is surely intolerable.

H. CON. RES. 416

Whereas the subjugation of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment of the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its efforts to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people:

Be it
Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

**SOCIAL WORKERS: THE JOB GROWS
LARGER**

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. DELLUMS. Mr. Speaker, as a social psychiatric worker by training and profession, I took special interest in a statement prepared by the Social Workers Union of Santa Barbara, Calif., regarding the growing role of social workers in the area of public welfare. I share it with my colleagues in the hopes that they may become even more aware of the many aspects of social psychiatry and public welfare.

The article follows:

THE IMPACT OF THE LANTERMAN-PETRIS-SHORT ACT ON THE SANTA BARBARA COUNTY WELFARE DEPARTMENT

The Social Workers Union feels obligated to alert the County Board of Supervisors to a problem within County government and especially within our Welfare Department. This slowly growing problem has now become one of the most time consuming elements of the job performed by our social workers.

The problem is: the content of Social Work has evolved far beyond the simple granting of financial assistance to the poor and has become more and more the providing of care and support to increasing numbers of Welfare recipients with psychiatric problems.

The growing impact of psychiatric cases

upon the workload of our Welfare Department has been well known to the social workers for a long time. That impact has been apparent in both the actual number of cases involved as well as the severity of the psychiatric disabilities. Both of these will increase under the Lanterman-Petris-Short Act of 1967.

However, before we could talk about an increase, we had to first define the scope of the problem as it exists today in the Santa Barbara County Welfare Department. We discovered that even though psychiatric problems have become a major element of Social Work, there were no studies or statistics available to describe the magnitude of the problem. Therefore, the Social Workers Union decided to do a survey of the caseloads in the Welfare Department in order to secure some accurate data.

A survey form was devised and sent to all social workers within the Department (regardless of union membership) and 61 questionnaires were returned. The form asked the social workers to identify:

(1) Type of caseload (Old Age Security, Aid to the Totally Disabled, Aid to Families with Dependent Children, General Relief, or mixed)

(2) Total number of cases on the caseload

(3) Total number of cases involving diagnosed psychiatric problems

(4) Number of cases where the recipient had ever been in a psychiatric ward or State Mental Hospital.

The results of this survey may be surprising to some, but they were not surprising to the social workers who have been coping with these very difficult and time consuming cases.

The returned questionnaires reported on 2,717 cases which represented 45.8% of the total Welfare cases in our County during the month of March, 1968. The results were as follows:

Type of caseload	Total cases surveyed	Cases with diagnosed psychiatric problems		Cases with time spent in hospital or psychiatric ward	
		Number	Percent	Number	Percent
OAS.....	209	34	16.2	20	9.5
Mixed.....	294	53	18.0	20	6.8
AFDC.....	1,243	248	19.9	84	6.7
GR.....	147	50	34.0	23	15.6
ATD.....	824	416	50.4	243	28.3
Total.....	2,717	801	29.4	384	14.1

If we apply the 29.4% and 14.1% figures to the total caseload of the Welfare Department as of March, 1968, the results would be as follows:

Total number of cases on Aid March 1968	Cases with diagnosed psychiatric problems		Cases with time spent in hospitals	
	Number	Percent	Number	Percent
5,928.....	1,743	29.4	836	14.1

It now becomes apparent that more than one out of every four Welfare recipients has been diagnosed as having a psychiatric disability—in fact the figure is closer to one out of every three recipients.

Our analysis of these statistics leads us to several significant conclusions which pertain not only to the Welfare Department, but also to the community at large:

(1) The mental health problem in our county is one of major proportions. It must be noted that not all mentally ill people apply for Welfare—some of them have financial resources of their own.

(2) The often heard charge that "Welfare recipients are just lazy people who refuse to

work" is a cruel attack upon a group of people, many of whom are mentally ill and therefore incapable of defending themselves.

(3) The pressures of coping with so many disturbed people have made the job of a social worker one of the most demanding jobs in County government, for it is the social workers in our County Welfare Department, Mental Health Clinic, and General Hospital who are providing the day to day care for the mentally ill in our community. It is now apparent that the pressures on these employees will increase sharply with the implementation of the new mental health law.

It is the Lanterman-Petris-Short Act of 1967 which requires that most of the patients in our State Mental Hospitals be returned to their home communities for care and treatment. The act also substantially restricts any future commitments to our State Mental Hospitals. In short, our three County agencies are now going to perform the same functions once handled by the State Mental Hospitals, but under far more difficult conditions.

Our Welfare Department Social Workers are already caring for seriously disturbed patients who formerly were cared for by a team of trained psychiatric personnel in the supervised setting of a State Mental Hospital. While in the hospital, these patients experienced the security of having their room and board provided, their medicine administered by doctors and nurses, as well as the removal of harmful drugs and alcohol. However, once returned to their community, many of them are faced with the problems of finding housing (often inadequate on a Welfare budget), providing their own meals, taking their medication as prescribed (which some fail to do), and avoiding the abuse of alcohol and drugs which are now readily available. For many of them, the problems of daily living become overwhelming. They become agitated and begin acting out. Conflicts arise with landlords, relatives, neighbors, and merchants who may be unaware of their psychiatric problem and therefore, demand normal behavior from them. A hostile and threatening world seems to be closing in on them and in most cases, the only person they have to ask for help with these problems is their social worker. (In extreme cases, they even view the social worker as a part of that threatening world. One social worker, not long ago, was invited into the home by a disturbed recipient and was immediately hit in the head with a brick. Fortunately the injury was not serious and the dedicated young lady is still on the job. Another disturbed recipient, after receiving Welfare assistance, telephoned the receptionist and informed her he was coming back to the office to shoot her. The social worker kept him on the phone long enough for the police to trace the call, pick him up and take him to the psychiatric ward for treatment).

ATD

In order to gain a clearer perspective of this problem we must examine each aid program separately and the most seriously affected program is ATD.

For the past five years newspaper and magazine publishers have been responding to the public's wish to be informed about two major problems of our time. The issues surrounding Welfare organization and the rising numbers of mentally ill persons have most often been presented without showing their relatedness, yet a proper perspective for each must include a discussion of the impact of psychiatric problems upon the Aid to the Disabled Program in California. In fact, the County Welfare Departments in California are currently carrying a major workload for the psychiatrically disabled persons in this state, in terms of providing monthly grants and intensive casework services.

In its original conception, the ATD Pro-

gram was designed to provide some minimum standard of subsistence for those persons too physically disabled to support themselves through employment. Certain services were also provided for such clients in terms of counseling, with the aim of rehabilitating where feasible, or of helping the totally disabled to adjust to their circumstances. The image of the physically disabled persons in need has been, and is, relatively clear; but in more recent years, another image of disabled persons has emerged. This is the image of the mentally or psychiatrically disabled.

Although our professional social workers have always recognized the need for services and counseling for these people, the nature of "services" has undergone some profound changes in recent years as even case workers have become more aware of the impact of the mentally ill on ATD caseloads. Whereas we once found it relatively easy to think in terms of job retraining for the physically disabled (but well motivated) person; we must now also consider the kind of person who might not function adequately on a job or in the community, no matter how well trained or re-trained he was for employment. *The mentally ill person often requires intensive social casework services simply to enable him or her to remain in the community at large, as opposed to his being committed to a mental hospital.*

Of course this picture should not be overdrawn and it is well to remember that not all mentally ill persons need hospitalization. Yet the vast majority of mentally ill persons on current ATD caseloads require some form of periodic services in order to ensure satisfactory levels of adjustment in the community. Welfare agency services include evaluative and supportive counseling in direct contact with the client, thus allowing the social worker to discern emotional problems which may call for a referral of the client to a psychiatrist, or allowing the workers to assist the confused or fearful client in thinking of alternatives to a current predicament, whatever it may be.

Although the psychiatrist and psychologist serve as our prime consultants in this field, it is paramount that the ATD caseworker continually seeks to upgrade his training and understanding of the special problems of mentally disabled persons. Wise counsel is of little value if it is not grasped. This is why the State Department of Social Welfare desires that individual social workers receive at least two hours of training time per week.

Having established this much background, it might be well to present some examples of casework problems, with illustrations of how an ATD social worker's time is consumed:

In one instance, a young man (ATD recipient) became quite fearful that other people were rejecting him socially and possibly conspiring against him. His reactions were indeed bizarre, unrealistic, and probably paranoid. A proper analysis of his condition required the services of a psychiatrist, but it was evident to the social worker that a more concrete and immediate approach was also needed, as the client proceeded to put his fist through his apartment windows, and to shout in a threatening manner when spoken to. The matter was complicated by his ability to alternately present himself in a humble and docile mood, thus temporarily winning the sympathy of his landlord. The landlord finally asked for his eviction, but this would take a minimum of 30 days. Meanwhile the client continued to destroy property. The social worker called on the client twice weekly and encouraged him to move. An attempt was made to discuss his fears with him, but the client felt too threatened even to confide in the social worker. Other details of this problem would consume considerable space. Suffice it to say that this client remains elsewhere in the community and that he fortunately now becomes aware of the need

for psychiatric and social work services when emotional pressures mount. Should it be necessary, he is willing to voluntarily enter a hospital psychiatric ward until pressures pass, but he is not necessarily reliable in this way. The social worker is currently visiting him at least once every two weeks.

Such clients are not always able to accept or absorb counseling the first few times around, but the messages do get through in a certain percentage of cases.

In another instance, a young woman was released from a State Mental Hospital, supposedly stabilized and hopefully able to benefit from some kind of a rehabilitation plan. Her history included periods of psychosis and complete departure from reality, in terms of both thought and action. It was necessary for the social worker to make weekly home calls to remain abreast of her behavior and community adjustment. At times she appeared quite stable, yet she frequently was found under the influence of heavy doses of barbituates. At times she was polite and cooperative, while at other times she was boisterous and threatening.

Early in the relationship, the social worker encouraged her to think individually of alternatives to her problems. Yet, she ultimately went back to barbituates, beer, and extremely acute intoxication that jeopardized her life. She was completely unable to function in the community without the services and supervision of a social worker. She was placed again in a mental hospital for a brief period, but was then returned to the community. *For a while she functioned adequately in the community under our very firm supervision, and thereby prolonged her ultimate return to a State Hospital.*

In addition to the worker's numerous personal contacts with the client, considerable time was spent in consultation with a psychiatrist.

Thus, it should be apparent that we work with percentages of success. The first man mentioned has achieved some stability in the community, and this represents some degree of successful adjustment to his problems. As illustrated, others do not do so well; yet still, the casework services are valuable in helping each individual client to achieve some maximal level of adjustment.

A good number of psychiatric problems are as severe as these illustrations indicate and the foregoing examples are not uncommon to social workers on the ATD program. Just a few of these kind can occasionally consume the major part of a social worker's working hours.

GR

The County General worker has a job that is twofold. About one-half of his work week is spent as an intake worker for the program and for the remainder he maintains a caseload of anywhere from forty to fifty cases.

The very nature of the program, i.e. temporary aid, plus the intake responsibilities, make it a fast placed job.

The decision to return mental patients to the community has affected General Relief, in many ways. First of all, there is the simple increase in caseload count. The clients with a history of, or a current problem with, mental illness comprise approximately one-third of the General Relief caseloads. This increase has occurred because the released State Mental Hospital patients often seek Aid to the Disabled (which now has no residency requirements) because he cannot find a job in the community, or is little equipped to compete in the current job market. With the present Aid to the Disabled (ATD) certification procedures the patient can wait from three weeks to three months for approval and his first cash check. If he is unable to support himself during this waiting period he becomes the responsibility of the General Relief worker. Finding a way to fill his needs for food, clothing, shelter and social adjustment falls to the case worker during this waiting period. The social worker must be

the mediator between landlord or hotel manager, restaurant owner, or storekeeper, the general public and the client, who often elicits criticism and even fear in a community where he stands out as "different."

The released patient who does not want to apply for Aid to the Disabled, but needs assistance while seeking employment requires much time, patience, and help in coordinating community agencies that might be useful in his efforts toward independence. Along with this is the guidance and counseling needed to make an adjustment to the world outside the sheltered hospital setting. Sometimes these clients are not successful in holding permanent employment but must return to General Relief occasionally for temporary periods.

Additionally, there are the patients who don't "succeed" and require another hospitalization, usually during a crisis period. It is often the General Relief worker who must contact the hospital, the psychiatrist, and sometimes the police in an effort to guide the client into a position of receiving much needed help. A situation such as this requires hours or even days of a social worker's time.

In the last few months we have been faced with the problem of an increasing number of recently released mental patients walking into our office with little or no advanced planning by the releasing hospital. There was the incident of a twenty-one-year-old man who walked into our office after spending the last twelve years in a State Hospital. Finding out "who, what, where and when" on these people is a difficult and, of course, lengthy task, not to mention the prospect of developing a living plan for them.

The "emergency" nature of the General Relief caseload; the low budget, and the relatively few community resources, complicate the already difficult job of working with the mentally ill patient.

OAS

Probably the most difficult period of life in terms of both physical and emotional adjustment is old age. The point in life at which a person ceases to be able to provide for himself brings a host of emotional crises with which to deal.

Persons applying for Old Age Assistance are doubly wrought with feelings of inadequacy and failure. They not only have ceased to earn a living, they haven't been able to provide financially for this inevitable period of unproductivity. The need for the social worker at this stage is critical. Reassurance and support are urgently needed in order to accept the help which most aged people look upon as charity. Social withdrawal often occurs which can, in turn, lead to many more serious emotional problems.

Experience seems to indicate that the higher the social and economic standard to which a person has been accustomed, the more difficult the emotional problems tend to be.

Organic deterioration causes the major part of the problems in dealing with the aged. Physical incapacitation which leads to dependence on others to meet one's needs for daily living brings conflicts requiring much time and emotional output on the part of the worker; sometimes the conflict involves guilt feelings on the part of the family at not wanting to put the aged person in a nursing or boarding home. These must be worked through and resolved so as to best meet the needs of the client. Several months can be spent with a family in trying to carry out a placement plan.

An illness which strikes a large portion of our aged and brings with it a unique set of problems is senility or senile psychosis. This is actual brain damage usually caused by arteriosclerosis or the cutting off of blood to the brain. Loss of memory, disorientation, and delusions are characteristic of this illness. The patient often loses contact with reality, begins to think everyone is plotting against him, becomes a wanderer, and even-

tually requires placement in some type of protective environment.

In severe cases of senility the aged person can present a community problem. To cite an example, in one such case, the social worker received calls from businesses and retail stores requesting that the client be kept away. It seemed that she would open packages of food, break eggs, etc. during the course of her shopping. In other stores she would make a scene while other customers were trying to shop. Landlords and neighbors also barrage the social worker with calls about these suffering people. The worker finds himself continually trying to find new living arrangements or other care plans. For those senile people needing care in their own home, it becomes difficult to keep attendants. Some find it impossible to cope with the demands of the senile patient.

Diagnosed mental illness is found in a significant percentage of the Old Age Security cases. Some of the aged can be maintained in nursing homes while others definitely need hospitalization.

One such client is a woman who was released from a mental hospital two years ago. During the past eight months she has again deteriorated to the point of allowing only one couple into her home, refusing to pay the rent, and not knowing the time or day. She has turned against everyone close to her and is suspicious and hostile. The worker has tried every way possible to get the woman hospitalized, but with the new restrictions on mental health it seems that she has to practically attempt suicide or homicide before she can be considered dangerous. There seems to be a serious need for the care of people who are not "dangerous" but are in desperate need of hospital treatment. They are often too ill to be treated on an outpatient basis. The social workers, therefore, find themselves trying to protect society from the client, the client from society, and the client from himself.

The image of the nice little old lady who needs only economic assistance is in many cases a myth. The Old Age case worker faces agonizing problems in dealing with his clients. Old age itself holds little hope for a person and illness, both physical and mental, compounds the problems.

JEFF

The JEFF Program is also affected by the new Mental Health provisions under the Lanterman-Petris-Short Act. The implications of this act on the community are so far reaching, that it was the consensus of the JEFF Advisory Board, the County Mental Health Services and the County Retardation Services that special effort should be placed on recruiting foster homes for those adults who will feel the impact of the Act on their daily lives. To implement the recruiting program, County Mental Health Services, through the County Health Department's Mental Retardation Services budget, requested the inclusion of a third of a social worker specifically to recruit homes for mentally ill and mentally retarded adults. If Short-Doyle approves this new program, they will then reimburse the County one-third of the salary of the JEFF Director. This one-third salary request is based on the conviction that finding foster homes for these people fits into the "aftercare" section of the Lanterman-Petris-Short Act. This special recruitment focus is also the highlight of the JEFF expansion for fiscal year 1968-1969.

In addition, JEFF is also beginning active work with the Santa Barbara Mental Health Association to find foster homes for Santa Barbara children currently in Camarillo who are ready to be discharged. We will use our most imaginative thinking to find foster homes for disturbed children—to keep them out of Camarillo—and homes for those who will be on convalescent leave.

A third area of special expansion for JEFF in the coming fiscal year is the recruitment of homes for mentally retarded chil-

dren and adults, as the planning at the state level, as we understand it, is not to commit children to Porterville if foster homes can be developed for them.

The JEFF Advisory Board feels that the three groups mentioned above are the concern of the community, and particularly of our public agencies, who have the staff to provide adequate homes, care and supervision.

FAMILY PROGRAMS

The new mental health law already has affected the AFDC and Child Welfare Programs and in some respects the impact is more severe here than on the other aid programs, for when a psychiatrically disturbed mother is released from a State Hospital, her first concern naturally is to re-establish contact with her children, who are usually in a foster home setting. These premature contacts with a disturbed mother can produce a whole chain reaction of problems for the children, the Welfare Department, and even the courts.

A related problem is the disturbed mother who is taking care of her own children here in the community. The courts have generally followed the philosophy of not separating the children from their mother except in extreme cases of child neglect or abuse. Her psychiatric disability may not be severe enough to warrant separation and yet be serious enough to create a host of family and community problems. Again it is the social worker who must provide the support and aid required by the family in order to work out these problems.

In summary then, the implementation of the Lanterman-Petris-Short Act is increasing both the number and the severity of psychiatric problems handled by the social workers of this county. The Social Workers Union is concerned about the increased pressures being imposed upon the members of our union by this major change in the field of mental health.

SOVIET JEWRY AND USIA

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. BADILLO. Mr. Speaker, I have joined with a number of my colleagues in sponsorship of a resolution urging the Voice of America to beam broadcasts in the Yiddish language to the 3 million Jewish citizens of the Soviet Union.

In addition, my colleagues and I wrote Mr. Frank Shakespeare, Director of the U.S. Information Agency, urging him to undertake such programing on his own initiative.

Mr. Shakespeare's reply, rejecting our request because of "technical problems" and "increasing costs," once again demonstrates the Nixon administration's callous disregard of what surely is one of the world's most oppressed minority groups.

I cannot understand why this administration refuses to take even this largely symbolic action in the face of the Soviet Union's calculated policy of cultural genocide. A gesture of moral support at this time would have an enormous psychological impact on Soviet Jewry as it struggles to retain its identity.

Mr. Speaker, this situation can no longer be ignored. Since the administration refuses to act, then the Congress must act on House Resolution 454. So

that no Member will be in doubt about the administration's position on this issue, I submit for the RECORD the letter addressed to Mr. Shakespeare and his response to me:

HON. FRANK SHAKESPEARE,
Director, U.S. Information Agency,
Washington, D.C.

DEAR MR. SHAKESPEARE: We are all aware of the oppression under which the Jews of the Soviet Union suffer. Their government has pursued a course of religious and cultural repression, aimed at destroying the Jewish identity of the 3,000,000 Jews now living in the Soviet Union. Virtually all of those who wish to emigrate are barred from doing so.

Much has been said of the impact of world opinion in attempting to ameliorate this tragic situation. World opinion did, in fact, play a significant role in producing the reductions in sentences of the 9 Jews accused and convicted of an alleged highjacking. In this effort to muster world opinion, the House of Representatives played a significant role by its passage of House Resolution 1336 last December 31.

However, much of the effects of world opinion, and of the world support for the Soviet Jews, is unknown to them, because the Soviet press bars them from the knowledge of the world sympathy they have aroused. They need hope.

That hope and that knowledge can be provided by the Voice of America, which broadcasts into the Soviet Union. Currently, however, the Voice of America does not broadcast in Yiddish, the native tongue of many of the 3 million Soviet Jews. True, many of them can speak Russian, as well as Yiddish, and so can understand our current broadcasts. But, some of them cannot. And equally important, the very fact of broadcasting in Yiddish can be an enormously important psychological uplift for these oppressed people.

Currently, the Voice of America has several target populations smaller than the total of Soviet Jewry. For example, the Voice broadcasts to the following target populations in their native tongues:

Estonian, 1.3 million.
Slovenian, 1.8 million.
Latvian, 1.9 million.
Lithuanian, 2.73 million.
Albanian, 2.74 million.
Georgian, 2.83 million.
Armenian, 2.94 million.

We urge you to direct the Voice of America to begin broadcasts, as soon as possible, in the Yiddish language. As we have said, this action would fill a need which exists, and it would provide psychological support of enormous importance to the 3,000,000 Jews of the Soviet Union.

With best regards,

Sincerely,

HERMAN BADILLO,
Member of Congress.

U.S. INFORMATION AGENCY,
Washington, D.C., June 14, 1971.

HON. HERMAN BADILLO,
House of Representatives,
Washington, D.C.

DEAR MR. BADILLO: On my return from an overseas inspection trip, I found the letter of May 24th which you and your colleagues have addressed to me regarding the situation of Jews in the Soviet Union. I read your letter with the keenest interest.

The problem of providing the most effective moral support to Soviet Jews—within the limits imposed by the official character of the Voice of America—has occupied our attention ever since the Leningrad trials brought the situation into the open.

We have made a thorough study of possibilities and as a result, I had from the outset instructed the Voice of America sub-

stantially to increase its coverage of news developments regarding the Jews in the USSR.

Thus, the Voice has been featuring regularly the news of Jewish dissent in the Soviet Union as well as interviews with Soviet Jews who were allowed to emigrate and succeeded in reaching the free world.

For instance:

The Voice has fully reported press interviews with Lyuba Bershadskaya, the Washington press conference of Esther Aisenstadt and the efforts of Leonid Rigerman to leave the Soviet Union, his subsequent arrival in the United States and his reception by top level United States officials including the Secretary of State. More recently, VOA has been reporting developments in Soviet Jewish affairs at the time of the 24th Soviet Party Congress and the latest trials of Soviet Jews in Leningrad, Kishinev and Riga. The mother of one Riga defendant, Rivka Alexandrovitch, who came to the United States recently, was also given extensive coverage. The Voice has also given prominence to all United States demonstrations and expressions of concern in support of Soviet Jewry including, of course, House Resolution 1336 of last December. At the same time, mindful of the Agency's primary mission, we have been contrasting the treatment of Soviet Jews with news of religious, cultural and community developments of our own citizens of the Jewish persuasion.

The programs to which I refer have been broadcast in seven ethnic languages and especially in Russian and Ukrainian which are understood and spoken by the overwhelming majority of Soviet Jews. Unlike other ethnic groups which are concentrated in limited geographic areas and form individual Soviet republics, Soviet Jews are scattered throughout the country, and providing a service specifically directed to them would present us with technical problems of spanning eleven time zones, if we should want to reach them all.

Even assuming it were technically feasible to inaugurate a Yiddish service, we would be, in effect, increasing our costs without materially increasing our audience. Incidentally, it may be of interest that Israel's own transmitter, Kol Yisrael, beams the bulk of its programs to its co-religionists in the USSR in the Russian language.

In conclusion, I want to assure you that, although at this time we are not prepared to inaugurate the service which you propose, we shall continue, as we have in the past, to stress in our broadcasts the deep concern of the United States, its government and its elected representatives with the fate of Soviet Jewry and provide all the moral support and encouragement which is consistent with our own national interests and with the Agency's mission.

Sincerely,

FRANK SHAKESPEARE.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 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?

**ANWAR SADAT SHEDS CARETAKER
ROLE**

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. HAMILTON. Mr. Speaker, a great deal has been written in the last 2 weeks concerning the Egyptian-Soviet Friendship and Cooperation Treaty and the motives behind the various diplomatic moves by Egypt's President Anwar Sadat. I would like to call my colleagues attention to an interesting editorial on these subjects by Robert E. Hunter which appeared in the Washington Post of June 15, 1971:

GETTING DIPLOMATIC DUCKS IN A ROW:
ANWAR SADAT SHEDS CARETAKER ROLE
(By Robert E. Hunter)

Anwar Sadat may yet surprise us all. Little known before the death of Nasser, he was widely regarded simply as a caretaker president, a small boy standing in his father's shoes while older and wiser heads debated the legitimate succession.

This view prevailed until the tenor of Sadat's diplomacy became clear. Here was a man of flexibility, who was able to match some of Israel's experts in preparing arguments designed to win support in the West. Indeed, the new Egyptian president demonstrated that his particular form of weakness was a source of strength. For some time, it had been clear that Nasser longed for the halcyon days of 1956-67, when he was restrained from the need to act against Israel by a United Nations Emergency Force and all the forces of international morality that could be exploited in support of a do-nothing policy; but he could not bring it off. It was bad enough that Israel continued to occupy the Sinai Desert—which no Egyptian leader could tolerate for long. Even worse, Nasser could not reach a separate accommodation with Israel. To do so would have laid him open to the vilification of his Arab neighbors and competitors, all the more so because of the active role then played by the Palestine guerrillas.

Paradoxically, Sadat has been able to approach the state of reduced tensions that Nasser coveted, simply because he is not Nasser. Under the old regime, opposition to Israel was not just a matter of righting an Arab grievance; it was also a way in which Nasser's competitors could put him on the spot, and thereby counter his pretensions to be leader of the Arab world. Today, the sense of grievance remains; but there is far less need for other Arabs, from Algiers to Riyadh to Baghdad, to Egyptian flexibility as a way of cutting the Egyptian president down to size. Hence, Sadat has found that much more is possible than was true before—to the point that one Israeli wag has complained that Tel Aviv has lost its most loyal ally: namely, the certainty the Egypt would rescue Israel from any need to compromise by making threatening noises at the right moment.

Sadat has, of course, made these noises from time to time. But they have been largely eclipsed, at least in the West, by other statements that have seemed to box the Egyptian government into support for an eventual stabilization of Egyptian-Israeli relations. The Egyptian president even went several steps farther in currying much needed favor in the United States. There was his effort to improve relations with this country during the visit of Secretary Rogers to Cairo. For those Americans preoccupied with the role of the Soviet Union in Egypt, this gesture seemed to indicate at least that

all is not lost, and that it might be possible for the United States to offer some limited counterweight to the Soviet presence. Of course, this might simply have been a maneuver designed to gain U.S. support against Israel over the latter's withdrawal from the Sinai, but it still could not be ignored.

Even more important was Sadat's move against a number of Egyptian leaders who were known to support a significant Soviet role in Cairo. This was principally a move against people challenging his position. But it was also effectively a step toward fulfilling his desire—shared by Nasser—to limit Soviet influence.

As a result, the conclusion of a formal Soviet-Egyptian treaty adds an intriguing note. It may be that the Russians induced Sadat to put relations on a formal basis, as just one more step in the progressive Soviet involvement in Egyptian affairs. And it seems that some such step was needed following the recent purge, if only to add a bit more stability to Sadat's internal position by reassuring the outside patron.

Yet Sadat may take this trick, as well. By putting Egyptian relations with the Soviet Union on a formal basis, he is helping to insure that practical steps he takes away from Soviet involvement will be more possible. Indeed, as a formal "ally" of the Soviet Union, Egypt will now be less suspect if it broadens its relations with Western states, including the United States. Sadat has made his bow in the direction of Moscow; by doing so, he could increase the scope of moves he would like to make in the direction of Paris, London, and even Washington.

Furthermore, the treaty as published does little more than spell out relations in the military and diplomatic field that had already appeared to be standard practice. Yet by implication there are also areas in which Soviet-Egyptian relations can be limited by the conclusion of a formal treaty. Not only are these statements in the Treaty about "respect for the sovereignty, territorial integrity, noninterference in the internal affairs of each other"—words that appear in East European Treaties with the Soviet Union, as well. But also the very enumeration of areas in which the two countries will cooperate implies that some are left out. And it is in these areas that Sadat may have chosen to make his stand in the interests of increasing Egyptian independence.

This treaty could, therefore, be a means for the Egyptians to reassure Moscow that they will not be so rash as to attempt to "expel" their patron, as some American officials suggested a year ago. Needless to say, a similar effort to provide reassurance to Moscow failed in Czechoslovakia during the Prague Spring of 1968. But Egypt is not Czechoslovakia, either strategically (for the Russians) or politically. Indeed, the Russians appear to be sufficiently uncertain of their future position in Egypt that they have still not given support to a lasting settlement of the Arab-Israeli conflict. Rightly or wrongly, Moscow may fear that such a settlement would render its continued presence of little value to the Arabs.

Of course, Sadat is more immediately concerned with securing the withdrawal of Israel from Egyptian territory. This is a tall order, that centers chiefly on the role of the United States, the one outside power that can bring any pressure to bear on Tel Aviv. Sadat can and will seek that help, and could make concessions leading toward an eventual settlement. But how far he is able to go will depend partly on Moscow's understanding that it will get some of the credit, and will continue to play a major role in the Arab world.

A formal Soviet-Egyptian treaty could help to get the necessary diplomatic ducks in a row, especially at a time when Sadat has in effect reduced the role of pro-Soviet people in his government. Of course, this is all just speculation at the moment. But whether it

becomes anything more will depend in part on what other nations do—including the United States. If we see this treaty just as further evidence of Soviet domination in Cairo, there will be no chance to find out whether Sadat is playing a very subtle, if risky, game. But provided that we continue to proceed with caution, as we have been doing for some time now, we may find that the new Egyptian president is worthy of the leadership he has assumed. With luck, he could even help to damp down conflict with Israel, and help to limit the Soviet influence in Egypt that disturbs us so much in the West. And as with all such developments in the volatile and complex Middle East, we can only wait and see.

**MAYOR DALEY PROPOSES BLUE-
PRINT FOR AMERICA'S URBAN
SURVIVAL**

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. PUCINSKI. Mr. Speaker, Mayor Daley, acknowledged as the dean of America's municipal administrators, addressed the 38th annual meeting of the U.S. Conference of Mayors in Philadelphia yesterday.

The mayor presented to the conference a blueprint for urban survival in the next decades and I recommend it to my colleagues for its candor and realistic statement of goals.

Mr. Speaker, Mayor Daley is at the head of a city government that works. For 16 years he has served the people of the city of Chicago and his record has been written during some of the most socially tumultuous years of American history. His experience in office and his overwhelming desire to find solutions to some of our urgent city problems make him the foremost urban administrator in our Nation today.

Following is Mayor Daley's speech to his colleagues on June 14:

ADDRESS OF MAYOR RICHARD J. DALEY

Since its first annual meeting 38 years ago, this conference has been an important event because it focuses national attention on the city's viewpoint as expressed by the mayors and other local officials. But more than ever before, the importance of this meeting is not limited to the cities, the issues we are discussing involve directly every citizen no matter where he lives.

Those who think city limits are walls or real barriers are deluding themselves, for they only live in the outer city. In this urbanized society we all are part of total economic and social system regardless of political, geographic and census classifications.

Problems of welfare, health, crime, education, housing, employment, environmental control, and transportation are not confined just to the cities, but are increasingly affecting suburban and rural areas as well.

Historically the city was the place where the newcomer was welcomed and where he found opportunity for himself, his family and his children. The cities were the place where the immigrants had the opportunity to move up economically and socially.

It was only natural that this process—this upward movement—took place in the city because the essential truth is that cities were—and in my opinion they remain—the primary economic bulwark of the nation—

the focal point of its social and cultural activities.

The role of the central city today is the same, the central city must be the innovator and it must still serve as a catalyst for the poor of today—who for the most part do not come from other countries but from within our own national borders.

However, the central city has been steadily losing its capability to effectively carry out its historic role because of rapid changes in our society. Two great wars and a major depression, and an unwanted tragic war, urbanization, accelerated advancements in technology and science and the movement of population have created vastly different conditions.

Much of the deterioration that has taken place in the city occurred during the twenty year period when the depression and wars took a heavy toll of the housing supply and curtailed basic city services and capital improvement programs.

The war years had brought millions of workers into the cities where jobs were available. But when the war ended and building materials were again available, the Federal Housing Administration adopted a mortgage insurance program which in conjunction with a huge badly planned highway program, aided and abetted uncontrolled suburbanization.

At the same time the F.H.A. ignored the cities where the housing needs were the most critical.

I don't believe the policy was intentional, but its effect was to hasten the flight to the suburbs and to handicap the central cities in providing housing and undertaking long delayed rebuilding and renewal programs.

Meanwhile, the technological revolution increased production while it decreased the need for manpower, particularly of the unskilled worker.

There were neither adequate local resources, nor recognition of the complexity of the problem, needed to meet the special requirements of the unskilled workers and their families who had come to the city. There were not sufficient funds for intensified education, for expanded health services, and for the other programs to help newcomers to move up the economic and social ladder.

State legislatures—dominated by rural interests—refused to help the cities.

Mayors turned to the Federal Government. Congress tried to respond to the plight of the cities and perhaps there was no better statement of the national commitment than the 1949 Federal Housing Act. It established as national policy "the goal of a decent home and a suitable living environment for every American family."

There was every reason to anticipate that this goal could be realized because of the tremendous material advances taking place in our society.

The progress and break-throughs which had occurred in the fields of science, technology and communications in the past twenty-five years had been more rapid and far-reaching than the advances which had taken place in the last hundred years. It had always been assumed that as science and technology improved our material and physical world, they would make an equal contribution to the betterment of our environment and our social world.

But instead a critical imbalance between physical and social progress has developed.

And there are many—and particularly the younger generation—who cannot understand how a nation which can send space ships to Mars cannot clear a slum—cannot give every child quality education—cannot erase discrimination and provide full employment.

This is the new dimension to improve the quality of life for every citizen—and to do it right now.

And this new dimension is directly influenced by the change in the economic and social relationships between the central city and its surrounding area. Before the tremendous growth of urbanization, the responsibilities of cities and suburbs could be easily defined. Now the central city is the vital core of a metropolitan social and economic unit. The central city remains the innovator—the catalyst. But, the enormous burden of the responsibility for providing a better life for every citizen must be shared with all the communities which take up the metropolitan area.

Unfortunately the Federal and State governments do not agree with this view. We are witnessing a dual policy by the national administration in regards to low and moderate income housing. The department secretary embraces the comprehensive urban concept while the White House disowns it.

What is at issue is whether there is one national policy or two: One for the cities and one for the rest of the country. We cannot respond with integrity to two contradictory Federal policies except to ask one national policy which is equitable to all citizens of our Nation.

I believe that a dual national policy will be rejected. Experience has shown us that attempts to impose one set of standards in the cities and another in the surrounding areas will become as self-defeating as the multistandard welfare system.

A double standard will be rejected because it seeks to ignore the reality of urbanization. It will be rejected because it is a negative policy. It jeopardizes those urban programs which cities now have underway to meet the causes of poverty and urban decay.

It will be rejected because the mayors of cities who represent most of the people want to carry on positive programs. It will be rejected because the surge of rising aspirations for a better society is shared by most Americans.

We must also be aware of possible dangers in structuring an equitable revenue sharing program. We all support the principle, but there are honest differences of opinions as to how the program should actually be implemented.

Many of us believe that revenue should be shared primarily on the basis of need. We are deeply concerned that we do not harm those programs which Congress passed specifically to help the cities—such as the Model Cities Program.

There is no reason why revenue sharing should interfere with categorical aid programs and the use of special incentive grants to achieve national objectives in particular program areas. In its report on revenue sharing, the President's Advisory Commission on Intergovernmental Relations pointed out—

"For years, State governments have made unconditional and categorical grants to local governments without one or the other being impeded. Only the national government—specifically the Congress—has failed to utilize both approaches." It is time that Congress becomes more flexible and adopts those grant in aid approaches which serve best.

In this regard I agree with the intent of the administration's efforts to consolidate certain groups of related programs and to simplify their administration.

I—for one—believe that federal programs should be audited by Congress but the administrative decisions should remain with the cities. Most of us have the know-how to properly administer programs. Certainly nothing is to be gained by channelling funds through State capitals.

Though the problems of the cities are many—we should not be pessimistic. Cities are making progress. We are helping to improve the lot of people.

We are carrying out projects to remove the slums, to provide better education, to

expand health care. We in the cities are working to meet our responsibilities. We are mindful that there is much to be done—but we need not be ashamed of what has been accomplished in so short a period of time and with little change in the revenue system available to cities.

Despite the lack of unified direction from Washington and the State Houses, the mayors of cities have not evaded their responsibilities because they are closest to people and have long understood their needs.

In the past, local government was primarily responsible for basic housekeeping services and public works. Now all of us are also concerned with poverty and jobs, with the kind and quality of education, with the welfare of youth and senior citizens, with manpower training and merit employment, with comprehensive health care, with mass transportation, with civil rights and human relations, with housing, conservation, rehabilitation and the renewal of neighborhoods, with the protection of our air and water, and with economic and cultural development.

If you look at the agendas of the annual meetings of this organization during the past two decades, you will find they are increasingly addressed precisely to these programs.

Cities are willing to meet their responsibilities in dealing with these national issues. We are willing to commit a fair share of our scarce local resources to do the job, but the cities cannot be expected to assume the entire burden alone—the mayors have pleaded with the White House, the Congress and State governments to provide the resources necessary for the cities to carry on the vital functions of serving all the people.

Needed is a new and straight-forward bipartisan national urban policy that will provide the cities, not with piece-meal programs, confused by administrative edits—but massive infusion of resources in large blocks, with assurance that these resources will continue for at least the rest of this century.

In the past twenty years there has been enough discussion, enough talk and enough debate about the ills of the city.

It is time now to declare a new bill of urban rights for our citizens—a large majority of whom live in cities.

Every family—everywhere in the country has the right to live a good life. To avail themselves of this right, every man and woman has the right to expect employment opportunities commensurate with their talents and skills. And those who cannot work because of infirmities, age or other special conditions have the right to an income sufficient to live in dignity. Every family must have the right to health care for all its members, regardless of ability to pay. Every family must expect as a right a decent home. Every child must have the right to receive a quality education.

These urban rights have been echoed again and again. Franklin Delano Roosevelt spoke of "four essential human freedoms." He listed these as the freedom of speech and expression, of the freedom of every person to worship God in his own way. And he said, "The third is freedom from want—and the fourth is freedom from fear."

He was speaking in world terms and I am speaking in national domestic terms. We must guarantee these rights of the freedom from want—for every American family—and freedom from fear—from every source which threatens a citizen's tranquility.

We cannot improve life in the cities—or anywhere—unless we have an orderly society which protects the individual. We must have communities that have sufficient order and safety to allow freedom of movement. We must have communities in which people can work, shop, attend school and church, and enjoy leisure, and in which we can associate

with our fellow men to achieve common objectives.

In order to have freedom from want there must be opportunity for employment. There is no better way to redress the ills that beset an individual or family than through the independence gained through regular employment. The debasement and loss of dignity that attends unemployment leads to frustration and lack of confidence and destroys the individual. We cannot afford to waste our most precious asset, our human resources, in this way.

As a nation we just cannot tolerate a situation where people cannot get work. We cannot condone any policy—no matter how worthy the objective—that produces a six percent rate of unemployment. If private industry cannot provide jobs then government must fill the gap.

I cannot emphasize enough how strongly I feel that the Public Service Employment Bill which has passed both Houses of Congress be signed by the President.

It is a national shame that veterans are returning home from Vietnam to join the jobless. We must provide these men who have served their country with jobs.

In Chicago, in 1968 we initiated a job service for Vietnam veterans and we located this service in city hall so it could get highest priority. In 1969 we were successful in placing 1400 men in jobs. But the recession has seriously hampered our ability to place veterans and last year jobs were only secured for 482 out of 3500 applicants, and during the first five months of this year we have found jobs for only 166 men, although applications are on the rise.

It's a sad commentary on the state of our society when our government can draft men and send them to war but can't mobilize its resources to give these same men jobs when they return home.

There are avenues for cities to take in order to create new jobs and I am sure many cities, like Chicago, have tapped every resource to attract commerce and industry and to encourage business to remain in the city. Through the Federal Economic Development Act, we in Chicago have created 3,000 jobs in the former stockyards area and a second industrial site will provide 6,000 more jobs.

The government should vastly expand its appropriations for the shared projects where working together with private developers we can make it possible for new industries and commerce to rise in our cities and provide jobs for our residents.

In my opinion there is nothing as important to the solution of the great social issues of our times than jobs! Congress in passing the Emergency Employment Act of 1971 has shown its appreciation of this fact by recognizing that where the private sector cannot assure full employment—Government must become the employer of last resort.

We will discuss many ideas in the few days ahead and we will not always agree on our approaches. But we are as one in the belief that the vitality of cities is essential to the vitality of the Nation.

We are here as spokesman for the people of the cities—the rich—the poor—the middle class—the old—the young—the black—and white. In a sense we are also here to speak for the suburbs for their well-being depends on the strength of city.

As elected officials, we are the voice of the people and in the next few days let us speak bluntly. We need the understanding and the help of our national leadership. We need bipartisan support. Let us be sure that when we leave this conference, we have not only expressed deep concern for the people of our country, but that we have presented concrete plans and programs clearly with the intention that they be implemented.

Americans have a strong belief in the effectiveness of local government. They look to us for leadership. I am sure that goals we seek are shared by most of the people of our country. We know that the problems of the cities are not going to be solved tomorrow. We know there will be delays and trying times ahead.

I think it is appropriate to reflect on the words of Sir Thomas More when he was discussing the inadequacies and injustices of the day and how they might be remedied.

"Suppose wrong opinions cannot be plucked up by the roots, and you cannot cure as you wish, vices of long standing yet you must not on that account abandon ship of state and desert it in a storm, because you cannot control the winds, but neither must you impress upon them new and strange language, which you know will carry no weight with those of opposite conviction, but rather you must endeavor and strive to the best of your power to handle all well, and what you cannot turn to good you must make as little bad as you can. For it is impossible that all should be well, unless all men are good, which I do not expect for a great many years to come.

In the words of Sir Thomas More I know that we mayors strive to the best of our power to handle all well.

THE VANISHING SMALL FARMER

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. OBEY. Mr. Speaker, in the recent issue of the New Republic there is what I regard an excellent article entitled "The Vanishing Small Farmer." It points out well just what forces are now at work threatening to push the family farmer off his land. To quote directly from the article, these include: "economic forces, abetted by Government policies, which say to the small farmer: either get bigger or get out."

The article focuses on various corporations throughout our country which have gone into the farming business, largely by squeezing individual farmers economically and forcing them to sell their land.

Sometimes these corporations are successful, and unfortunately various Government policies aid them in their efforts.

But I would also like to point out that corporations have not always succeeded. Several who simply saw profits at the end of the agribusiness rainbow have discovered that farming is a tough business and some in fact have stopped their farming operations.

The fact remains that corporations are no more efficient than most of our family farmers and certainly a corporation cannot match the farmer's devotion to the land.

Corporation farming is not only a threat to the family farmer who finds himself landless. It presents the specter of higher food prices for the consumer. It could also lead, as it has in the past, to a wholesale disregard for the protection of our environment. And, it has ominous implications for the existence of rural communities as we know them today, because corporations do not buy their tractors from the local machinery

dealer nor sell their products with the help of nearby coops.

Mr. Speaker, if corporations enter agriculture on a large scale I fear the adverse effects this will have for agriculture and our entire economy. Corporations farms are a threat which should be known to all of us and I am hopeful all the Members of the Congress will take the opportunity to read about them in the article which I am asking to be reprinted below:

LAND REFORM—II: THE VANISHING SMALL FARMER

(By Peter Barnes)

Yghish Bulbulian's face is weathered, his pace somewhat slowed. But when he looks back at what he has left for his son Berge and his grandchildren, Yghish Bulbulian is a proud man.

Born in Armenia at the end of the last century, Bulbulian fled his homeland during World War I when more than a million Armenians were slaughtered by the Turks. He arrived, penniless, in California and settled near Fresno, where a large colony of Armenians had gathered. For several years he worked as a field hand in the San Joaquin and Imperial valleys, managing to save a few pennies each payday. By 1929 he was able to scrape together \$500 for a down payment on 20 acres, part of a homestead that was up for sale. He, his wife and son worked ten hours a day, seven days a week in the fields, and when they weren't working their own land they were hiring themselves out to others.

In 1943 Bulbulian added 30 acres to his farm, and every decade or so thereafter he added more. Today, he and his son grow grapes and currants on 150 acres; though he's 78, he still helps plant, irrigate and box his crop. His income has not been high, but there were enough good years to permit some amenities. Father and son now live in comfortable, well-furnished houses, and drive late model cars.

It's no rags-to-riches story, and Bulbulian is no Horatio Alger figure, but he is an example of the many immigrant farm hands who, through frugality and hard work, rose to become farm owners. Unfortunately, he represents a dying breed.

In the 1920's, when Bulbulian got to California, it was natural for field laborers to aspire to become small farmers. Today it is almost unthinkable. For the same 20 acres that Bulbulian bought 40 years ago for \$500 down, an aspiring farmer now would need \$12,000 down. Moreover, it would be pointless for him to buy only 20 acres; he'd need at least four times that to have a fighting chance. And while Bulbulian could make do, when starting, with two mules and a plow, his contemporary counterpart would require thousands of dollars worth of tractors, chemicals and other equipment. Little wonder that few persons without an inheritance or outside income are entering farming, or that the number of farmers of Bulbulian's size is rapidly shrinking.

U.S. Department of Agriculture statistics tell the story: in 1950 there were 5.4 million farms in America; today the figure is around 2.9 million. As the number of farms declines, the average size of remaining farms increases: it's now over 380 acres, compared to 215 acres 20 years ago. And as agriculture steadily becomes more mechanized, it comes to be dominated by those who have capital—the most successful family farmers, and the giant corporations. Thus, in 1969, the largest 40,000 farms, representing less than two percent of the total number, accounted for more than one-third of America's farm sales.

These are the broad statistics. Behind them are the economic forces, abetted by government policies, which say to the small farmer: either get bigger or get out. The pattern is

typically like this: a farm of 80 or 160 acres has belonged to a family for generations. It is squeezed by rising local taxes, the high cost of farm equipment, and corporate competition. The old man dies or retires. What will the children do? To survive as farmers they must expand and mechanize. The other option is to sell, perhaps to a suburban developer, perhaps to another farmer who is expanding. The latter course is easier, and increasingly it is the one that is chosen.

The trend towards corporate farming greatly intensifies the pressures on the independent small farmer. This trend is strongest in the South and West, particularly in Florida, California, Texas, Arizona and Hawaii, where large land units have long been the rule. Big canners like Minute Maid, a subsidiary of Coca-Cola, and Libby-McNeill & Libby, own an estimated 20 percent of Florida's citrus groves, compared with less than one percent in 1960. Corporate farms in California account for 90 percent of the melon crop, 46 percent of the cattle sold, 38 percent of the cotton produced and 30 percent of the citrus fruits. Two conglomerates, Purex and United Brands, now control one-third of the green leafy vegetable production in the United States, and the list of other blue chips lately plunging into agriculture, according to the Agribusiness Accountability Project, includes Tenneco, Gulf & Western, Penn Central, W. R. Grace, Del Monte, Getty Oil, Goodyear, Monsanto, Union Carbide, Kaiser Aluminum, Aetna Life, Boeing, Dow Chemical and American Cyanamid.

Why are major corporations suddenly fascinated with farming, a business where profit margins are generally small? The motives are chiefly 3: land speculation, tax dodging, and the development of integrated "total food systems."

Suppose for example that a company invests \$1 million a year of nonagricultural earnings in improving a large tract of farmland—by planting pear trees, say, or laying irrigation pipes. It pays no taxes on the \$1 million, and can even deduct from its remaining taxes the cost of caring for the trees until they bear fruit, and the depreciable value of the irrigation pipes. Then suppose, as is usually the case, that each dollar thus invested creates a corresponding increase in the market value of the land. Suppose further that the company sells the land to another corporation at the end of ten years. Its profit on the land sale is then approximately equal to the earnings it has invested over the decade—in this case, \$10 million. However, these earnings are now in the form of capital gains, and are taxed at 25 percent rather than 48 percent. Thus, the company has made a multimillion dollar profit at the taxpayers' expense. Any income the farm may have produced during this period is frosting on the cake.

Many corporations have their eyes on farming for another reason: they see vast profits accruing to vertically integrated conglomerates that control every stage of the food production and distribution process from raw nitrogen to precooked soufflé on the dining table. They are aware of the fact—indeed, they are largely responsible for it—that profits in the food industry go increasingly to companies in the food business rather than to farmers: in 1969 only 33 cents out of every dollar spent on food went to farmers, down from 40 cents two decades ago.

No single company better exemplifies the corporate plunge into farming than Tenneco, formerly Tennessee Gas and Transmission. In addition to its oil, natural gas and shipbuilding interests, Tenneco controls over a million acres in California and Arizona, mostly as a result of its purchase in 1967 of Kern County Land Company. It also produces agricultural chemicals and owns J. I. Case, a manufacturer of farm machinery,

Heggblade-Marguleas, a leading California farm management firm, and the Packaging Corporation of America.

Tenneco makes money out of its landholdings from all directions. First, of course, are the tax-privileged revenues from oil and gas that lie beneath the surface. Then there is land development, the ultimate stage in the speculative game. Tenneco has half a dozen major developments planned or underway in California. One is the Pine Mountain Club, a 3200-acre recreational community in Los Padres National Forest, about an hour's drive from Los Angeles. Another 6000-acre development on the outskirts of Bakersfield will include an industrial park, a shopping center, a golf course and a retirement community. One of the company's cleverest gambits was to donate 370 acres near Bakersfield for a new state college. (Lands for UCLA and the University of California at Irvine were similarly donated by large landholders.) According to Simon Askin, executive vice-president of Tenneco, the college "enhances the value of an additional 6500 acres of company land."

It is Tenneco's multi-faceted agribusiness operations, however, that cast the longest shadow over the small farmer's future. Tenneco's aim, says Askin, "is to accomplish integration from the seedling to the supermarket." The company is already far advanced along that road. It grows, on magnificently irrigated former Kern County Land Company farmlands, an enormous diversity of crops, including corn, potatoes, barley, sugar beets, cotton, almonds, grapes, oranges, lemons, peaches, pears and plums. For capital inputs it has its own agricultural chemicals and farm machinery. For processing and packaging it has a huge new plant near Bakersfield, more than six times as large as a football field. It is currently testing a brand name identification program which, it hopes, will make the Tenneco Sun Giant label a household word in foods.

Against this kind of competition, what chance does the small farmer have? He survives or falls on his crop income alone. He does not have the benefit of outside earnings, or the luxury of converting current income into future capital gains. He might wish to expand or to buy more equipment, but to do so he must use his own money, not the Treasury's. When local property taxes rise because of encroaching suburbia, the large corporation can absorb the increase as a hedge against future speculative profits. For the small farmer higher taxes simply mean a decrease in the income on which he must live. Nor can he recoup farming losses with profits from machinery, chemicals, processing, packaging or marketing. If he is not paid enough cash for his crop, he is wiped out, regardless of how profitable the other stages of food production might be.

Corporations have other advantages over small farmers, including access to credit. According to a Department of Agriculture study in 1966, corporate farmers are able to borrow nearly twice the proportion of their assets that family farmers are. Corporations also enjoy the government-sanctioned privilege of exploiting their employees to a degree unparalleled in any other industry. The federal minimum wage for farmworkers is \$1.30 an hour—30 cents below the minimum paid to all other workers. And while it is a felony for ordinary individuals to harbor illegal aliens, it is not a crime for growers to employ them. Such laws as these not only abuse farmworkers; they also hurt the self-employed farmer, who, in order to compete with the giant growers, winds up having to exploit himself.

Farming corporations receive further government aid in the form of subsidies. Among these are payments for reduced crop production. Since farmers with large landholdings are able to "not-grow" more crops than are farmers with small holdings, their subsidies are more generous. Charles Schultze, former

director of the Budget Bureau, estimates the total cost of farm subsidies at \$9 to \$10 billion annually, the lion's share of which goes not to poor farmers, who need it, but to corporate giants. Last year, the J. G. Boswell Co. of Calif. received federal subsidies totalling \$4.4 million; Tenneco got \$1.5 million; the Florida-based US Sugar Company collected \$1.1 million; the Delta and Pine Land Company of Mississippi bagged \$814,000. A newly enacted \$55,000 ceiling will reduce some of the largest handouts this year, but the limitation has too many loopholes (for example, the ceiling is computed on a per crop and per nominal owner or lessor basis) to be effective.

Subsidies also come in the form of water, delivered to many farmers' doorsteps by federally-funded reclamation projects. The price paid by water users is well below the actual cost of delivering the water. Most of the cost of building dams and aqueducts is charged to the general Treasury and to hydroelectric power consumers.

In theory, federally subsidized water is legally barred from delivery to farms of more than 160 acres, and to all absentee-owned farms. In practice the law is widely violated, to the detriment of the family farmers it was intended to help. Thus, small farmers in California are now being hurt by the delivery of new water to lands owned by Tenneco, Getty Oil, the Tejon Ranch, Standard Oil of California and the Southern Pacific Railroad, among others. Production of fruits and vegetables from these heretofore arid lands will soon flood the market, thereby driving down prices. Much the same fate awaits small farmers in the Pacific Northwest, where vast lands controlled by Boeing, the Burlington Northern, Utah and Idaho Sugar, and Amfac of Hawaii are about to receive federally-dammed water from the Columbia river.

Welfare is another indirect subsidy to large growers, though they're not inclined to admit it. It allows them to use laborers for a few months, then cast them aside, secure in the knowledge that they'll survive until the following year's work season, without having to be paid a living wage. On top of this are the millions spent by federal and state governments on agricultural research—a subsidy that not other industry enjoys. While some of this research helps the small farmer, the bulk of it is aimed at breeding crops and designing machines for large-scale farming.

What will be the future of American agriculture? If present policies continue, the answer seems fairly obvious: the poor will be squeezed, the rich will be subsidized, and in the end only the biggest and best integrated operations will survive. The prospect pleases corporate moguls like Bank of America ex-president Rudolph A. Peterson, who has called for a program "to enable the small uneconomic farmer—the one who is unable or unwilling to bring his farm to the commercial level by expansion or merger—to take his land out of production with dignity." It terrifies small farmers, many of whom are no less efficient than their giant competitors, but simply less favored by government policies.

One vision of what American agriculture may look like can be found in the February 1970 issue of *National Geographic*. Here are stunning photographs of an egg factory near Los Angeles where two million caged Leghorns gobble 250 tons of feed and lay one million eggs each day; a cattle metropolis in Colorado where 100,000 steers are fattened on formulas prescribed by computer; a \$23,000 tomato harvesting machine, developed by the University of California, that snaps up specially bred tomatoes for farmworkers to sort while taped music purrs in the background.

These photographs of contemporary marvels are accompanied by an artist's depiction of an early 21st century farm (if that is the proper word) as foreseen by USDA specialists.

All operations are monitored by one man from a bubble-top control tower. An enormous remote-control tiller rolls across a ten-mile-long wheat field on tracks that keep it from compacting the soil. Another gigantic machine automatically water a ten-mile field of soybeans, while a jet-powered helicopter sprays insecticides. Alongside a monorail track stand a pair of skyscrapers for cattle. Behind them are several illuminated plastic domes containing controlled environments for growing strawberries, tomatoes and celery. A USDA expert outlines some other possibilities: hills will be leveled with nuclear energy in order to flatten extra-long fields; sensors buried in the soil will find out when crops need water, and automated irrigation systems will bring it to them; airplanes, computers and closed-circuit TV will be as commonplace as tractors today.

A somewhat different vision of the future—not endorsed by the USDA—can be found in a gently sloping field near Watsonville, California. It focuses on human beings rather than technology, on giving present-day Yghish Bulbullans a chance to advance themselves rather than be cast into ghettos and barrios. Here on the edge of the Pájaro valley is a bustling new enterprise called the *Cooperative Campesina*, a farming cooperative formed slightly over a year ago by four Mexican-American families, now expanded to twenty-five and still growing.

The economics of the cooperative are relatively simple. There are 140 acres under lease, with 80 planted in strawberries and 60 in zucchini squash. (Eventually all will be planted in strawberries.) To avoid hassles the land is divided among the members by lottery, with each family responsible for its own parcel. Strawberries were chosen as the principal crop because they provide a high return and are labor-intensive; there is no machine yet in sight that can pick them. Each acre of strawberries produces about 3000 trays per year, and each tray sells for about \$3. Thus, one acre earns about \$9000 a year. Expenses, not counting labor, come to about half that, so each family will earn about \$12,000 the first year if all goes well, plus whatever additional income comes from the squash. The second year, when expenses are lower, they'll earn more. With four or five family members working steadily in the field, the earnings don't amount to much on an hourly basis—perhaps \$1.20 per hour. But total family income will be two or three times what it was when they were hired laborers or sharecroppers. In addition they'll have equity in the co-op, and the satisfaction of being their own boss.

It wasn't easy to get the co-op started—the initial members had to scrape up \$500 apiece, then look around for credit. The Farmers Home Administration, a federal lending agency, turned them down. Local banks, under pressure from a large local grower, were hesitant, but finally Wells Fargo came through with a \$150,000 crop loan, to be repaid after the first strawberry harvest in 1972. An OEO-funded consulting firm, the Central Coast Counties Development Corporation, lent another \$100,000, which will be repaid in three years. With \$250,000 in hand, the co-op was able to purchase tractors, root stock and chemicals. Now it is in as good a position as the established growers, if not a better one, it's the only commercial strawberry producer in California that doesn't have to worry about labor troubles. By next year it will be marketing strawberries under its own *Cooperativa Campesina* label, and its members see no reason why within five or six years they can't become a dominant factor within the \$60 million strawberry industry.

If the co-op prospers, its members don't plan to hoard the wealth. They intend to open up membership to as many poor families as the enterprise will support. "We have a saying in Spanish," says Refugio Pinedo,

one of the founders and now secretary of the co-op. "*Agua que no te tomas, déjala correr.* Water that you cannot drink yourself, let it run for others."

BALTIC FREEDOM DAY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. HOWARD. Mr. Speaker, on June 15 of each year, we are sadly reminded of the plight of those who have been subjugated by the Soviet Union into positions of literal slavery. This is the occasion of Baltic Freedom Day, and I think it appropriate that we join those of Lithuanian, Estonian, and Latvian heritage in commemorating the fate of their countrymen who were deported by the Soviets 31 years ago in an effort to destroy their sense of nationality.

These efforts to destroy this sense of heritage, of cultural and ethnic unity, continue even today. These nations which had so briefly tasted the joys of true freedom and national determination, have lived on in the hearts of those who enjoy this heritage, however, and no amount of forced exile and subjugation will put out this bright candle.

I hope that each Member will today take a moment to reflect upon the fate of these small nations, and join in their hope of reestablishment to their rightful place among the nations of the world. To this end, I am inserting the language of House Concurrent Resolution 416, which was passed without a single dissenting vote by both the House and the Senate during the 89th Congress. In contemplating this resolution, I believe we may reaffirm our belief in the goals stated therein. The text follows:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opin-

ion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination to the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

Attest:

RALPH R. ROBERTS,
Clerk.

THE WHITE HOUSE CAN DO BETTER

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. THOMPSON of New Jersey. Mr. Speaker, some weeks ago there appeared in the local press reports to the effect that the President was contemplating the nomination of Mr. Stephen Hess as Chairman of the National Endowment for the Humanities. This report, or trial balloon if you will, has caused considerable consternation in the academic community for reasons which are succinctly set forth in a recent editorial which appeared in the Southbridge, Mass., Evening News. Mr. Loren Ghiglione, publisher of that newspaper, is uniquely qualified to assess this proposed appointment, and I think his views are entitled to our most serious consideration. I might add that I find myself substantially in agreement with Mr. Ghiglione's position. It gives me great pleasure to commend his commentary to the attention of my colleagues:

THE WHITE HOUSE CAN DO BETTER

A trial balloon quietly floated up from the White House two weeks ago. Stephen Hess, chairman of the White House Conference on Children and Youth, was touted as the President's man for nomination as chairman of the National Endowment for the Humanities.

The Humanities Endowment is a federal agency that funds fellowships, public projects, and research, education and publication grants. The humanities, as defined by the 1965 act establishing the Endowment, include literature, history, philosophy and a wide range of human endeavors—from archeology to jurisprudence.

However, the achievements of Stephen Hess, 38, seem more political than humanistic, and less suited to prepare him for the chairmanship of the Humanities Endowment than an executive post with the Republican party. Hess was staff assistant to President Eisenhower from 1959 to 1961 and served in a similar capacity under President Nixon. He has authored or co-authored five books about politics, including two studies of Richard Nixon and the Republican Party. His contact with the academic world has been largely limited to the area of politics—as, for example, a teacher of American government at Johns Hopkins University and as a Fellow at the John F. Kennedy School of Government at Harvard University.

Nevertheless, the trial balloon about Hess received scant attention in the press. The May 21 issue of the Washington Post—on page 19 of its second section—said that Hess "probably would be named" chairman of the Humanities Endowment. Virtually nothing appeared in papers outside Washington.

Yet the story is important, both for what

it says about the method of selecting some high Washington officials and the possible danger to the Humanities Endowment.

The Endowment, more than other federal agencies, must stay clear of politics and politicians. As the sole spokesman in the federal government for teachers and scholars in the humanities, the Endowment must retain its credibility with the academic community. This community tends to view politicians as, in Mark Twain's words, the "distinctly native American criminal class."

Politicians have returned the compliment. Many members of Congress, for instance, have regarded humanists as ivory-tower pedants of questionable loyalty to the nation. The same Congressmen have portrayed the humanities as unnecessary frills in an age of missiles, moon shots, and Vietnam.

It would be an even greater burden for the Humanities Endowment, in its dealings with Congress, to be viewed as a politically partisan agency. But this is likely to happen if Hess wins the appointment.

Leaders in Congress and the academic community seem to view Hess as a liability, as a kind of Harold Carswell of the humanities.

A major sponsor of the Humanities Endowment in the House of Representatives described Hess as "a second-rate political speech writer for the President . . . a shocking choice."

Frederick Burkhardt, president of the American Council of Learned Societies, the country's largest and most prestigious organization of scholars, said that the Council's Board of Directors had instructed him to indicate their displeasure at Hess's possible appointment in a letter to the White House.

Burkhardt, in attempting to characterize the scholarly community's reaction to Hess, mentioned the use of such phrases as "a disaster," "totally unqualified," and "unknown to the academic community."

Since the trial balloon about Hess floated up two weeks ago, the White House has maintained official silence. Miss Carol Harford of the White House staff told The Evening News Tuesday that Hess "is among others being considered" for the chairmanship of the Endowment. She refused to disclose the names of the other persons allegedly under consideration. She also refused to discuss Hess's qualifications except to acknowledge that Hess might not be too well known in the academic world.

In the meantime, Hess has been campaigning for the chairmanship. He has visited at least one key member of the staff of Sen. Claiborne Pell (D-RI), chairman of the subcommittee on the arts and humanities of the Senate's committee on labor and welfare. And he has spoken with Sen. Jacob Javits (R-NY), senior Republican member of the subcommittee.

Despite Hess's interest, The Evening News feels that the chairmanship of the Humanities Endowment must be kept above politics. The agency finally has begun to attract support from both the President and Congress. In 1970, the Endowment's appropriation from Congress was \$6.05 million. In 1971, \$11.06 million. In 1972, it could be as high as \$26.5 million.

It would be a tragedy for the growing support of the humanities to be threatened by one appointment. The reaction of key Congressional leaders and humanists to the Hess trial balloon indicates that his appointment could be demoralizing, if not disastrous. One humanist said dejectedly, "It just indicates how unimportant they think the position of chairman is."

The chairman of the Humanities Endowment should be a leader within the humanistic community. The Evening News is confident that such a leader can be found. But Stephen Hess is not the man.

THE MONEY GAP WIDENS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1971

Mr. RARICK. Mr. Speaker, the money manipulation continues to resemble the huckster's shell game.

Last week the Federal Reserve Banking System announced its intention to slow the economy by raising interest rates. This manipulation is to be accomplished through the calculated dumping of Treasury securities on the market, thus creating an artificial drain to sop up the available reserve from the banking system and curtailing the capacity of the banks to make loans. These sales will raise interest rates as the money availability is lessened.

But as the Federal Reserve Banking System acts to slow the economy, the Export-Import Bank seeks to increase loan guarantees from \$3.5 to \$10 billion and the lending ceiling from \$13 to \$20 billion. And to make sure the Federal financing of foreign economy is not hamstrung, the new Export-Import Bank bill exempts foreign economy from Federal Reserve control programs. In fact, Exim-bank operations are to be removed from budget computations.

As the administration moves to trade with Red China, the proposed Export-Import Bank bill would authorize financing of exports only to those Communist countries not engaged in armed conflict, declared or otherwise, with the Armed Forces of the United States.

And if this does not constitute a double standard of use of the American people's money, we learn from New York that the administration is drafting legislation for a Federal financing bank to purchase securities from Government agencies—seemingly, another banking system to be used to create money and credit. And here in the Nation's Capital, the administration proposes a District of Columbia Development Bank to finance private economic development within the city.

All of these activities were reported in different accounts in the same newspaper on the same day, but their significance remains uninterpreted to the American people.

Quite obviously, these myriad exercises in finance will usher in a more dangerous fiscal policy—to the further detriment of the American people. We can expect loans to foreign nations and to U.S. enterprises in foreign countries at normal interest rates, but continued exorbitant interest rates on domestic loans.

This new financial diversification can only be considered a subterfuge on the part of the Federal Reserve and the administration to shift the growing criticism and lack of public confidence in its existing policies to ad hoc Government agencies.

I include several related news stories at this point.

[From the Washington Star,
June 11, 1971]

FEDERAL RESERVE REPORTEDLY TIGHTENING MONETARY POLICY

(By Lee M. Cohn)

The Federal Reserve is tightening monetary policy despite its concern that the shift may slow the economy by raising interest rates, according to financial analysts.

They have concluded that the latest decision to tighten was made at a meeting of the Federal Reserve's open market committee Tuesday, following up milder moves in that direction previously.

Decisions by the policymaking open market committee are disclosed officially only after a three-month lag.

If the central bank's actions retard the economic recovery, President Nixon may try to compensate by proposing tax cuts. He is expected to decide next month whether the economy needs that kind of stimulation.

The Federal Reserve tightens availability of money and credit by selling Treasury securities in the market, which drains reserves out of the banking system and thus curtails the capacity of banks to make loans. The sales also tend to raise interest rates.

Policy is tightening because the Federal Reserve fears that excessively fast growth of the nation's money supply—checking accounts plus currency—is sowing the seeds of a new inflationary surge next year.

The apparent target is monetary growth at about 5 to 6 percent a year, but the pace has been erratic.

Although the money supply expanded at annual rates of 14 percent in February and 11.6 percent in March, this was considered acceptable temporarily as an offset to abnormally slow expansion in previous months.

The money managers expected the growth rate to subside during the spring through the workings of natural forces in the economy and in financial markets. Instead, the money supply continued to expand at rates far above the target—9.3 percent in April and 16.3 percent in May.

This presented a dilemma. Persistence of such fast monetary growth would be inflationary. But any attempt by the central bank to slow the expansion through market operations probably would raise interest rates.

Rising interest rates could dampen the economic recovery by discouraging expenditures for housing, state and local construction, business inventories and new plants and equipment.

Since the economy is more sluggish than expected, the Nixon administration and the legally independent Federal Reserve agree that lower interest rates are desirable, especially for mortgage, municipal bonds and other forms of long-term credit.

The central bank's experts do not understand why the money supply has expanded so rapidly, and they considered the possibility of standing aside to see whether the growth rate would subside on its own.

But analysts believe they finally concluded it would not be safe to trust to luck, and decided to tighten policy to make sure the money supply's growth rate will slow.

SHORT-TERM PRESSURE

The decision apparently was a compromise of conflicting objectives. Analysts expect the Federal Reserve to try to cushion the impact on interest rates by tightening market conditions only moderately and by avoiding pressure on long-term rates as much as possible.

There is no intention of cutting the monetary growth rate to 2 percent or less, as some economists advise, to fully offset the recent very rapid expansion. Rather, the Federal Reserve is expected to aim for a gradual reduction to the 6 percent range.

Interest rate increases may be mild if the economy remains relatively weak, because in those circumstances demand for credit would not be overwhelming, even with the Federal Reserve limiting the supply.

Nevertheless, rates almost inevitably will rise at least initially because lenders and borrowers cannot be sure how far the Federal Reserve will go in tightening policy.

Anticipation of Federal Reserve action has boosted rates in the last two weeks.

TREASURY'S SALE NOTED

Beyond market expectations, there is evidence that the money managers were tightening even before Tuesday's meeting of the open market committee. The market was particularly impressed by the Federal Reserve's sales of Treasury bills Monday and by the lack of intervention to prevent key short-term rates from rising.

As reported at the time, the committee apparently started tightening policy slightly at its meeting April 6. One purpose then was to stop the decline of short-term interest rates, which was weakening the dollar internationally by encouraging a flow of money to Europe.

Analysts believe the committee at its May meeting left policy essentially unchanged, but gave its market technicians discretion to tighten if the money supply continued to grow rapidly.

This discretion was used. The committee at this week's meeting apparently moved a step further by deciding to act more forcefully to slow monetary growth.

The committee, which meets at four-week intervals, consists of the seven members of the Federal Reserve Board plus presidents of five of the 12 regional Federal Reserve Banks.

[From the Washington Evening Star,
June 11, 1971]

EXPORT-IMPORT BANK BILL OKAYED BY HOUSE PANEL

The House Banking Committee yesterday approved legislation to extend the life of the Export-Import Bank and step up its efforts to finance U.S. exports.

Similar to a bill passed by the Senate, the measure would increase the loan-guarantee authority of the government bank from \$3.5 billion to \$10 billion and the lending ceiling from \$13.5 billion to \$20 billion.

It would also provide that the program of voluntary restraints on credits administered by the Federal Reserve would not apply to loans in support of exports.

Like the Senate bill, the measure would authorize loans and guarantees for exports to communist countries with which the United States is not at war, subject to restraint by the president.

[From the Washington Evening Star,
June 11, 1971]

FEDERAL FINANCING BANK IS PLANNED BY ADMINISTRATION

NEW YORK.—The administration is drafting legislation for a federal financing bank to purchase securities from government agencies, Paul A. Volcker, undersecretary of the Treasury, said.

The legislation will be submitted to the Congress before the end of the year, Volcker said.

The bank would finance its purchases by issuing its own taxable securities. It will allow closer presidential control and congressional review of federal credit programs and centralize federal financing, Volcker said.

Federally assisted borrowing for 1972 is expected to reach \$30 billion, or one-third of the total funds, raised in credit markets.

This compares with 12 percent for fiscal 1969, the spokesman said.

Volcker's remarks were made at the Municipal Bond Women's Club of New York.

[From the Washington Evening Star,
June 11, 1971]

DEVELOPMENT BANK FOR D.C. PROPOSED

Acting on the April recommendation of President Nixon, the Treasury Department sent a bill to Congress yesterday that proposes to establish a District of Columbia Development Bank that would make loans for private economic development within the city.

Aimed at improving economic and social conditions, the bank would draw primarily on private capital with "limited Treasury Department participation." It would assist projects—presumably in areas such as small business or housing—that private banks or government agencies are unable or unwilling to fund.

The bank, which would not be an agency of the federal government, would have an 11-person board of directors drawn from the federal and city governments and elected by shareholders of the bank's privately subscribed common stock.

"Many worthwhile community development projects have not been undertaken in the District because of the lack of financial and technical skills or initial capital by those citizens interested in such projects," the bill states. "No institution or organization currently exists to mobilize effectively the available expertise and capital of the District for such development efforts."

The bank, which one Treasury official described as experimental, would "recognize the problems incurred by the District of Columbia due to the unique role of the federal government in the city."

"As a government town," the official said, "few financial institutions have experience in lending activities that involve business risk," such as small enterprises organized by black businessmen.

He said the development bank would hopefully be an encouragement to other banks to make similar loans.

[From the Washington Evening Star, June 11,
1971]

TRADE LISTS SIMILAR FOR CHINA, RUSSIA

President Nixon's move to drop the 21-year embargo against Peking brings into line American trade policy toward both the Soviet Union and Communist China.

The White House announcement yesterday put all nonstrategic goods for Communist China into the same two categories long used for Moscow—"general licensing" and "specific licensing."

The long list of items in the general category, including everything from wheat to shoes and automobiles, can be sent to China, without special permission from Washington.

SECOND MORE SENSITIVE

But the other category is more complicated and sensitive.

These items, including jet commercial aircraft, diesel locomotives, heavy dump trucks, must have a "specific license" on a transaction-by-transaction basis. These licenses are granted, the announcement said, as "consistent with the requirements of U.S. national security."

This more difficult specific licensing category for Communist China is larger than for the Soviet Union. For instance, diesel locomotives, petroleum, navigational and telecommunications equipment, and welding equipment, are all sold under general license to the Soviet Union.

The Nixon administration is soft-peddling the difference.

What counts, officials say, is that the system now is generally the same for both Peking and Moscow. The proportions between the two categories may differ, but no non-strategic items are flatly prohibited from going to Communist China.

AIRCRAFT SALES POSSIBLE

For instance, Winthrop Brown, deputy assistant secretary of State in charge of the China task force, said yesterday that any Chinese request for commercial civilian aircraft would be considered "objectively, without any bias whatsoever."

Other officials added that, given the depressed state of the American aircraft industry and the huge Chinese market, there is little doubt that the Chinese could buy medium-range aircraft here.

"These specific licensing items are the ones we would like to look at more closely in each case," said one official, "but they are not items which any country buys great quantities of on the world market."

But officials conceded that the Pentagon is extremely reluctant to let items like locomotives and heavy trucks—with military potential—go under general licensing.

Administration strategists say the next move is up to Peking.

The United States, they say, will wait for the Chinese to draw their own conclusions on the list.

There is no intention to present that list personally to Chinese representatives at the stalled talks in Warsaw—since everything will be published in a bulletin of the Commerce Department for worldwide circulation.

In practical terms, neither American officials nor businessmen expect any great upsurge in trade.

Benjamin Weiner, President of Probe International, a China-trade consulting firm in Stamford, Conn., says "It's going to be a very slow process. American sales to China will be constrained primarily by the Chinese ability to pay."

North Carolina Gov. Bob Scott moved quickly to probe the Chinese tobacco market, opened yesterday to American sales. He has sent a state official to the Chinese embassy in Ottawa, Canada, to apply for visas for a tobacco trade mission to Peking.

WHEAT POTENTIAL CITED

But officials here believe the greatest trade potential initially lies with wheat—for the Soviet Union, as well as Communist China.

The surprise in the announcement yesterday was Nixon's decision to drop all special licensing for wheat, the flour, and the requirement that at least half of these shipments go in American ships.

That shipping requirement dates to a condition the late President John F. Kennedy attached in 1963 to the sale of \$130 million in wheat to Russia. Since then, the Russians have categorically refused to buy American wheat, claiming that the extra cost of paying for American shipping makes the grain too expensive.

Officials here have been told by American wheat merchants that the U.S. is certain to get a part of the Soviet imported wheat market if American wheat can be made competitive.

The big question mark is whether the maritime unions and longshoremen will allow this change to take place.

Yesterday George Meany, president of the AFL-CIO, attacked the Nixon decision as unfair to American labor. Also, the longshoremen have sporadically refused to load or unload ships heading for Communist ports.

[From the Evening Star, June 14, 1971]
PHILADELPHIA BANK RAISES PRIME RATE
 (By Lee M. Cohn)

The minimum interest rate on loans to corporations was raised from 5½ to 5¾ percent by a big Philadelphia bank today, but it was not clear whether the new "prime" rate would spread quickly through the banking industry.

First Pennsylvania Banking & Trust Co., the 20th largest bank in the nation, announced the rate increase. Changes in the prime rate usually are initiated by one of the bigger banks in New York or Chicago.

The prime rate is the interest charged on loans to corporations with the best credit ratings, and rates on loans to less favored borrowers are scaled up from the prime.

Bankers have been talking for weeks about raising the prime rate, but they have held back because demand for business loans has been relatively weak. They also are worried about adverse reaction to an increase by the Nixon administration and Congress.

The White House was "disappointed" by the Philadelphia bank's action because interest rate increases may raise costs and prices, Deputy Press Secretary Gerald L. Warren said today. Warren also said the prime rate increase was "something of a surprise," since the banks have "ample" funds to lend.

When the prime rate was increased from 5¼ to 5½ percent in April, Treasury Secretary John B. Connally criticized the banks publicly and privately. The administration fears that rising interest rates would dampen the economic recovery.

First Pennsylvania said it acted because loan volume is increasing and because interest rates in the money markets have been rising.

COST OF MONEY

Market rates affect the cost to banks of obtaining money for relending. When these costs rise, the banks try to maintain profit margins by increasing the rates they charge.

Rising market rates also minimize the competitive risks to banks of boosting their rates. Rates have been rising on commercial paper, for example. Commercial paper—unsecured promissory notes—is an alternative to bank loans as a source of funds for corporations.

This is an appropriate time, seasonally, for banks to raise the prime rate, because corporations usually borrow heavily to make quarterly payments of federal taxes on June 15.

Market interest rates have been rising because of concern that progress against inflation is falling short of expectations, and because of strong indications that the Federal Reserve is tightening money and credit.

DISCOUNT RATE EYED

Although the Federal Reserve fears that rising interest rates will hurt the economy, the money managers feel they must tighten policy moderately to slow the excessive rate of expansion of the money supply in recent months.

There is conjecture that the Federal Reserve may follow through by raising its 4¼ percent discount rate, although this is not at all certain.

A rise in the discount rate—the interest charged by the Federal Reserve on loans to commercial banks—would bring it into closer alignment with money market rates. However, the Federal Reserve may be reluctant to take this action, for fear of triggering sharp increases in interest rates generally.

April's increase in the prime rate was the first after a series of reductions from the 8½ percent peak, which prevailed from June 1969 until March 1970.

[From the Evening Star, June 14, 1971]
PATMAN PROPOSES "UMBRELLA" AGENCY TO REGULATE BANKS

Declaring U.S. consumers are the victims of a mishmash of confusion, waste and apathy among bank regulatory agencies, Rep. Wright Patman, D-Tex., today urged creation of a new federal banking authority.

Patman, chairman of the House Banking and Currency Committee, said the current supervisory agencies "sit downtown twiddling their thumbs" while banking industry lobbyists effectively stymie new legislation.

Congress, he charged, sees little more than "the constant parade of the same old witnesses from the executive branch and affected industry groups."

WATER BOYS

"It's an old cliché," Patman said, "that the regulators always end up carrying water for the industries they are supposed to be regulating."

In a speech prepared for a financial services seminar in New York but released here in advance, Patman called for consolidation of the regulatory functions of the Federal Home Loan Bank Board, Federal Reserve Board and the comptroller of the currency.

"There has been a tremendous conflict among the banking agencies and some of the worst regulation that the nation has ever seen," Patman said. "The public gets virtually no protection from the system and the banks are faced with conflicting opinions and overlapping jurisdictions: in short—total confusion, little regulation."

Singling out William B. Camp, comptroller of the currency in his attack, Patman said Camp "has attempted in everyway possible to emulate the performance of" his predecessor James Saxon.

Under Saxon's jurisdiction, Patman said, "the comptroller's office became a run-away 'let - the - banks - do - anything - they - please' agency."

The Texas congressman did credit the Federal Reserve and the FDIC for "trying to carry out regulator functions in an impossible structure."

[From the Washington Evening Star, June 14, 1971]
PRIME RATE RISE SINKS STOCK PRICES

NEW YORK.—Expectations that other major banks would follow First Pennsylvania Banking & Trust Co. and raise their prime rate of interest sent stock market prices sharply and broadly lower today.

Trading was slow. Declines outnumbered advances by about 8-to-3 among issues traded on the New York Stock Exchange.

Brokers attributed the market's decline to the prime-rate increase and predictions that higher rates would prevail by the end of the week. But they said the trading pace indicated relatively light selling pressure.

American Stock Exchange prices were lower in slow trading.

WILLIAM M. SAVITT PRESENTED THE CONNECTICUT SMALL BUSINESSMAN OF THE YEAR AWARD

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. COTTER. Mr. Speaker, congratulations are in order for William M.

Savitt who was recently presented the Connecticut small businessman of the year award. He was selected by the U.S. Small Business Administration from 75,000 small business in the State.

Mr. Savitt is a distinguished Hartford jeweler, whose career has been closely identified with the growth of the capital city. He is very well known and admired in the area because of his sincere desire to please even if it means standing on his head to do so, and I mean this literally.

Bill Savitt was one of the first small businessmen in the Nation to offer pension plans for employees. Also, he is respected for his many contributions to charities and community drives.

Gov. Thomas J. Meskill who presented the award, stated that he was very impressed with Mr. Savitt's ability "not only to survive, but to thrive in a difficult period for small businessmen."

I would like to commend Bill Savitt for his integrity, initiative, and independence which serve as an example for all businessmen in Connecticut.

I have known and dealt with Bill Savitt for years. I know of no businessman more deserving of this high honor.

ROMAS MASIULIONIS WANTS FREEDOM FOR BALTIC STATES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. KEMP. Mr. Speaker, today very little is known of the fate of thousands in the Baltic States whose desire for freedom was reflected in determined opposition to communism. Many have undoubtedly died, while others still suffer under cruel Communist control and cling to the hope for eventual freedom, much the same as our own POW's in Vietnam.

The June 14, 1971, issue of the Buffalo Evening News carried a letter to the editor from Romas Masiulionis concerning the 30th anniversary of the aggression against the Baltic States. I call this letter to the attention of my colleagues while we discuss our position in Vietnam and the point made by Mr. Masiulionis, "Have we Americans taken over one single country in the world?":

WANTS FREEDOM FOR BALTIC STATES

Recently the Soviet military leaders and Communist bosses of the Kremlin accused again the United States of imperialistic policies in Asia, in the Middle East, and elsewhere. Have we, Americans, taken over one single country in the world? On the contrary, the Soviet Union has become the greatest colonial empire of the 20th Century.

After the Nazis and the Soviets smashed Poland in September of 1939, the Kremlin moved into the Baltic Republics and annexed them in June 1940. "Elections" were held under the Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire. The Baltic States have been suffering for more than 30 years in Russian-Communist slavery.

At a time when the Western powers have granted freedom and independence to many nations in Africa, Asia and other parts of the world, we must insist that the Communist colonial empire likewise extends freedom and independence to the peoples of Lithuania, Latvia and Estonia.

The U.S. Congress has made a right step in the right direction by adopting a resolution that calls for freedom for the Baltic States. All freedom-loving Americans should urge the U.S. President to implement this very important legislation by bringing the Baltic States' question in the United Nations and demanding the Soviets to withdraw from Lithuania, Latvia and Estonia.

ROMAS MASTULIONIS.

LEAD PAINT POISONING: ENVIRONMENTAL DISEASE OF THE POOR

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 16, 1971

Mr. SCHWEIKER. Mr. President, in recent months, the attention of a concerned public and many of us in the Senate has been focused upon the multiple environmental problems and constraints which constitute serious health threats to substantial segments of our population. The environmental problems of the poor relate to survival. More specifically, they relate to survival of children suffering from diseases related to poor housing, rats, and a tragic disease resulting from lead paint poisoning.

Until recent years, lead paint poisoning, a preventable disease, has remained a low priority in most of our urban areas. The result has been that countless numbers of children residing in "lead belts" primarily in Puerto Rican and black communities have been afflicted with a disease which should have never occurred.

An article by Jack Newfield in today's edition of the New York Times entitled "Let Them Eat Lead" deals with the lead paint poisoning horror and illumines the role of Congress.

I ask unanimous consent that the article be printed at this point in the RECORD.

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

LET THEM EAT LEAD

(By Jack Newfield)

Lead poisoning is a small thing, a little horror compared to the Vietnam war, or the fact that parts of Brownsville look like Laos, or the moon.

There are no marches on Washington to protest lead poisoning, no theatrical threats of violence by its victims, no guest shots by its chic critics on Dick Cavett.

Last month, on May 20, a Senate-House conference killed the last chance to appropriate a meager \$5 million this fiscal year for lead poisoning treatment and prevention. The next day the deed was not noticed by any New York newspaper or television station. It seems that nothing is real to the media until it reaches the white middle class, like heroin addiction, or unemployment. Then it is a crisis.

But the little horror of lead poisoning is the special prism through which we can see,

with piercing clarity, the rainbow of larger horrors—racism, decaying cities, inadequate health care, bureaucracy and demented priorities.

Lead poisoning is an environmental disease of the urban ghettos. Children, usually between the ages of one and six, get it by eating the sweet-tasting chips of peeling tenebrous walls, painted a generation ago with leaded paint.

According to the Department of Health, Education and Welfare, 400,000 children are poisoned each year, about 30,000 in New York City alone. About 3,200 suffer permanent brain damage, 800 go blind or become so mentally retarded that they require hospitalization for the rest of their lives, and approximately 200 die.

The tragedy is that lead poisoning is totally man-made and totally preventable. It is caused by slum housing. And there are now blood tests that can detect the disease, and medicines to cure it. Only a lack of purpose sentences 200 black children to die each year.

When 200 white children died of polio it was called a national epidemic, and all our scientific resources were galvanized to find a cure. But 200 black children are invisible, and nobody wants to know their names.

On Dec. 31, 1970, Congress passed the Ryan-Kennedy Bill, which authorized \$30 million in Federal grants to combat lead poisoning. On Jan. 14 of this year, President Nixon signed the Lead Paint Poisoning Prevention Act.

But then nothing happened. Although the bill authorized \$10 million for fiscal 1970-71, and \$20 million next year, H.E.W. Secretary Richardson refused to ask Congress to appropriate the money. The President did not mention lead poisoning in his annual health message to Congress; Secretary Richardson did not mention it in his budget testimony before various committees.

Last month the Administration submitted its second supplemental appropriation bill, a \$6.8-billion package of extra money requests for this fiscal year, which ends on June 30th.

The bill included funds for every special interest: \$3.5 million for dairy and beekeeper indemnity; \$166 million for defense; \$80 million for maritime subsidies; \$15 million for highway beautification; and \$275 million for the highway trust fund.

But not one cent for lead poisoning, even though Congress had already authorized \$10 million. Representative Bill Ryan and Senator Ted Kennedy tried to break tradition and add \$5 million for lead poisoning, even though the Administration and the committee barons didn't want it. It was on May 20, in the clubby secrecy of the Senate-House conference, that this \$5 million was eliminated from the budget.

René Jules Dubos won a Pulitzer Prize for his book, "So Human An Animal." Last year, at Rockefeller University, he concluded a speech on lead poisoning with these words: "This problem is so well defined that it may provide an occasion to introduce a kind of social accounting . . . if we do not act on this limited problem, then I believe that our society is intellectually and morally dishonest in talking about improving social conditions. If we, with all our technological means, are not willing to make the effort to eliminate lead poisoning, then our society deserves all the disasters that have been forecast for it."

Government policy is not an abstraction. It has specific human consequences. Bureaucrats and politicians may conduct cordial meetings in comfortable offices in Washington, and decide not to spend any money on lead poisoning.

But those crisp, impersonal decisions kill other people. Clerks can be held accountable for genocide just as well as generals.

Lead poisoning is a preventable disease.

Congress has made a law, but Secretary Richardson won't implement it.

And so small, black children, in Watts, in Buttermilk Bottom, in Bed Stuy, will eat paint chips, vomit, tremble with convulsions, slip into a coma, and die.

BALTIC STATES FREEDOM DAY, JUNE 15

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. ROONEY of New York. Mr. Speaker, 30 years ago this week on June 14-16, 1941, the Soviets engaged in a series of brutal and inhuman acts by deporting thousands and thousands of the freedom-loving citizens of Estonia, Latvia, and Lithuania. The fate of most of these Baltic people was death or enslavement in the prison compounds of Siberia.

The Soviet Union will never live down this bestial act of murdering over 30,000 innocent and unarmed men, women, and children and forcefully evicting thousands of others from their homes and their homelands.

Little is known of the fate of those deported to the slave camps of the Kremlin. Such news as has seeped through the tight censorship of the Red slave masters is a tale of horror and brutality so base as to be most difficult of belief in a supposed civilized age.

For our friends living in these enslaved Baltic States and for those who were fortunate to escape to free countries, these atrocities can never be forgotten. For them it is a painful experience from which they can never escape. It is not something out of the dim distant past but a black page of yesterday's history.

They were filled with terror yesterday. Today there is deep sorrow in their hearts and a veil of fear surrounds them. They sorrow for their loved ones and their friends who perished or disappeared but they fear that their friends here and elsewhere may soon forget the awful tragedies which they experienced and which they can so vividly recall.

Mr. Speaker, it would be a tragedy indeed—a tragedy almost as dire as the Soviet rape of the Baltic States—if we in the free world were to forget those tragic days in June 1941. Those of us who enjoy liberty and live in freedom cannot let our memories be dimmed or our consciences be calloused concerning the fate of the innocent Baltic people who suffered and died to satisfy the greed and lust of the Soviet "liberators." To forget to remember would constitute a new blow against these people who covet our friendship. To delay in trying to seek redress for these victims would be to deprive our friends of the little hope which they have managed to retain.

Let us all rededicate ourselves to the task of returning these countries to their rightful owners. Let us employ every weapon at our command to obtain redress and retribution from the Soviet Union for the victims of her avarice.

Only and until Russia compensates the people of Estonia, Latvia, and Lithuania for life and loss of property and only until the Soviets return full independence to these people can the Soviet Union expect to merit any respect of the civilized countries of the world. In addition, any hints of peace or any suggestions for developing areas of relaxation of tensions and political differences will have a hollow sound and be devoid of real meaning until the Soviets have taken positive steps to return independence to the Baltic people with compensation sufficient to mark their debts read "paid in full."

My heart goes out to these fine people who observe the anniversary of the last days of Baltic States freedom. I urge them to be of good courage and to retain faith in our friendship. I, for one, will be among those Americans who will not slacken our efforts to right the wrongs visited 30 years ago upon these our good friends.

UNIQUE SOLID WASTE PROCESSING SYSTEM

HON. WILLIAM B. SAXBE

OF OHIO

IN THE SENATE OF THE UNITED STATES

Wednesday, June 16, 1971

Mr. SAXBE. Mr. President, the Black Clawson Co. of Middletown, Ohio, has developed a unique solid waste processing system, just now going into operation, which the experts say will pay for itself by producing—from garbage and refuse—the raw materials that modern industry needs.

Many publications both inside and outside Ohio have taken notice of the system in articles and feature stories. Moreover, the system will be one of the featured items on the agenda on June 21-23, when Miami University of Ohio holds a conference on fiber recovery from solid waste.

I ask unanimous consent to have printed in the RECORD three of the above-mentioned articles—from Compost Science magazine of July-August 1970; from the Cincinnati Enquirer of February 28, 1971, and from the Middletown Journal of May 16, 1971.

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

[From Compost Science magazine, July-August 1970]

"MORE THAN JUST A DISPOSAL SYSTEM"
(By Maurice Franz)

"There is Gold in your city dump."

That's what R. F. Vokes, vice-president of Black Clawson Company, recently told an attentive group of more than 25 municipal officials, engineers and landfill specialists at the close of a four-hour-long garbage and refuse recycling demonstration held at the hosting company's pilot plant in Middletown, Ohio.

Throughout the morning session they had observed Black Clawson equipment, long used in the pulping and papermaking industry, accept and handle normal city refuse, converting it into usable, recyclable materials, three of which are in considerable industrial demand—paper fiber, ferrous metals and glass cullet.

ECONOMIC PERPETUAL MOTION?

According to the figures submitted by the Black Clawson statisticians, municipal handling of wastes and refuse can be made into a paying proposition. A 1,000-ton-a-day plant that costs \$8,500,000 can produce 370 tons of industrial materials a day that are worth \$8,600 at prevailing prices. Daily cost of operating the plant is \$2,900—\$2.90 per ton. A breakdown of projected income includes 200 tons of paper fiber at \$25 per ton—\$5,000; 80 tons of ferrous metals at \$8—\$640; 80 tons of glass cullet at \$12—\$960; 10 tons of aluminum at \$200—\$2,000.

If the above figures are realistically accurate, they should mean that the day of the incinerator and hit-and-miss landfill operations are numbered. Garbage disposal can now be made to pay. Recycling of former "waste" materials is not only good citizenship—it's a money-maker. Here are some of the things we noted during our stay at the Black Clawson pilot plant in Middletown.

Unsorted city garbage—paper, cartons, wooden boxes, decaying food residues, metal cans and glass containers—were dumped helter-skelter onto a conveyor belt which dropped them into a giant mixing vat accurately described as the Hydrapulper. Regarding its function, the Black Clawson people have this to say: "The Hydrapulper is the heart of the system. In it, all pulpable, grindable and friable materials such as food waste, paper, plastic, rubber, rags glass, wood and leaves are disintegrated and removed through an internal screen as a water slurry."

All sorting and screening of the various materials is done automatically by machine; none is done by hand. Standing next to the Hydrapulper, the junk remover takes care of heavy metal objects larger than 3/4-inch. The slurry is then pumped through a Liquid Cyclone which removed broken glass, and bits of metal larger than 1/8-inch.

PAPER FIBER FROM REFUSE

The next step—extracting paper fiber from what was minutes ago a mass of mingled refuse and garbage—is a rather sophisticated one called Fibreclaim. But its makers stress that "the technique of wet processing of garbage grew out of 30 years' experience gained in producing equipment for converting paper and corrugated board into pulp for re-use by paper mills—handling municipal wastes, which is usually about 50 percent waste paper and boxes, is remarkably similar to pulping waste newspapers for paper mills."

After the glass and sand have been screened out, the slurry is further cleaned in high-efficiency centrifugal cleaners and then introduced into a primary fiber selector which "selectively removes most of the long, chemical fiber (kraft, sulfite)". This valuable fiber is then dewatered and baled. In addition, the rejects from the primary selector—intermediate-length fibers, fines and other organic materials—are introduced into a secondary fiber selector where the intermediate-length fibers are removed, dewatered and baled. The clarified water is then recycled for use in the system.

This was the system we saw in operation at the Middletown pilot plant. The complete cycle of transforming garbage and refuse into paper fiber takes about 90 minutes. The glass cullet which is discharged is quite smooth and non-abrasive. A compostable residue is also obtained in addition to the other recyclable materials. Remarkably little "waste" material remains at the end of the combined Hydraposal and Fibreclaim operations—economic and ecological perpetual motion actually seem to have been achieved.

BUILDING 150-TON PLANT AT FRANKLIN FOR
\$1,750,000

Meanwhile the Black Clawson engineers are starting to install a garbage and refuse disposal plant at nearby Franklin which will

have a daily capacity of 150 tons. A highlight of our visit to the Middletown headquarters was the announcement that the contract for the plant had been awarded with government approval. Two-thirds of the tab for the \$1,750,000-installation will be picked up by the Bureau of Solid Waste Management under H.E.W. auspices. The plant should be in operation early in 1971, and is considered adequate for a community of 10,000.

It is estimated that net processing costs—\$6 per ton of solid waste—for the Franklin plant compare favorably with \$5.40 a ton which is what it would cost to build and operate a new sanitary landfill "in accordance with modern sanitary standards." Local shortage of acceptable areas for landfill was yet another reason why Franklin officials chose to install the new Black Clawson system.

But direct comparison becomes meaningless when the industrial material output of the Black Clawson installation is taken into consideration. On the basis of a 150-ton-day capacity, the Franklin plant will turn out 30 tons of paper fiber worth \$750, 12 tons of ferrous metals worth \$96, and 12 tons of glass cullet worth \$144. In addition, there will be a compostable residue—a soil conditioner of proven excellence—available for nearby farms.

On the basis of what a community gets for the money it spends, the people of Franklin, Ohio seem to have chosen wisely. Instead of a profitless investment in a dead-end installation, they are getting a productive unit that turns out a series of materials that have a ready market. With time, the new plant should be able to pay for itself and even show a sustained profit while converting a nagging municipal liability into a real economic asset.

But it is William Herbert, engineer in charge of the Hydrasposal System, who gets to the heart of the matter most directly. "We consider the Hydrasposal System," he says, "as the basis for a factory to produce raw materials for industry rather than just a method for solving a disposal problem."

[From the Cincinnati Enquirer, Feb. 28, 1971]

TRASH—JUST AN INTERIM STAGE?

(By Bob Lynn)

FRANKLIN, OHIO.—A 63-year-old paper industry engineer from this town of 10,000 came up with an idea four years ago which could possibly provide Cincinnati and other populated areas with an answer to their growing problem of refuse disposal.

The idea came from Joe Baxter, Jr., who has worked 43 years in Middletown for the Black-Clawson Co., where he has had 51 patents placed on paper-making machinery he designed.

What he did was to look at all that paper-making equipment Black-Clawson has been developing over the years and ask himself why it couldn't be used—with just a few modifications—to handle refuse.

His idea was to sort out what was still usable, not just to grind it up and put it in a landfill.

FASCINATING SUBJECT

Reclaiming was the fascination for Baxter and others, because refuse normally is made up mostly of paper, metal, aluminum and glass—all valuable if recovered in pure enough form.

Today a \$1.75 million plant using Black-Clawson equipment—with Baxter's patents No. 52 and No. 53—is being constructed in Franklin to see just how effective his idea is going to be. The plant is attracting nationwide attention and the federal government has shown its interest to the tune of a \$1,158,467 grant.

Baxter says modestly, "All I did was see a lot of pieces lying around and thought of putting them together."

These pieces were tested individually in the handling of refuse by Black-Clawson from 1967 to 1969. In October of 1969 the company put together a pilot solid waste disposal system in its own plant.

"It has worked beautifully," claims William Herbert, the company's director of engineering. "And the nice part about our system, is it makes it easy for the housewife putting out her garbage."

The system, unlike some reclaiming methods, requires no beforehand separation of food wastes from other materials in the refuse.

Herbert boasts, "Our hydropulper will handle anything dumped into it."

The Hydrasposal plant, as it is called by Black-Clawson, handles anything from food waste to tricycles. It reclaims magnetic metals (worth \$15 a ton) and paper fibers (\$15 to \$30 a ton).

Eventually the company hopes its system will be able to reclaim glass (\$15-\$20 a ton) and aluminum (\$175 a ton), and generate power from steam.

A fluid bed reactor burns all unreclaimed soft material at the end of the process. Unreclaimed hard objects, removed at the beginning, will be trucked to a small plant-site landfill.

Possibly the system's most lucrative potential market will be reached when, and if, the company is successful in its present efforts to refine captured long paper fibers to a more pure form. As a bleached pulp, it could be used to make books, newsprint, toilet paper, facial tissue, toweling, etc.

Company officials say that within four to six months they will know whether they will be able to produce bleached pulp.

While unrefined pulp brings \$15 to \$30 a ton, bleached pulp brings \$100 or more a ton. (Unrefined pulp makes up about 17% of the paper industry market. Bleached pulp makes up about another 17% of that market).

Additionally, each ton of bleached pulp will save approximately 17 trees.

CHANGE POSSIBLE

However, on this score, Herbert says that at present the lumber industry has a replacement for every tree it cuts. "But with the growing population and its growing demands, this could change within 10 years," he adds.

The hydropulper plant is expected to be ready for operation at Franklin by May 1.

How did Franklin get the nation's first hydropulper solid waste disposal system? Joe Baxter again. He is a city councilman for Franklin. When the federal government turned down Black-Clawson's request for a grant to test its new concept, Baxter suggested that his town build it. Private business "no," a municipality "yes," was the government's reply.

Behind the urging of Franklin City Manager Bernard Eichholz, ex-mayor of Covington, Ky., the city council agreed to build the plant, and add \$456,000 to the \$1-million-plus federal grants and \$123,000 from Black-Clawson.

UNWANTED BENEFIT?

Eichholz also hustled up for Franklin a new \$2.3 million regional sewage treatment plant that will comply with the latest government pollution standards. "None of the other towns in the Miami Valley wanted it," says Eichholz.

To be constructed by the Miami Conservancy District, it will be built beside the hydropulper solid waste plant, to form the Franklin Environmental Control Complex. Construction is to start this spring, with completion expected by the summer of 1972.

Along with the solid waste plant, the new sewage treatment plant also will receive the close attention of municipalities across the nation. Several never-before-tried schemes are planned.

The Conservancy District hopes to operate the sewage plant by remote control (no personnel will stay at the site) from its Dayton office, 20 miles away, if a \$600,000 federal grant is forthcoming.

Sludge from municipal waste water entering the sewage treatment plant will be concentrated and pumped to the solid waste plant for incineration.

About 15% of the municipal waste water, after treatment at the sewage treatment plant, will be used as process water at the solid waste plant, then recycled to the sewage treatment plant.

If the \$600,000 federal grant is issued, industrial waste water, which enters the plant separately from municipal waste water, will be recycled back to Franklin's four operating paper mills.

Fly ash from the solid waste plant will be used as a settling agent in the sewage treatment plant.

These two new facilities are expected to cost Franklin citizens more than they previously paid to dispose of their waste in a city landfill and a 32-year-old sewage plant now operating at double the capacity it was designed for.

BILLS GOING UP

Eichholz estimates a \$6 a ton rate to be charged private garbage haulers at the new hydropulper plant will raise the private homeowner's monthly garbage collection bill of \$2.50 by 50 cents.

Estimates are that the sewage portion of the water-sewage bill will increase threefold.

Some Franklin residents have questioned the building of the new plant in their town, fearing its estimated operational cost of \$6 a ton will escalate, and that even the \$6 rate is \$1.60 more than what estimates indicate it would cost to operate a modern landfill in Franklin.

Eichholz claims that not having to find several hundred acres of private land for landfill and dealing with the sanitation problems connected with that process will justify the extra cost.

The city manager predicts cost of the hydropulper plant is not likely to increase soon because he says the plant will earn about \$50,000 annually in a "sideline job" of processing—in a single unit—hard-to-break-down oil from industries in the Miami Valley.

Franklin more than likely will be the only town of its size in America that will ever have a multi-million dollar hydropulper solid waste treatment plant—even should the plant prove successful. Without federal money covering two-thirds of the construction bill, the cost to operate the plant in Franklin would be more than double.

Herbert, of Black-Clawson, says, "The Franklin plant is an experimental plant. It will serve about 20,000 people in the Franklin area." To be competitive with modern landfills and incinerators, he says, similar plants would have to serve at least 100,000 people (as well as needing to be located in an area where the reclaimed products are marketable).

BIGGER CAPACITY

This means, according to Herbert, that to be competitive a plant will have to be double the size of the 150-ton-a-day Franklin plant and operate 24 hours a day. Franklin's plant will operate only eight hours a day.

Black-Clawson officials estimate that hydropulper plants for large cities would probably be large enough to handle from 1000 to 1500 tons of garbage a day.

Cincinnati director of public works, Arthur Bird, says he has observed the Black-Clawson pilot plant in Middletown and feels the hydropulper system has "a lot of potential."

Burdened with two very old incinerators, Bird says that Cincinnati will "have to do something within the next four or five years." The city has two modern incinerators.

Hamilton County, now served by the controversial "Rumpke dump," also must seek more modern means of handling its garbage waste.

Black-Clawson officials suggest that in a city the size of Cincinnati, two hydropulper plants could be built, one on each side of the city. They estimate that a 1000-ton-a-day plant would cost \$10 million and if all the reclaimed products (paper, glass, metal and aluminum) have a market, the cost to operate the plant could be as low as \$1 a ton, cheaper by far than any other method of disposal, old or new.

Is there a market in Cincinnati for the plant's biggest money maker—paper pulp?

As for low-grade pulp (for boxes, roofing, etc.), some Cincinnati businessmen feel it is doubtful since the local demand is already being met. It would not be profitable to ship such low-grade pulp long distances.

However, if Black-Clawson's efforts to further refine the pulp prove successful—where the pulp will be worth \$100 or more a ton—then private industry might well be enticed to build paper mills next to hydropulper plants. It then could profitably ship the pulp to markets throughout the nation.

Herbert predicts that Black-Clawson will sell several plants this year. He says officials are considering a 750-ton-a-day plant to handle half of the solid waste of Milwaukee, Wisc. The other half would go into a landfill.

MARKET AVAILABLE

"They definitely have the market for the low-grade paper pulp," Herbert points out.

He says a regional authority in Pennsylvania is also thinking about building a hydropulper plant.

Other reclaiming methods have been tried around the country, but none thus far have proved very successful.

The performance of Franklin's hydropulper solid waste disposal plant will be watched with interest by government officials throughout the country—both those interested in the problem of waste disposal and those interested in the parallel problem of air and ground pollution.

Just how far Joe Baxter's idea will go toward solving those problems, only time alone will tell.

[From the Middletown Journal, May 16, 1971]
HISTORY-MAKING GARBAGE GULPER SET TO GO
(By Thom Hall)

FRANKLIN—Starting tomorrow they're going to "shake down" the plant.

The plant, of course, is Franklin's revolutionary, \$2 million solid waste disposal system. And tomorrow they, the Black Clawson Company, will start "shaking it down," which, in layman terms, means testing it.

The tests will be simply running water and light loads of garbage through the newly-laid pipes and equipment to determine whether everything will run smoothly. The initial tests will take about two weeks.

The full-scale operation of the plant, however, will not begin until mid-June. That's the real test.

The major advantage of this system is that it reduces the volume of garbage by approximately 97 per cent. Or, from the opposite angle, this means that only 3 per cent of the total volume of garbage will remain once it is processed. It will be decreased to 12-15 per cent of its original weight.

This system, the first of its type, has important implications to municipalities and corporations across the country. Such cities as San Francisco and Philadelphia have already announced that they have completely run out of space to accommodate the daily wastes and must ship it, in some cases, hundreds of miles.

"There is really nothing else like it anywhere," said Earl Blake, a Black-Clawson research engineer who has been working on the project for two years and who will be super-

intendent of the plant operations over the next year.

"We have something that is completely new, and are confident that it will work. Evidently the federal government thinks it will, too—they're paying for two-thirds of its cost."

D. H. Kohlhepp, project manager for Black Clawson, agreed: "This is a demonstration plant. The plant is new, and we've never had anything of this scale, but the process is pretty well proven.

"What we are really trying to do now is prove the economics of the system. We must be able to show that the maintenance, operations, and especially the fiber recovery system will be economically feasible."

The "fiber recovery" refers to the last phase of the process during which paper, floating in a slurry, is re-covered, dewatered and baled. It can then be sold for about \$20 a ton and used for such things as roofing felt. About half of residential and commercial solid waste is paper, and about half of this will be recovered.

"We are hoping to develop a bleachable, long-fibered pulp that will be of higher value," Kohlhepp said.

The plant will be capable of processing 150 tons of "curbside" garbage every day, but will, at first, only operate eight hours a day to handle the 50 tons of garbage from Franklin.

In addition to the reclamation of paper, this system will also be able to recover magnetic metals and glass from the waste. From the 50 tons, about 10 tons of paper fiber, 2 tons of glass and 2 tons of metals will be recovered.

The metals will be sold at various prices. Iron, for example, will sell for \$15 a ton and aluminum, which will be reclaimed in much smaller quantities, for \$200 a ton.

"The entire system is designed so that the cost of garbage pick-up by the trash collectors and the income from sale of reclaimed materials will completely pay for it," Blake said.

The glass reclamation equipment will not be in operation for about a year. A \$235,000 waste glass recycling plant, to be paid entirely by the federal government and by the Glass Container Manufacturer Institute (GCM), will be constructed.

The entire operation will also be a part of a \$2 million regional sewage treatment plant which will be located right next to it. Bids for that plant are scheduled to be awarded shortly and construction is expected to take about 18 months.

Presently about 50 workers are busy completing the solid waste processing plant.

"We're going to have to shut off visitors to get any work done," laughed Kohlhepp. "We've got people from government, paper mills, educational institutions, consulting firms—everybody's coming to have a look at it."

PRESIDENT NIXON IS KEEPING
HIS WORD

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. McCLORY. Mr. Speaker, last week the President of the United States withdrew an additional 3,700 soldiers from Vietnam.

On January 20, 1969, there were 532,500 Americans enduring the perils of an Asian war. Today, there are 247,200 Americans in Vietnam who are planning to come home.

Mr. Speaker, President Nixon is keeping his word.

A TRIBUTE TO THE LITHUANIANS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. MIKVA. Mr. Speaker, June 15 marked the 31st anniversary of the subjugation of a determined, yet outnumbered, Lithuanian people by the forces of the Red Army.

Along with its neighboring Baltic states, Latvia, and Estonia, the Republic of Lithuania has been subjected to one of the most terror-filled occupations in recent history.

February 18, 1918 symbolized what appeared to be the dawn of democracy for Lithuania, as she celebrated her independence from former Imperial Russia. Within a few short years totalitarian German and Soviet Governments plotted the downfall of this free and peace-loving nation. The infamous nonaggression pact between these two major powers settled on a Soviet-administered occupation of Lithuania.

The youthful spirit and age-old heritage of these freedom-seeking Baltics was crushed by the Soviet-Nazi war machine. Unlike their Czarist predecessors, the Communists went beyond stripping the Lithuanians of "just" their laws and religions. Following a popular election, the Russians announced that Lithuania had "chosen" to be included in the Soviet empire.

Thirty years ago this month, 30,000 members of Lithuania's intelligentsia were thrown into railroad cars and transported under severe conditions to the Arctic wastelands of the Soviet Union. Many other political prisoners were executed on the spot.

Later in 1941, after the German invasion of Russia, the Jewish population of Lithuania was almost completely exterminated by the occupying Nazis.

The Soviets returned with a vengeance in 1945, and within a year deported 145,000 brave Lithuanians from their homeland. Further Communist torment followed in 1949 when 60,000 Baltics were exiled to Siberia. The toll of this 9-year policy of genocide and coercion was of tragic proportion, as the Communist heel of tyranny and repression attempted to crush out all forms of active resistance. These atrocities continue today wherever the spirit of freedom and hope surfaces among Lithuanians.

All Americans can learn from this struggle for freedom by a determined people. In a period in which many in this country have lost regard for personal freedoms, we can see the importance of such freedoms to the Lithuanians, who have remained courageous in the face of adversity and oppression. The will of these people, and their compatriots in the United States, to persevere through long periods of domination stands as a great lesson to all of us.

I stand with my colleagues to urge the President to implement proposals which seek to end, once and for all, the suffering of those valiant people of Lithuania, who have always sought only to live in peace and harmony with their fellow men.

It is to these dedicated and strongly willed people that I proudly pay tribute to today.

STATEHOOD FOR THE DISTRICT
OF COLUMBIA

HON. FRED SCHWENDEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. SCHWENDEL. Mr. Speaker, during my years in Congress, I have introduced numerous bills providing for some measure of home rule in the District of Columbia and for some form of limited representation in Congress for the District. Basically, those bills would have given the District an elected government similar in form to that of a State, with Congress retaining most of its constitutionally designated legislative responsibilities over the District. However, such bills would only expand, and not fully grant, the rights of citizenship to those so entitled in the District. The tempering influence of time, however, has moved me, and others in Congress, to consider a complete solution to the issue of how the constitutional relationship of Congress and the District should be altered.

Therefore, today I am introducing a bill to initiate the legislative mechanisms necessary to grant the District of Columbia statehood. The establishment of this new "State of Columbia" would mean that the citizens of the District would finally enjoy the full constitutional rights and responsibilities enjoyed by the citizens in the present 50 States of the Union. In addition, statehood for the District would relieve Congress of the burdens of directly administering a city of nearly 800,000 inhabitants, thus enabling Congress to more fully concentrate its energies on the Nation's business.

This bill contains three major features which I will now briefly describe. First, it provides for a referendum in the District of Columbia on the following question: "Shall the District of Columbia immediately be admitted to the Union as a State, to be known as the State of Columbia?" Second, another proposition to be judged in this referendum would mandate the calling of a special election for the purpose of electing delegates to a constitutional convention. This convention would devise a form of State government for the District and submit its proposed constitution to the Congress and the voters of the District for approval. Third, the referendum would contain a proposition mandating the establishment of a special commission whose duties are established as follows:

To conduct a full and complete study of the necessary and appropriate legislation or administrative actions that must be taken in order to facilitate the transfer of authority over the District of Columbia from the Federal Government to the government of the State of Columbia.

It could be assumed that this commission would recommend to the Congress that an amendment to the Constitution permitting statehood for the District be passed and submitted to the States for approval. Additional questions to be con-

sidered by this commission could involve such issues as the desirability of a flexible, but permanent, Federal revenue contribution to the District, in view of the vast amount of property owned therein by the Federal Government and the significant numbers of international civil servants and diplomatic personnel who enjoy the services of the District, but do not pay many of the taxes needed to support said services. These provisions would be in consonance with the standing policies of "aid to impacted areas."

The following preliminary estimates from the 1970 census of population reveal that 11 States are less populous than the District of Columbia, but yet have full representation in Congress:

	Population
No voting Senators or Representatives:	
District of Columbia.....	764, 000
Two Senators and two Representatives:	
Hawaii	748, 000
New Hampshire	722, 000
Idaho	698, 000
Montana	662, 000
South Dakota	661, 000
North Dakota	610, 000
Two Senators and one Representative:	
Delaware	542, 000
Nevada	481, 000
Vermont	437, 000
Wyoming	328, 000
Alaska	294, 000

Abraham Lincoln once said:

"Those who deny freedom to others deserve it not for themselves.

If we believe in this credo, I do not see how we can any longer justify the continued denial of self-government within the Union to the citizens of the District of Columbia. As the seat of the National Government, the District of Columbia should be the showcase of the Nation—a symbol of democracy and representative self-government.

It is in this spirit that I offer to you for consideration my bill proposing statehood for the District of Columbia.

The text of my bill follows:

H.R. 9197

A bill to authorize and direct the Commissioner of the District of Columbia to conduct a referendum on the question of statehood for the District, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the District of Columbia is authorized and directed to conduct in the District of Columbia, within ninety days after the date of enactment of this Act, a referendum which shall present to the electors of the District of Columbia the following propositions for rejection or adoption:

"(1) Shall the District of Columbia immediately be admitted to the Union as a State, to be known as the State of Columbia?"

"(2) The boundaries of the State of Columbia shall be the same as the boundaries of the District of Columbia as such boundaries are established on the date of enactment of this Act, and all claims of the District of Columbia to any land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States."

(b) The Commissioner shall certify the results of such referendum to the Secretary of the Senate and to the Clerk of the United States House of Representatives. In the event each of the foregoing propositions are

adopted by a majority of the votes cast in such referendum, and upon approval by the Congress of the constitution for the State of Columbia, such State shall be admitted to the Union on an equal footing with the other States.

Sec. 2. (a) In the event each of the propositions specified in the first section of this Act are adopted by a majority of the legal votes cast in the referendum authorized under such first section, the Commissioner shall (within ten days after the date on which such referendum is held) issue a proclamation for an election of delegates to a constitutional convention for the District of Columbia. Such election shall be held within 180 days after the date of the referendum held under the first section of this Act.

(b) Such convention shall write a constitution for the State of Columbia which shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

(c) Upon completion of the writing of such constitution the Commissioner is authorized to take whatever steps are appropriate and necessary to submit such constitution to the electors of the District of Columbia for adoption or rejection. In the event such constitution is adopted by a majority of the legal votes cast in a referendum held for that purpose the constitution for the State of Columbia shall be submitted to the Congress of the United States for its approval or rejection.

Sec. 3. (a) The constitutional convention authorized by this Act shall consist of 81 delegates elected at large from among the residents of the District of Columbia.

(b) Delegates to the constitutional convention shall have the same qualifications as the candidates for Delegate from the District of Columbia to the House of Representatives.

(c) Electors for the election to select delegates to the constitutional convention, and for all other elections or referendums authorized under this Act shall have the same qualifications as electors of the Delegate from the District of Columbia to the House of Representatives.

Sec. 4. (a) In the event each of the propositions specified in the first section of this Act is adopted by a majority of the legal votes cast in the referendum authorized under such first section, the President shall appoint an advisory commission to be known as the State of Columbia Advisory Commission (hereafter referred to as the "Commission") to conduct a full and complete study of the necessary and appropriate legislative or administrative actions that must be taken in order to facilitate the transfer of authority over the District of Columbia from the Federal government to the government of the State of Columbia.

(b) The Commission shall consist of nine members chosen by the President according to the following criteria:

(1) two members shall be appointed who are Senators, not more than one of whom shall be from the same political party;

(2) two members shall be appointed from the Members of the House of Representatives, not more than one of whom shall be from the same party.

(3) the Secretary of the Treasury, or his designee.

(4) the Secretary of the Interior, or his designee.

(5) three members shall be appointed who shall be citizens of the District of Columbia and who shall not be employees in any way of the Federal government or of the government of the District of Columbia.

(c) (1) Each member of the Commission who is otherwise employed by the Federal government, or who is an officer of the Federal government, shall serve on the Commission without compensation.

(2) Each member of the Commission who is not otherwise in the Government service shall be paid \$75 for each day (including travel time) during which they are engaged in the performance of duties vested in the Commission. Such member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for person in the Government service employed intermittently.

(d) The chairman of the Commission shall be selected by the members of the Commission.

(e) Five members of the Commission shall constitute a quorum.

(f) Members of the Commission shall be appointed for the life of the Commission. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

Sec. 5. (a) The Commission shall conduct a full and complete study into the necessary and appropriate legislative, administrative, or other actions which must be taken in order to efficiently and equitably transfer the authority of governing the District of Columbia from the Federal government to the newly constituted State of Columbia. The commission shall give special consideration to the relationship that should be developed between the State of Columbia and the Federal government with respect to securing and maintaining the special Federal interest in the State.

(b) In carrying out its study under this Act the Commission is authorized and directed to consult with, and to obtain information, statistics, or other data from any Federal, District of Columbia, or State governmental agency, department, or instrumentality is authorized, upon request by the Commission, to furnish to the Commission any information, statistics, or other data (consistent with law) that is requested.

(c) As soon as practicable, and in no case later than the one hundred and eightieth day after the establishment of the Commission, the Commission shall submit its recommendations, based on findings arrived at as a result of its study, for the appropriate actions it deems necessary. Such final report shall be filed with the President, the Clerk of the House of Representatives, and the Secretary of the Senate. The Commission shall cease to exist on the tenth day after the date of its submission of its final report.

Sec. 6. (a) The Commission may, for the purpose of carrying out its responsibilities under this Act, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission deems advisable.

(b) The Commission may appoint and fix the compensation of such personnel as it deems advisable. The staff of the Commission shall be appointed without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

CENTENNIAL BEST WISHES

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DOW. Mr. Speaker, not many people across this land live to celebrate their 100th birthday in good health and good spirits.

It is my privilege to bring to the at-

tention of my colleagues, three ladies living at the Rockland County Infirmary in Pomona, N.Y., which I represent, who are reaching or have just passed this mark.

Mrs. Bertha Lemmens was 102 years old on May 29. Mrs. Leah Greissman was 101 on June 12 and Mrs. Emma Bauer will be 100 on June 26.

I am sure that all of my colleagues will join with me in wishing these ladies continued health and happiness. I would like to share with them an article from the Rockland Journal-News about these birthdays.

HAPPY CENTENNIAL!

Three residents at the Rockland County Infirmary, Pomona, are celebrating centennial birthdays, with the eldest, Mrs. Bertha Lemmens, marking her 102nd year today.

An elaborate birthday cake by the dietary staff will highlight a party of friends and staff.

Mrs. Lemmens and her late husband were long-time owners of Lemmens' Hotel in Central Nyack. In recent years, Mrs. Lemmens has kept busy in daily projects with some of her friends at the infirmary and enjoys keeping active.

Although her sight has been falling recently, Mrs. Lemmens still enjoys participating in musical entertainments and plays the harmonica at various social and church functions.

Two other residents of the infirmary, Mrs. Leah Greissman who will be 101 years old on June 12, and Mrs. Emma Bauer who will be 100 on June 26, will also receive the good wishes of family, friends and staff.

Mrs. Greissman, the widow of Dr. Louis Greissman, a Nanuet veterinarian, enjoys the affections of her niece Mrs. Robert Coyman of Nanuet. Although Mrs. Greissman was childless, she brought up Mrs. Coyman, whose mother had died, and is considered the grandmother of the Coyman children. The Coyman family still lives on the same property which was Dr. and Mrs. Greissman's during the 45 years they lived in Nanuet.

The third centenarian is Mrs. Emma Bauer who at 100 is the youngest of the three. Mrs. Bauer was born Emma Donnelly in Nyack. She has three grandchildren and 13 great grandchildren.

She participates in infirmary activities and is invariably seen in very feminine clothes and with a ribbon in her hair.

RICHARD KOENIGSBERG: DETERMINATION CONQUERS HANDICAP

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. PATTEN. Mr. Speaker, all over the United States young people are going through college graduation exercises that mark the beginning of their careers in the outside world. For all of them I am sure there have been times of discouragement and struggle, along with all the new experiences and memories.

I would like to take this opportunity to call to the attention of my colleagues the case of one particular young man from my congressional district. To me the story of Richard Koenigsberg of East Brunswick, is the story of what sheer determination can do. To me Richard

Koenigsberg represents the fine qualities we can still find in today's young people.

Richard was born with slightly impaired hearing. At 11 he lost 50 percent of his hearing. Then, as a sophomore at Lynchburg College in Virginia, he became totally deaf. People told him it would take 8 to 10 years to finish his college work, and they were ready to relegate him to the scrap heap. Many thought that his desire to be a teacher, where communication between student and teacher is so important, was futile. Yet Richard finished his course work in the regular 4 years and came through student teaching with flying colors. I am happy to insert in the RECORD at this point an article from the News of Lynchburg, Va., which contains the statements of those who have seen Richard in action and can testify to his ability:

LYNCHBURG COLLEGE SENIOR FINDS DEAFNESS NO HANDICAP IN TEACHING

(By Dorothy M. Ferguson)

"I don't think there's anything you can't overcome if you really want to!" declares the darkhaired, bright-eyed young man, a senior at Lynchburg College. You listen to him, watch him, and you're caught up in his enthusiasm.

This LC student is no ordinary youth, although he keeps proclaiming that he is just like everyone else. He has proved, that, for him at least, almost anything is possible.

The cold fact is, he is deaf, and he wants to be a teacher, a profession in which communication is especially important.

However, he does "hear" through lipreading and he has just completed, with great success, his student teaching at Brookville High School.

Call it perseverance, call it courage, but probably the most accurate definition is simply *joie de vivre*; Richard (Rick) M. Koenigsberg of East Brunswick, N.J., enjoys living and will not be defeated by conditions that could defeat others.

"As far as I'm concerned," says Rick, "I don't even have a handicap. I can do anything I want to do except listen to a tape recorder or a radio. Why I even use a phonograph! Of course, the records play the sound of silence, but that's not bad." (Rick's secret is that he "listens" to a phonograph through vibrations.)

A pause, and he adds: "I think sometimes people who have defects of one kind or another make themselves handicapped."

Dr. Elizabeth G. Boggs, associate professor of education at LC, comments: "Working with Richard has been one of the most rewarding experiences of my career. Not only did I have faith that Richard possessed the finest qualities of a true teacher, but also I had faith that young people would realize and respect these qualities despite his hearing handicap. Richard does "hear" the students—we need more teachers who communicate as well as he."

"We had reservations at first," observes Charles F. Flaughner, assistant professor of education at LC, "but he proved beyond the shadow of a doubt that he could do the job. We would have absolutely no reservations now about recommending him for a teaching job."

Adds Flaughner: "Rick did not want to be treated in an exceptional manner and we didn't. We elevated him just the way we would any student teacher. The experience of working with him was good for everyone involved."

His enthusiasm for everything he does impressed his cooperating teacher at Brookville, Douglas Stinespring, who remarks, "Mr. K." as the students call him, captured his ninth and tenth-graders; they liked him very much.

He's a hard worker, too, probably the best student teacher I have worked with at Brookville."

Paul Brewer, principal at Brookville had this to say: "Rock did a tremendous job here. I was well satisfied and I would not hesitate to hire him. And I agree with him—he doesn't have a handicap!"

With slightly impaired hearing since birth, Rick inexplicably lost 50 per cent of his hearing when he was eleven. He explains, "I was outside playing and suddenly, pop, I couldn't hear." After much testing, it was found that with a hearing aid, he could hear almost as well as a normal person.

With the aid he continued living an average life, participating in sports and keeping up with his studies without difficulty. "I have never made concessions to my deafness," he asserts, "and I don't feel that I have worked any harder than anyone else, either."

He adds: "My parents have been very good with me, too. They have encouraged me to do whatever I wanted to do; they have not over-protected or shielded me. I'm sure there were times when my mother was worried about me, but she wouldn't keep me from participating in school and other activities." (A sports enthusiast, Rick has been an active participant at LC, particularly in soccer.)

He was a sophomore at LC when new trouble came. He developed a condition known as nerve deafness and lost all but 20 per cent of his hearing. Again more tests, another stay in the hospital, but afterward back to work at LC where he now communicates by lipreading.

"I had no formal training for this," he mentions. "But I had probably picked up lipreading through the years more than most people do because of my hearing defect since I was eleven. (Most people lipread about 20 per cent of the time, he notes.)

He does not practice dactylography—the technique of communicating by signs made with the fingers. This system, he says, is generally used only by those born deaf.

From his freshman year Rick had planned to teach (his father is a teacher and Rick understands and admires the profession); now totally deaf, he still anticipated becoming a teacher, but there were those who discouraged him because they felt he would not be able to communicate well enough.

"But," remarks the LC senior, "I had made up my mind. And the education department was very good to me. They told me that they would give me the opportunity. They realized that I had to find out if I could do it."

He continues: "When I began to teach, I was a little worried, apprehensive, and I'm sure the students were, too. But I tried to relax them and make them feel at ease with me. And I had no problems. Everything turned out fine. Everyone was great—cooperating teacher, principal, teachers in the education department at LC, and the students."

He reflects for a moment: "The students really were wonderful. They never at any time attempted to take advantage of me. We got along well, and this made me feel good. I'm going to miss them!"

Rick considers his handicap an asset in teaching. "Because of my defect, I seem to have a better understanding of students' problems, whatever they may be. And it does them good to see that I operate as well as I do."

It's obvious that Rick enjoyed student teaching and it is clear, also that this 21-year-old has developed a positive and inspiring philosophy of life. Comments Rick, "When people say to me, 'It's too bad you can't hear,' I tell him, 'I don't care because I feel that not being able to hear has made me a better person than I might have been the other way around. I have increased understanding in many areas; I appreciate things more.'"

He explains: "You know, most people take

for granted their ability to see, hear, touch, feel. And if they do have a problem, they have a tendency to run into a corner and say, 'I have problem so I can't function,' and have others feel sorry for them.

"There's almost nothing I don't do—I go to parties, dances, movies. I can't complain. I couldn't be happier."

And, a twinkle in his blue eyes, "There's one thing about my condition too; noise pollution doesn't affect me."

Regarding his relationship with the students, Richard states:

Because of my defect, I seem to have a better understanding of students' problems, whatever they may be. And it does them good to see that I operate as well as I do.

He summed up his philosophy of life when he said:

I don't think there's anything you can't overcome if you really want to.

I would like to publicly congratulate Richard Koenigsberg on the outstanding effort he has made toward becoming an active participant in today's world. I know our children will receive a good start with teachers of Richard's caliber in our school system.

THE SUEZ CANAL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HAMILTON. Mr. Speaker, the arguments for opening the Suez Canal are, on balance, stronger than those against opening it. William P. Bundy's essay in the June 21, 1971, issue of Newsweek reinforces this position. I commend his remarks to you:

IF SUEZ WERE OPEN

(By William P. Bundy)

Ever since President Sadat of Egypt formally proposed in February that an agreement be reached to open the Suez Canal, even before a full settlement of the Arab-Israeli dispute, a muted but fervent debate has been raging in many circles and governments. Almost all of these are prepared to grant that progress toward peace in what Mr. Nixon has called the most dangerous situation in the world today is worth some price. The negative argument made, however, is that the opening of the canal would in fact be a tremendous gain for the Soviet Union, a vastly increased threat to the area beyond the canal, and altogether in the long run a bad thing.

It is an interesting debate, with so many handles that a column is too short to do it justice. But it is my clear conclusion, after sifting a mass of material from both sides, that the eyes have it—that is, that opening the canal would be distinctly more advantageous for the West (above all Europe, but also the U.S.) than it could be potentially harmful.

The advantages are, of course, primarily economic. Ever since 1967, India and others have been paying all sorts of added costs they can ill afford on everything they must have or export. This is in itself a major argument, not only for them but for others concerned with their present troubles and stability.

ARGUMENTS PRO AND CON

As the debate goes, however, this part of it is submerged by discussion of oil. Here there has been a dramatic change in the past

year. Self-congratulation at the way tanker capacity was mobilized and built after 1967 to "make the canal obsolete" has given way to the sudden discovery that tanker tightness and charges have become a significant element in the bargaining advantage of the Persian Gulf oil suppliers toward the Europe that depends on them. Having now committed itself (along with Japan) to major price increases in the Persian Gulf countries and those linked with them, Europe has a great interest in seeing that the balance becomes more even—to see that the new contracts last their appointed five years, and to allow the flow to expand beyond that time. On both counts, even though the canal cannot take the new super giant tankers, Suez could make a critical difference.

Such is the new weight of the affirmative argument. On the other side, of course the Soviet Union would gain in economic terms through shorter sea routes around the south. But surely this is in itself healthy. The real question is whether the canal would add anything to a Soviet threat to the nations beyond the canal.

Here one must come to grips, first, with the idea that the Indian Ocean can somehow be "controlled" by naval power. Arguably, the British did this, but only when they also controlled the key land areas. In the present era, nations with any real strength are simply not this vulnerable.

THE ECONOMIC CASE

This leaves the weak nations of the Red Sea littoral, and above all the Trucial sheikhdoms of the Persian Gulf, about to lose the protection of their treaties and the British military presence. In these areas there may indeed be a Soviet game at work, centering on the position it has established in Southern Yemen. But it is a game of quiet subversion and political manipulation, best played with assets that do not need the canal. Even in the gulf, the idea of nineteenth-century gunboat diplomacy, however tempting it may be to Russia's present leaders, seems crude and likely to create a sharp reaction, particularly by Iran.

Thus, while one cannot wholly dismiss the argument of increased Soviet threat, it seems to me of basically lesser importance than the economic case for opening the canal. The present Russian leaders may be back in the nineteenth century in their power thinking, but twentieth-century gains should outweigh nineteenth-century fears.

As for the idea that the Soviets put Sadat up to his proposal, his behavior then and since hardly suggests that he was acting as a Soviet stooge. Perhaps in the end his idea will not bear fruit, for the opening of the canal cannot readily be separated from the bigger issues of an Arab-Israeli settlement. But at least the possibility can be approached not as what the strategists call a zero-sum game, in which Russian gain equals the loss of others, but as a sensible proposition from which all could gain.

EDITORIAL OF THE KNOXVILLE NEWS-SENTINEL

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DUNCAN. Mr. Speaker, I read a very interesting editorial statement in the June 11 issue of the Knoxville, Tenn., News-Sentinel. Because of its timeliness in regard to the Hatfield-McGovern amendment, I would like to place it in the RECORD today:

North Vietnamese diplomats are telling almost everybody unofficially that some 30 days after President Nixon sets a "reasonable" date for withdrawal from Vietnam, the Communists will release U.S. prisoners of war.

Hanoi's delegates to the Paris peace talks recently passed such word to former Defense Secretary Clark Clifford, Rep. Robert Leggett (D-Calif.), newspaper interviewers and others.

It seems they are willing to give encouraging pledges to anybody except one man: David K. E. Bruce, head of the American delegation to the conference.

Naturally, whatever the Communists hint or suggest to unofficial go-betweens can later be denied or ignored. What they say at the conference table to Bruce, however, is official, has weight and is more difficult to wriggle out of.

We find it significant and ominous that Hanoi is flexible and even generous in discussing POWs with private callers, but is hardline and rigid with Ambassador Bruce.

In Paris yesterday Bruce tried to get the Communists to put on the conference record the unofficial promises they had been throwing around. Hanoi's chief delegate Xuan Thuy fell back on his standard line: After Nixon fixes a reasonable withdrawal date (the Communists will decide what is reasonable), the fate of our prisoners can be "discussed."

Needless to say, Hanoi's pledge to "discuss" something after it first gets what it wants is worth less than a handful of rancid rice.

The North Vietnamese clearly are putting on their false show of flexibility to influence voting next week on the Hatfield-McGovern amendment. That proposal would cut off all funds for U.S. ground and air operations in Indo-China after Dec. 31, and Hanoi would dearly love to see it pass.

One benefit from North Vietnam's recent spate of interviews is that its real position for a "settlement" has emerged. This can be summarized as follows:

The United States must, by an early date, remove its air, ground, naval and advisory forces from all of Indo-China. North Vietnam does not undertake to withdraw its regular army units from South Vietnam, Cambodia or Laos, where of course they have no right to be.

The United States must cut off all military and economic aid to South Vietnam, a step which would topple the Saigon regime. Hanoi reserves the right to get on the Red telephone and order up any arms and supplies it needs from Russia and China.

These are not the terms of a settlement, but of a surrender. To his credit, Nixon has so far resisted intense pressure to accept them.

ONE WOMAN VERSUS ONE COMPANY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DINGELL. Mr. Speaker, the fight to save Lake Superior from degradation at the hands of Reserve Mining Co. goes on and not the least of the battlers is Mrs. Verna Mize of Potomac, Md.

The Washington Evening Star of June 1, 1971, carried an excellent feature story on Mrs. Mize's struggle under the headlines "One Woman Versus One Company" and "A Citizen Crusades To Save Lake Superior." So that my colleagues may have an opportunity to read of this fine lady's efforts, I include the

text of the Star feature story at this point in the CONGRESSIONAL RECORD:

ONE WOMAN VERSUS ONE COMPANY: A CITIZEN CRUSADE TO SAVE LAKE SUPERIOR

(By Roberta Hornig)

In mid-1969, Mrs. Verna Mize of Potomac, Md., carried two bags of rocks picked from the shores of Lake Superior up to Capitol Hill and handed them out as paperweights to Midwest congressmen.

Last summer, she spent her two-week vacation collecting signatures in Houghton County, Mich., and turned a petition with 5,182 names over to the White House, hoping it would reach President Nixon.

In April, she testified as a citizen witness at a congressional hearing.

Over the last year she also talked to four governors at the governors' conference here; visited William D. Ruckelshaus, administrator of the Environmental Protection Agency; and went to the offices of the President's Council on Environmental Quality, several other government agencies, and a number of senators and representatives.

She estimates she has written between 2,000 and 3,000 letters to citizens groups, reporters, newspapers, scientists, federal, state and local officials, and spent 3,500 hours as part of the crusade she started four years ago, long before fighting pollution was a popular cause, to save Lake Superior, her favorite waterway, from pollution by a lone but extremely powerful industry.

"You know, President Nixon has repeatedly called for saving the Great Lakes. Sometimes I feel like I'm carrying out the President's expressed desires more than the people being paid to do so," she said the other day in an interview.

Mrs. Mize, a government secretary and wife of a retired Marine officer, seems an unlikely crusader. She is rather prim, polite, kindly and middle-aged.

She is, however, outraged that anyone would dare dirty the world's largest fresh water lake, "the lake that has been my love since I was a toddler."

"Goodness, we drank it. We swam in it. I was probably christened in it," she says.

Mrs. Mize's headquarters for her campaign is an enclosed back porch, overlooking a garden in her modest home. There, surrounded by files in cardboard boxes, rocks from the lake shore and bottles full of its putty-colored water, she writes her letters and plans her next moves.

Her crusade on behalf of Lake Superior began in 1967, shortly after she and her husband returned from a vacation on Michigan's Upper Peninsula.

She was bragging about the lake being drinking-water clean when a friend told her it might be in trouble—from wastes emptied into it by Reserve Mining Co., a huge iron ore producer at Silver Bay, Minn., owned by Armco and Republic Steel Cos.

Reserve daily discards into the lake about 67,000 tons of taconite tailings, or finely ground ore wastes. The company says the tailings do the water no harm. The federal government, after six enforcement conferences—the first of May 1969—has decided Reserve is a polluter.

Mrs. Mize reports that, when she first learned about the company, she assumed no one else knew about the dumping or it would be stopped. That's when she began her letter writing and visits to government officials.

PETITIONED PRESIDENT NIXON

"I found I wasn't getting any action from officials," she mused. "Very polite thanks, but nothing happened."

Last summer she decided her individual appeals had done no good and that she might have more luck if she "appealed in the name of many people."

She drafted a petition to Nixon that read: "We the undersigned, respectfully and ur-

gently request your speedy intervention to rescue Lake Superior from the ravages of taconite tailing degradation at Silver Bay, Minn., by the Reserve Mining Co. Pure Lake Superior is eminently worthy of your personal attention. We appreciate the concern for the Great Lakes you have already voiced, and we earnestly ask that you stop Reserve's use of clean Lake Superior for its own free private dump! Please, Mr. President, save 'the clear transparent water . . . the shining Big Sea water' for us and for posterity."

MANY VOLUNTEERED

With a dozen petitions, each with room for 20 names, she left on a two-week vacation for her native Houghton County believing, she says, that she could get 100 signatures.

She quickly got many more than that.

While between planes in Chicago, she began chatting with a fellow passenger and told him about the petitions.

"What are you going to save it from, the man asked, and I told him," Mrs. Mize says. He signed, as did others in the waiting room. When she got on the plane, other passengers signed, and when she arrived in Houghton County, the passengers told friends waiting.

By the next day, news of the petition had spread through the county by word of mouth. Mrs. Mize says that within 24 hours she had a volunteer crew to help collect names. The volunteers included university students, storekeepers, laborers, tradesmen, school children and a 76-year-old former mayor.

She ran out of petitions and had to get copies made, a job the Chamber of Commerce gladly did for her.

"PEOPLE CARED"

"People in every walk of life not only signed but volunteered to circulate the petitions. Businessmen asked for copies to put in their shops. They were everywhere . . . from bars to a Bible camp," she reports.

"This couldn't possibly have happened unless people cared."

When she came home, she had 5,182 names, and she sent the petitions to the White House. In reply, she received a note of thanks.

The taconite tailings still go into Lake Superior, but Mrs. Mize said the crusade may yet end successfully.

She has high hopes that action will result through the Environmental Protection Agency, which on May 2 sent Reserve a 180-day notice to come up with an alternate plan for getting rid of its wastes. An interim meeting between the company and the government is set for Thursday.

TWO THREATS TO A FREE PRESS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. JACOBS. Mr. Speaker, if you want to read what is really happening as far as the administration's censorship of the New York Times, read what Senator FRANK CHURCH, Democrat of Idaho, had to say about it 14 years ago:

TWO THREATS TO A FREE PRESS

(Address of Senator FRANK CHURCH, Democrat of Idaho, at French Lick, Ind., before the Indiana Democratic Editorial Association and the Indiana Democratic State Central Committee, Saturday, Aug. 31, 1957)

I am highly honored to speak to you tonight. It is a rare adventure for a Democrat to find a Democratic Editor's Association; and it is reassuring, to be sure, to discover that it has so many members.

I must say also that it is gratifying to me to share the platform with a distinguished citizen of your state who has become one of the outstanding men of our country, my good friend and yours, the able spirited National Chairman of the Democratic Party, Paul Butler!

Less than a year ago, Paul Butler came to Idaho to help in the campaign for the Democratic Ticket. He gave a rousing speech in Coeur d'Alene. We had hopes that night of electing a Democratic Senator, for the first time in many years. There was a feeling of excitement in the air.

I am happy to report to you tonight that there is much the same feeling of excitement, of anticipation, of suspense, in Washington. It has suddenly appeared in the wake of the smashing upset victory of Bill Proxmire, the first Democrat to be elected to the Senate from the state of Wisconsin in a quarter of a century!

This victory, unprophesied by the press, confounds the pundits, who now point alternatively to the "modern" Republicans and the "unmodern" Republicans, to blame for the defeat of the man they confidently predicted would win. I prefer the assessment of that irrepressible Harry Truman: "The counterfeits were thrown out and the real people took over, and that's what's going to happen all over the country as the Democrats come back again."

Yes, there is a feeling in Washington that the Democratic Party is on the march again. There is that special feeling of jubilation that comes with a sudden, dramatic Democratic victory.

Have you ever noticed how people always laugh when they celebrate a Democratic win at the polls? Have you ever wondered why? I think it's because of the general feeling, which exists in all parts of our country outside the South, that when a Democrat wins, he has won against odds. Both money and significant social pressures favor the Republicans. In last year's national election, for example, there was twice as much money available for all Republican candidates, than for their Democratic opponents, a rather critical matter in these days of rising advertising costs, when every minute of precious television time must be dearly bought.

Campaigns are more costly than ever before; Madison Avenue techniques are coming more and more to the fore. The Republican candidate, better able in nearly every case to finance what the hucksters call "saturation coverage," starts with a running advantage over his Democratic rival.

But it isn't money alone that normally gives the odds to the Republican. That curious intangible, "respectability" plays its part too. There is an aura of social daring for a young business or professional man to be a Democrat, somewhat akin to wearing Bermuda shorts on the Boston Common.

Yet, greater than any of these factors in conferring the evident advantage to the Republicans, is the press. I can say, in this gathering of Democratic newspapermen, that our press, as measured by the large dailies in most cities, and the major papers in nearly every two-party state, is Republican in orientation. These papers may, as many do, frankly state their Republican affiliation. Some claim independence in politics. A few actually go so far toward nonconformity as to suggest that they are Democratic newspapers. But when the question becomes real, when they must get down to the cases of deciding between candidates, they usually manage, somehow, to discover that the safety of the nation, the safety of our homes, and the stability of our economy, depend upon the election of the Republican candidates, from the Presidency on down to the Justice of the Peace.

So, I am told, that eight out of nine newspapers in this country supported Eisenhower over Stevenson in 1956, an advantage that

becomes even more preponderant when you consider the size of the papers involved. In terms of circulation, the Republicans enjoyed the backing of the press by a ratio of about 85 to 1. When faced with these hard facts of life, is it any wonder that people laugh when they celebrate a Democratic victory at the polls?

This brings me, my friends, to the subject I would like to discuss this evening, a subject of much importance to you as newspapermen, and to me as one involved in public life, but, most of all, a subject that is vital to the preservation of enlightened self-government—the free press.

It is a little presumptuous, I realize, for me to talk to you about a free press. You know the press much more intimately than I. It is your profession, and a proud one. But a free press is also a part of the American birthright. It is expressly guaranteed in the First Amendment to our Federal Constitution. It has been an articulate companion of our people, from early colonial times to the present day. Still, the "free press" is a term so loosely used, and a concept so widely misunderstood, that one cannot clearly discuss it without first attempting to define it.

What is a free press within the meaning of our own national experience? Perhaps we can understand most clearly what it is, if we first briefly consider what it is not. For one thing, it need not be, nor has it actually ever been, a *balanced* press. I have already adverted to the fact that we have what approaches a one-party press in a two-party country. This works a hardship on Democrats; it is a windfall for Republicans. But a free press must be free to be as partisan as it pleases. It has never been nicely balanced in our entire history.

Secondly, a free press, within our American legacy, is not a *government* press. It is neither owned by government, sponsored by government, licensed by government, controlled by government, or responsive to government. This is a concept that our whole tradition rejects. We regard as a plan absurdity the argument of Andrei Vishinsky, in his capacity as a student of the Soviet Constitution, that the Soviet Press is free because the might of the Soviet State is used to keep it in the hands of the proletariat!

It is true that modern radio and television, because wave lengths cannot be shared, may need some kind of direct government regulation or control; as in Britain, they may be owned by the state, and still remain free of the censor's blue pencil. Our own airwaves are publicly licensed to private enterprise; their license includes freedom even to editorialize. It is, however, so difficult to editorialize under the objectively "fair" regulations of the F.C.C., and even more difficult to support political causes and candidates, that most radio and television stations simply refuse to become involved. Unlike the press, in this special sense, they are not free. In the same special sense, a government press, though operated by the most tolerant and benevolent government conceivable, would not be free.

Our free press, then, is a private press, variously owned by private citizens, who may use their respective newspapers to support such causes as they may choose to favor, and to criticize such causes as they may choose to disfavor. The heart of the free press is its independence of the government, and it finds its essential meaning in its right to criticize the government.

Now that I have attempted to define a free press, within the meaning of our national heritage, I would like to submit to you that it is today contending against two enemies—one from without, and one from within. The first of these, the one from without, is the traditional enemy and natural adversary of a free press. It is government. The Roman Emperor, Caligula is said to have once expressed the wish that the entire Roman peo-

ple had but one neck so that he might decapitate them all with one stroke. I suspect that many a public figure today, subjected to the full might of press criticism, has had, fleetingly, the same black impulse as to the press.

No government, no administration, no public man, has ever been, or will ever be, always right. To remain free, the press must remain suspicious of the inherent desire of men in public life to escape criticism, to receive praise, and to conceal evidence of blunders and poor management that might bring discredit upon them. I repeat, a free press and government are natural adversaries, kept apart only by such wise protections as are unequivocally provided in our Bill of Rights, and the eternal vigilance of the press itself.

In many countries within our own time, the inevitable antagonism between press and government has resulted in the outright murder of the free press by the government. In Germany, in 1932, the coming to power of Adolph Hitler marked a sudden death to the free press. In Italy, freedom of the press was the early victim of the tyranny of Mussolini. In Russia, an infant free press was murdered in its cradle by the Red tyranny. In Argentina, not many years ago, the final eclipse of the free press came with Peron's seizure of *La Prensa*. Now when a man is murdered in the streets, it is plain enough for all to see that a crime has taken place, but seldom do headlines track the ebb of strength of a person suffering from malnutrition. The threat of government to the press is not symbolized solely by the sound of hobnails in a city room. A subtler threat is posed by the muted splat of rubber stamps on heaps of government documents. The words, "confidential," "secret," "top secret," "administratively classified," and a score of other similar terms are becoming all too familiar right here in the United States.

The present danger to the contemporary American newspaper is what I would call, with scant thanks to the Republican National Committee, creeping concealment. I mean by this the use of the techniques and jargon of security to conceal the misdeeds, the bad judgment, and the failures of an Administration unused to criticism.

A subcommittee of the House Government Operations Committee, under the able chairmanship of Representative John Moss of California, has been looking into this issue for several years. Its findings, which have been made quite public, are shocking in the picture they display of government agencies using techniques which were devised originally to guard deep defense secrets, to conceal their own ineptitude. A few examples should suffice.

One office in the Pentagon refused to divulge our military consumption of peanut butter, on the grounds that this figure could be used, presumably by some peanut-butter expert in the Red Army, to deduce the size of our armed forces. The size of our armed forces, incidentally, is announced every day of the year by another official in the Pentagon, who does not, let us charitably suppose, eat peanut butter.

Another ironic example of this snowballing practice is found in the work of the now-defunct Office of Strategic Information. The function of OSI, which the Committee finally was able to force its officers to discuss, was to devise methods for restricting the dissemination of unclassified information. In other words, the OSI was not safeguarding classified information; it was preventing the dissemination of unclassified information.

Mountains of materials are now locked in the stacks of many of our university libraries, because these materials were once used in a secret project, and no one is willing to assume the responsibility of declassification; this is an appalling symptom of the spreading paralysis to the circulation of knowledge. Responsible scientists have stated that if present security arrangements had

been in effect before World War II, the United States would not have been the first to develop the atomic bomb.

Perhaps the most astonishing revelation made by the Moss Committee was its finding that over one million public servants, counting those in the military, now have the right to classify information. Few indeed are those empowered to declassify information, and fewer still are those who will. Some agencies actually are reported to have no established technique whatever for declassification, and the entire system is permeated with the spirit of the rule actually stated by one agency, "If in doubt, don't give it out."

Apologists for this Administration may cry that the creeping concealment to which I have referred is not purposeful, but is rather the inevitable by-product of an entrenched bureaucracy. But surely this easy out cannot explain away the very purposeful, yes, arrogant, attitude of this Administration toward the gathering and reporting of news from abroad.

I think we would all do well to recall the years preceding the Second World War. Before our entry into that conflict, American newsmen were at work in Germany and Italy. Despite the rigorous censorship and the coloring provided by the propaganda controls of such master propagandists as Joseph Goebbels, these newspapermen kept America informed and alert to the gathering dangers. Can anyone who remember 1937, 1938, and 1939, seriously contend that the presence of William L. Shirer, Hans Von Kaltenborn, and other great reporters in Berlin and Prague and Vienna detracted from American security and preparedness? Of course not. Yet when equally enterprising newsmen, this time working for a television network, recently brought Nikita Krushchev into our living rooms, President Eisenhower himself told us with a frown, that this was merely the effort of a private concern to improve its financial position. This, as far as I know, marks the first time that the profit motive has been greeted with anything less than enthusiasm in the White House.

But the most provoking example of this Administration's policy toward hamstringing a free press is to be found in the strange performance of the State Department with respect to allowing American newsmen to go to China. The Dulles pronouncements on this score are an affront to the intelligence of a free people, and a dangerous inroad upon the free press.

For example: to Arthur Hays Sulzberger, Dulles uttered the curious dictum that "the Constitutional freedom of the press" relates to publication, and not to the gathering of news."

Even the friendly Arthur Krock, of the New York Times, concludes that Mr. Dulles apparently believes that whenever, in his opinion, the foreign policy of this Administration is served by censorship of news-gathering abroad by American newsmen, such censorship may and should be imposed. It is a corollary position of Dulles that when such reporting is permitted at all, it may be on such terms, and for such periods, as the Secretary determines. In a news conference as recently as this week, the Secretary of State said flatly that American newsmen, like all American citizens, have "an obligation to be responsive" abroad to the foreign policy of this Administration.

About a week ago, I was in Buenos Aires, where I had an opportunity to confer with Dr. Alberto Gaiña Paz. This dignified, aristocratic gentleman little resembles the stereotype of a crusader-journalist. But his paper, the world famed *La Prensa*, was noted in its 81-year history, before being seized by the Argentine Dictator, for its restrained, scrupulously objective, and thorough reporting of domestic and foreign news.

We discussed this matter of getting American newsmen into China, and our talk de-

veloped the metaphor of the free press as windows through which our countries receive the illumination of knowledge of things transpiring in the world outside. If our government is permitted to hold the curtain drawn over one such window, we are shut off from that much illumination. The darkening may be imperceptible at the beginning, but as twilight comes along it is our eyes which suffer from the lack of light.

Dr. Gainza Paz and *La Prensa* typify the role of a free press as the natural adversary of government. In the five years prior to its suppression in 1951, Peron writhed under the merciless and continued exposure by this newspaper of his pillage of the nation. It was a proud saga of a fearless newspaper that preferred death to forsaking its role of criticizing and exposing bad government. The world rightly cheered when *La Prensa* was returned to its owners and resumed publication as a free paper in 1956, pledging, as it did so, "to cooperate without wavering, with concern for the public good in the service of truth, justice, culture, and progress, and, as always, in the defense of freedom."

We all ought to rejoice in the return of *La Prensa* to a land in which freedom has been restored. We should also rejoice in the fact that no newspaper in this country is threatened today with the fate that befell *La Prensa*. Yet, let us not forget that any government, including our own, remains the natural adversary of a free press. The vitality of a free press in our own country, I submit, is being threatened today by the creeping concealment practiced by this Administration, and by the outright espousal in the State Department of doctrines utterly alien to the traditional rights of the free press as we have known them. In view of this, it is ironic, indeed, to see the great majority of our newspapers persist in dutifully licking the hand that would muzzle them.

This brings me to what I regard as the second enemy of a free press in this country—an enemy the more insidious because it comes not from without, but from within the press itself.

At the outset of this address, I postulated that the free press was a private press, variously owned by private citizens, that possessed, above all else, the rights to criticize the government. This right rusts with disuse. Therefore, it is my belief that freedom of the press can be endangered by self-imposed restraints, as fully as by government-imposed restraints. In this country, we have suffered for five years a self-imposed press policy about the person and the office of the President which departs significantly from the standards we had theretofore come to accept as normal.

The alliance between the press and the Eisenhower ticket was the legitimate prerogative of the press, in the campaign of 1952. But when candidate Eisenhower became President Eisenhower, and when the pitchmen of the candidate became the servants of the people, then the press should have resumed its traditional practice of holding the new President to account, as his predecessors had been held to account before him. In failing to do this, the press of the United States has displayed a gentleness toward the occupant of the White House, unprecedented in the annals of journalism in this or any free country. This alliance of press and administration has been disturbing enough, but by no means has it been as disquieting as the developing spectacle of the present, where the press attempts to continue alliance with the President, but, conscience stricken, to sever its alliance with the President's administration.

The reluctance to criticize the President, of which the press seems so apparently guilty, has manifested itself in the formulation of a curious constitutional mythology about the Presidency itself. This mythology has left its mark on the thinking of members

of both political parties and may make serious inroads upon the constitutional common sense of the American people. I am referring here to a separation which the Founding Fathers never conceived, but which modern press coverage now seems to be creating, between the President and some many-headed organism known as the Administration.

Since 1952, criticism of Administration policies has been directed at Presidential subordinates rather than at the President himself. The tight-money policy has been criticized—but usually as George Humphrey's tight money policy; the foreign policy blunders have been Dulles'; the defense policy turn-arounds have been Wilson's; the farm program is the Benson program; the betrayal of the public trust in the conservation and protection of our natural resources used to be charged to Doug McKay, but now it is a mystery who is the culprit, with Sherman Adams, Fred Seaton, and Jerome Kuykendall the principal current suspects. Some even suggest, in the best traditions of the American detective novel, that the real culprit is not the butler, but the caddy.

Now it is entirely possible, as some have intimated, that the President has had little to do with the formulation of these policies. But I remember, not very long ago, when every action of every official of the Administration, no matter how far down the line, was laid directly at the feet of the President. It was Truman's labor policy; it was Roosevelt's NRA; it was Roosevelt's court-packing bill; it was even Truman's war. The Presidents who preceded Eisenhower received the blame for every peccadillo that took place in their official families, however remote.

I even remember substantial numbers of Republican leaders blaming Truman because some West Point football-playing cadets were expelled for cheating. It was never very clear whether Truman was being blamed for their expulsion, for their cheating, or for the difficulty of the examinations. But blamed he was. He may not have been personally responsible for the actions of all those in the executive branch of the government, but under our Constitution, his political responsibility is just that broad. The Constitution does not establish an executive cabinet. It vests the executive powers of the nation in the President. The President alone is elected to a position of executive responsibility. Neither the size of the government, nor the complexities of the problems with which it must cope, absolves the President of the responsibility of the policies of his administration. No strong President would expect, much less receive, dispensation from the press which tends to give him absolution from this responsibility. In spite of their treatment at the hands of an unfriendly press, I am sure that our previous Presidents would all agree with that pungent Trumanism, "If you don't like the heat, stay out of the kitchen!"

But today, as I say, we have a President who is being partially shielded from responsibility for anything his cabinet members or his party leaders, in or out of Congress, do. For the first time that anyone can remember, large segments of the press continue to treat Eisenhower as though he were some kind of constitutional monarch, as free from criticism as the Queen of England.

I do not mean to suggest that the habit of deference toward the present occupant of the White House is confined to the press alone. I confess that we Democrats have conformed to this new pattern, and have shown a novel reluctance to charge the President personally with the responsibility of his administration. Perhaps we were intimidated by the unquestioned popularity of this man. Perhaps we felt that both Roosevelt and Truman had been attacked excessively and unjustly and that it was, in truth, "time for a

change." In this I feel we have been wrong—as wrong as the press.

This willingness to separate the President from the serious business of the government seemed to reach a comical climax the other day, on the floor of the Senate, when a prominent proponent of the civil rights bill who is staunchly identified as a "modern Republican," fended off an assertion that the President had expressed a view different from the provision of the bill he was defending, with the beguiling reply that the President's own remarks at his press conference did not represent the official position of the Administration, as defined by Attorney General Brownell.

I can find a difference between the lapse of politicians and political parties in forgetting temporarily the essentials of our constitutional system and the concept of executive responsibility, and the same kind of lapse on the part of the press. The difference is in the fact that the press is the steward of the most fundamental of our liberties. Its failure to keep this liberty alive, its permitting its force to dwindle or flicker, is destructive of the liberty itself. The liberty of the press belongs not to the press, but to all of us.

Political parties do not have this public stewardship in the same degree. The retribution visited on political parties is delightfully, or painfully, but most important of all, frequently, experienced. They burn each other out in the forge of constant combat, and they face the electorate with regularity.

So I believe that the press must vigorously practice its right to criticize. It must not be a respecter of persons. No one is so exalted, no one so ensconced in the dignity of his office, that he should not be called to task for his own errors, or for the errors of those for whom he is responsible.

Presidents, like Senators and County Clerks, are people. They are fallible, and they have, in essence, asked for criticism by offering themselves to a sovereign people as temporary leaders.

I would not want you to think that I am asking the press to criticize President Eisenhower a little more, and the Democrats a little less, as has sometimes been asked of it. Let the press keep its shafts aimed at all those in public office, holding all to account for the full measure of their responsibility.

The right of the press to criticize is a treasured right that can never be taken for granted, because it is never entirely secure. In one sense, it is like a muscle, which will grow weak and useless if not constantly exercised.

If the habit of criticism wanes, so, inevitably, will the vitality of the free press itself. The natural energy of government, invited by a compliant press, will encroach further and further upon the diminishing scope of press freedom.

You—our hosts tonight—are men and women of the press. As long as you keep the free press strong, government will never fatally trespass upon the liberties of the people. But if you permit it to be weakened, government will inevitably encroach upon its domain—and the first chapter will be written in the book that could one day bear the title: "The Decline and Fall of American Freedom."

QUESTIONS WISDOM AND FORESIGHT OF HIGHWAY ENGINEERS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DINGELL. Mr. Speaker, throughout the land, citizens are questioning the

wisdom and foresight of highway engineers and planners and are rising up in protest against ill-conceived highway projects. Parks are being destroyed, neighborhoods displaced and people uprooted from their homes by highway projects, some of which have been on the drawing boards for years. While most planned highways have been justified on the basis of economic feasibility, little or no attention has been or is being paid to the environmental and social costs involved. All too often alternative modes of transportation are not being considered until after the decision to proceed with a highway has been made. Thus, total transportation system plans, geared to the needs of people rather than to accommodate a single means of transportation—the automobile—are ignored.

A case in point, and one which serves as an excellent example of what is happening in many places across the country, is the controversy evolving around I-66, a highway planned to be constructed through Arlington, Va., a suburban community located across the Potomac River from our Nation's Capital. Mr. Bright N. Springman, an Arlington resident, recently made a presentation before a group of local citizens concerning this highway. I ask unanimous consent that his remarks, which summarize feelings of a large number of Arlingtonians appear at this point in the CONGRESSIONAL RECORD:

PRESENTATION BY BRIGHT N. SPRINGMAN

Arlington, Virginia, known throughout the country as the site of one of our most hallowed shrines, the Arlington National Cemetery, is also an urban community, a pleasant home for many people. But like too many other American urban communities it is faced with the unpleasant prospect of a huge highway coming through. In Arlington it is an interstate superhighway which will literally cut the county in half, degrade the numerous pleasant neighborhoods along its path, destroy completely a national parkland, mar the renowned scenic beauty of the Potomac River above Arlington and Georgetown with yet another bridge, overrun the beautiful McCoy azalea gardens, and like some catalogue of horrors the destructive by-products of this unwanted and unneeded highway go on and on. Less than one-half mile from the resting place of our most honored dead and directly through the quiet residential communities of the living, through Dominion Heights, Maywood, Lyon Village, the Fort Strong Highlands, and through the community of Rosslyn will come another monstrous highway bringing to the river's edge 20 automobile lanes. Interstate 66 and 266 as these roads are known will, as officials of the Virginia State Highway Department blandly state, facilitate another 150,000 to 175,000 cars a day. Does the Washington metropolitan area need or can it stand another 175,000 cars a day? From the Virginia Highway Department the implied answer is that city congestion is somebody else's problem, our business is road building. Billed and funded as an interstate highway I-66, I-266 is a complete hoax. It is a commuter expressway for outlying suburban areas as everyone including the highway department is fully aware. The roads we have can handle the traffic coming from Strasburg, Virginia (the other end of I-66), what they cannot handle is the crush of rush hour commuter automobiles. Here is a situation crying out for fast, efficient, economical, pollution-free rapid transit, subway and express bus service—for modern mass transit facilities. Instead we are inflicted with a grossly overdesigned already obsolete superhighway.

In Dominion Heights the eight lanes of Interstate-66 will come within 150 feet of the Thomas Page Elementary School. In place of the tree-covered parkland next to the school the area will be covered with concrete, bringing noise, vibration, filth, and fumes to the children. It would be criminal, knowing what we do of the ill effects of such roads to build a school in this location. Is it no less criminal to build a highway next to the school?

A short distance away the highway passes the Washington and Lee High School covering adjoining parkland and a stream that has been used as a unique bio-ecological outdoor laboratory. What a bitter lesson for the students engaged in developing skills to aid our ailing environment.

Then, as the massive road approaches the river it swings through Spout Run Parkway, part of our National Park System, supposedly with the highest protection our nation affords its treasured parklands. There the destruction is unbelievable. Of the 31.6 acre of parkland, 17 acres or 54 percent will be covered with concrete! It is here I-66 divides, or rather multiplies, eight lanes cutting through the historic Fort Strong area at the west end of the park with another six lanes forming the I-266 approach to the now notorious Three Sisters bridge. Together with feeder lanes and access lanes the park supports 18 lanes of highways at one point.

One final degradation in this park will be the loss of Spout Run, a free-flowing stream—the namesake of the park. The road builders consigned Spout Run to an underground concrete culvert the length of the park. Here, unmentioned in the highway report to the people of Arlington, unmentioned in a special Highway Department report to Governor Holton, hidden within the maze of lines in the construction drawings is the final atrocity of I-66, I-266, in Arlington. Almost one mile of stream buried in a sewer pipe, a fact that the people of Arlington would have discovered only when the bulldozers and earthmovers were at work had it not been accidentally uncovered by citizens studying the highway plans. When questioned about the loss of Spout Run the highway engineer's response was—"an engineering necessity."

As the I-66 highway leaves the Spout Run Parkway and the deep cut through the Fort Strong Highlands it joins with an enlarged Lee Highway to form 14 lanes for the last mile to the river. Entirely covering a 350- to 400-foot wide corridor this road forms a veritable river of concrete that has probably never been duplicated in any urban area in our country. Mammoth, massive, a gigantic—words are powerless to effectively describe what will become a permanent disfigurement of this landscape. From the air it will be the biggest most visible feature in the Washington area. This monument to the road builders will make the federal mall look underscaled by comparison.

Altogether the damage described above takes place, not in a 20-mile stretch or a 10-mile stretch of highway but in the three miles of I-66, I-266 between Glebe Road, Arlington and the Potomac River. In this brief space of three miles over 7,000 mature trees will have to be taken for the highway. And as this tree cover indicates the I-66 corridor is largely parkland, parkland of prime recreational potential in a county short on parkland. Consider the large bird population, the numerous small animals, the unpaved land that makes the area so attractive to children. Consider also that trees produce oxygen, that they are right now our last best defense against the poisons of auto exhaust and other urban air pollution.

As it stands now I-66 ends at the beltway outside of Arlington. Perhaps if justice prevails it will never come inside the beltway—and our transportation needs will be met in a more intelligent, more humane manner. I-66 was planned long ago. In 1958 brief

hearings were held and the location approved. Since then the road grew to its present swollen size on the drawing boards of the Highway Department. Blind to all the changes in the last 13 years in our country—socially, technologically, environmentally, the Highway Department is adamant in refusing to reconsider any other alternative or even to discuss the merits of the road. It is a matter of record that in 13 years not one environmental study was made of this road. Only after strong citizen opposition formed after the designs were made public did the Highway Department hire an environmentalist, who is actually a landscape architect, to "refine" the highway. But even before this token accommodation was realized the State of Virginia Commission approved the project for construction and sent it to the U.S. Department of Transportation for 90-10 funding. That is where this appalling roadway proposal now rests—awaiting Mr. Volpe's decision. Recently Mr. Volpe referred to urban road building as a "brutally vicious cycle" of more roads, more cars, more roads, etc. He called it a "self-perpetuating disaster" for our cities. Nowhere could this description be more fittingly applied than to the I-66, I-266 roads in Arlington.

In conclusion and with some hope I quote a statement of February 8, 1971 by President Nixon referring to similarly ill-conceived construction projects such as the vetoed Everglades jet port, and the vetoed Cross-Florida Barge Canal when he said, "I have proposed to the Congress a sweeping comprehensive program . . . to end the plunder of America's natural heritage."

People in Arlington know exactly what the President means. Let us stop this senseless superhighway. Let us break with this nightmare out of the past and start building a better world for ourselves and our children. Let us stop this plunder of our land, of America's natural heritage.

I-66, Glebe Road to Rosslyn, 3 miles long.
I-266, Lorcum Lane and Spout Run Parkway to Three Sisters Bridge.

Dates of Hearings: I-66—1958 and September and December 1970; I-266—1964 and December 1970.

I-66 Acreage: 103 acres right of way, approximately.

Park acreage: Spout Run section of George Washington Memorial Parkway 31.6 acres. 54% covered concrete. 100% affected.

Stream loss: Spout Run .8 miles, Upper Spout Run 2, no name 3.

Trees loss: I-66—estimated 7,000 mature; I-266—undetermined number.

Lanes: 20 lanes at the river (600-700% increase over present three-lane corridor).

Local traffic: I-66 will not serve area traffic. Arlington residents will have limited access only at Rosslyn, Lee Highway and Glebe Road—not full interchanges. It will bisect established neighborhoods and cut off all local streets between Glebe Road and Lee Highway except Quincy and Lincoln. Streets cut will total 21 with six replacements.

Earth moving estimates: I-66, 1½ million cubic yards; I-266—300,000 cubic yards.

Schools: Noise, air pollution, and vibration will radically affect 2,405 students at two schools along the route. The Arlington Education Center is near the route.

I-66 between Glebe Road and the Beltway: (Design for this section of the remaining six miles have not been made public but a few of the design features and some of the affected persons and properties are known.)

Lanes: Eight lanes with Metro median.

Parks: Bon Air Park 21.7 acres, 5-10% affected cover. Other parks along the route which will be adversely affected and will be less accessible are Westover Playground, Madison Manor Park, and East Falls Church Park.

Schools: Radically affected by noise, air pollution and vibration will be Stonewall Jackson Elementary and St. Ann's (grades 1-8). The latter may be forced to close. There

will be adverse and negative effects on Swanson Junior High and McKinley Elementary. The School enrollment for these four schools is 1,997.

George Mason Junior and Senior High and the Mt. Daniel Elementary schools both operated by the City of Falls Church will be adversely affected, the latter more severely. The enrollment for these two schools totals 1,279.

HORTON PRAISES BEAUMONT NEWHALL, DIRECTOR OF GEORGE EASTMAN HOUSE—WORLD'S FINEST MUSEUM OF PHOTOGRAPHY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HORTON. Mr. Speaker, it is with mixed emotions that we consider the retirement of an outstanding man from a position of great responsibility and influence. So it is that we view the retirement July 1 of Beaumont Newhall as director of George Eastman House in Rochester, N.Y.

All who know this man for his eminence as an author, historian of photography, and museum director, cannot help but regret his leaving the post where he has, for the past 23 years, left an indelible mark on all facets of photography. We cannot do otherwise, however, than to wish him the greatest enjoyment and success in his newly chosen position as visiting professor of art at the University of New Mexico.

The George Eastman House, once the residence of George Eastman, is unquestionably the finest museum of photography in the world. While many outstanding individuals have contributed to its development and operation, a large measure of its success and prominence throughout the world can be attributed to the efforts of one man, Beaumont Newhall.

The position of director of the museum will continue to be in very capable hands, for at the time that Mr. Newhall's resignation was announced by Alexander D. Hargrave, president of the George Eastman House Board, it was also announced that the new director would be Van Doren Coke, deputy director since last July. Mr. Coke is eminently qualified for the top post and all who are interested in this great museum are gratified.

The announced departure from George Eastman House of Beaumont Newhall brought an outpouring of many tributes and much sentiment from throughout the Rochester community.

Andrew D. Wolfe, editor and publisher of the Brighton-Pittsford Post, wrote of Newhall:

The worldwide fame and recognition which the Eastman House has attained is owed in large measure to Beaumont Newhall's quiet perfectionism, his unsurpassed knowledge of photography, his gentle, but persuasive personality and his incredibly clear vision of the role which could be played by a truly great museum of photography.

When the cultural history of this area is appraised a century from now, the dimensions of his accomplishment will be fully recognized. He will be seen as the inventor of a new kind of museum—and as one of

the central figures in developing a recognition of photography as one of the important fine arts and possibly the most compelling communicative art yet developed by man.

In conclusion, as I join the countless others of his well-wishers in saluting this outstanding gentleman of photography, I share with my colleagues in the Congress some words that Beaumont Newhall himself wrote when asked to comment on photography and George Eastman House. I think they best of all summarize the impact of his years at the Eastman House and significance which photography holds for this country:

NEWHALL ON PHOTOGRAPHY

Photography brings to us images at once immediate and everlasting. Through the camera we can see vanished cities, famous men of long ago, the horror of the battlefield, the exploitation of little children, the textures and patterns and beauty of our earth from the earth and now from the orbit of the moon. Photography discovers while it records, fixes not alone the moment but, if asked, the microsecond. It can prolong our vision as well as sharpen it. Photography, as well as its inseparable brothers, motion pictures and television, is a medium that can be at once powerful and beautiful, a medium as persuasive and informative as the vision of those who use it. Our age may well be known as the visual age.

It is the mission of the George Eastman House to further photography, to explain its workings, to present its potentials, to preserve its history, and to indicate the position of this powerful medium of communications and expression in our culture.

OUTWITTING SENATE TO PAY THE THAI TROOPS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. WALDIE. Mr. Speaker, I want to include in the RECORD a third in a series of articles by Tammy Arbuckle which are appearing in the Washington Evening Star on his findings during his trip to Southeast Asia.

I have been struck by the alleged deception by our Government that Mr. Arbuckle has uncovered. I think we have all been disturbed, although not surprised, by the recent disclosure of the New York Times that in the previous administration such deceptions were thoroughly planned and that the Congress was intentionally misled in those very areas in which its authority lies.

Are we here faced with the realization that these sorts of practices are also being carried out by the present administration?

I request the attention of my colleagues to this article and also request that consideration be given to the investigation of the allegations contained therein, that is, that the Congress is being deliberately manipulated and misled. The article follows:

OUTWITTING SENATE TO PAY THAI TROOPS

(By Tammy Arbuckle)

VIENTIANE.—The Nixon administration reportedly has a new gimmick ready to pay for Thai troops in Laos if the Senate pro-

hibits funds for the Thais, informed sources here said.

The gimmick is to hide payment to the Thai troops serving in Laos in funds earmarked for Thailand itself.

Formation of a force for anti-guerrilla activities in northeast or northern Thailand will be announced," the source said. But these Thais will be sent to Laos and the money for that force will be used to pay for the Thais already serving in Laos."

The sources had no doubt this scheme would succeed. They said that although many Thai regular units were used in Laos, the Thai government as a whole was not fully informed of the situation.

The U.S. government, according to the sources, makes lump sum payments or bribes high-ranking members of the Thai army and government for the use of these units.

Some units are totally recruited from northeast Thailand, where Lao is the ethnic tongue, using the same system.

Recruiting is done there with the help of Thai military commanders. Sources gave this response to questions on feelings among Lao military officials following statements in the U.S. Senate about cutting the financing of Thai troops.

Now you can see why the (Lao) generals are not worried," sources said on the Senate outcry.

Another Lao source said you must understand we need the Thais."

None of the Lao generals was willing to send reinforcements to Gen. Vang Pao, the 2nd Military Region commander whose Meos have been taking the brunt of North Vietnamese attacks in north Laos.

Lao military sources said Premier Souvanna Phouma himself requested additional help for Vang Pao, who lost most of his able-bodied Meos in action.

Meanwhile, Thai troops in North Laos are taking serious casualties, now estimated at 700 killed in action, over half of them this year.

The high casualties were caused because the Thais, with some bravery, made infantry charges up the hill slopes at Ban Na on the edge of the Plain of Jars against dug-in Vietnamese machine gunners. Lao troops who did not expose themselves to fire in the same action, suffered few casualties. "We did not just charge up the hills like the Thais. We were acting independently," said a source.

Thailand's two battalions which took part in the Ban Na attack were further decimated by three accidental U.S. air strikes on them. These U.S. errors took place on April 1, April 4 and April 6 this year on Thai battalions 904 and 600.

Thirty seriously wounded Thais were taken to Udorn hospital in northeast Thailand and 40 more were treated at Long Cheng.

All told an estimated 100 Thais were killed on the slopes near Ban Na, where the incidents happened.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 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?

A NEW GOAL FOR THE SEVENTIES

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HARSHA. Mr. Speaker, in 1966, the Congress passed legislation dealing with highway safety which was designed to provide the legislative wherewithal for mounting a nationwide campaign for safer highways. I am sorry to report that from the outset this program has been hampered by a shortage of funds—particularly in the area of research, development, and implementation of effective countermeasures for the problem of the drunk driver.

According to the National Safety Council, over 55,000 people died, 2 million people were injured, and over \$8 billion in property damages were sustained as a result of traffic accidents on the Nation's highways last year.

This is an appalling squandering of lives and treasure. The gravity of the situation is illustrated by the fact that highway deaths outnumbered combat losses in Vietnam over the same period by a margin of 10 to 1.

To me, one of the most disturbing aspects of these tragic statistics is that problem drinkers were a factor in almost half of all highway mishaps in which a death resulted. It is my conviction that the national outcry for strict legislation placing the burden of guilt on the problem-drinking driver should no longer go unheeded.

For this reason, I direct the attention of my colleagues to an article published in the recent addition of *Analogy* magazine entitled "A New Goal for the 70's" by Douglas V. Toms, Administrator of the National Highway and Traffic Safety Administration of the Department of Transportation.

This article discusses two questions: "Does the public really want drunk drivers off the road?" and "How strict does the public want drunk driver law enforcement to be?"

I commend this article to my colleagues and include it in the *RECORD* at this point for their consideration:

A NEW GOAL FOR THE 70's

(By Douglas V. Toms)

One trillion, 71 billion miles of highway travel is an incomprehensible number, an incomprehensible distance to those of us for whom the automobile is merely a means to get from here to there. Yet that is the mileage total rolled up by Americans in the United States alone in 1969. The estimated total for 1970 adds 43.4 billion miles, a five percent increase.

If many of our highway safety problems seem to defy solution today, they take on truly frightening proportions in the light of the prediction that these mileage totals will increase by half again in the 15 years ahead. The increase will bring parallel increases in the number of drivers, especially youthful drivers, and in the consumption of alcohol as well.

Confronted by this multiple challenge, the National Highway Safety Bureau has given top priority rating to two companion programs for highway safety—alcohol countermeasures and crash survivability. Concerning the former, a recent Allstate pamphlet posed

two questions which go to the heart of any program that aims at public support for control of the drunk driver; first, "Does the public really want drunk drivers off the road?"—and second, "How strict does the public want drunk driver law enforcement to be?"

To the first, the answer undoubtedly is "Yes"—but with reservations in some respects peculiar to the American public. These "reservations" have made an attack on drunk driving historically difficult. They are therefore a first target for the Bureau's countermeasures.

Fundamental to American apathy is the fact that about 75 percent of our licensed drivers drink, and it is probable that most drive after drinking, at least occasionally.

Thus, the majority of American drivers feel guilt in dealing with the enactment and enforcement of drinking-driving laws. Recent research however, suggests that it is not the moderate user, but rather the abusive user of alcohol who is most frequently involved in fatal and serious highway crashes. As a result, our current drinking-driving laws are aimed at excessive consumption, two or three times that typical of most moderate social drinkers.

Most Americans fail to understand this distinction between moderate consumption and the excessive levels prohibited by law. Thus, they assume that individuals arrested for this offense have "just had two beers," and were just unlucky to be caught—"There but for the grace of God go I," is the reaction of all too many jurors, judges, and legislators. "Yes," the public wants drunk drivers off the road—but not if it means less of their own driving privilege for "the 75 percent."

The alcohol countermeasures effort aims, first, at bringing public understanding that the average social drinker who used alcohol responsibly, need have no such fear; second, the effort attempts to produce a better understanding of the problem drinkers who are most frequently involved in fatal or serious crashes related to alcohol.

Case histories of these "problems" show, almost invariably, repeated arrests for drunken driving, or other arrests in which alcohol was a factor. Many show additional social maladjustments, including treatment for mental disorder and job absenteeism arising from alcohol abuse. Common to most is a variety of abnormal traits underscored by marital, legal, and economic difficulties—all alcohol related.

In contrast, what of—the social drinkers—and their relationship to highway safety?

They do occasionally drink excessively before driving and become involved in a crash. But most research studies suggest that the large mass of social drinkers are far less likely to be involved in serious highway crashes than the problem group—even though the problem drinker is outnumbered almost 9-to-1 by his social drinker colleagues. While a measurable impairment to driving skill probably occurs with any drinking, the drivers and pedestrians whose contribution to the highway death toll is a sickening 50 percent, are not 1- and 2-drink drivers, but are predominately problem drinkers—and, to a lesser extent, heavy "social" drinkers who have consumed far more than the ordinary, responsible person.

The alcohol countermeasures effort, therefore, recognizes this first requisite for wide public support: that the average American driver does occasionally drink in moderation, does drive, does reach his destination safely. As a result, programs stressing abstinence before driving are not likely to be effective. The public will not support a stringent program aimed at itself!

On the other hand, the public, once aware that the problem drinker is identifiable as a small percentage of the whole—given to heavy and habitual alcohol abuse, and accounting for a third of all highway fatalities—can be expected to give the total sup-

port necessary to achieve control of the problem drinker, and prevent his use of the highways when he is drinking.

"How strict will the public become?" Just as strict, the Bureau believes, as it *must* be to achieve permanent control of the problem drinker-driver.

Alcohol countermeasures will utilize each of three basic means for identification of the problem drinker. These include highway apprehension, identification through individual court records, and profiles made available through health and social agencies.

A primary requisite for apprehension is the chemical blood test, together with laws establishing the "line" between legal and illegal blood alcohol concentrations. Here, again, the public must be brought to an understanding of the wide gap between the social drinker's normal "achievement" as to blood alcohol concentrations, and the problem drinker's frequent—though far higher—BAC attainment.

BAC is a term meaning percentage-by-weight of alcohol in the bloodstream. The heavy drinker often and habitually attains a BAC of .15 percent; and some frequently attain levels of .20 or even .30 percent! For the 120-pound drinker, indulging his habit within two hours after eating, a BAC of .15 percent requires no fewer than seven one-ounce drinks of 86-proof whiskey; all to be consumed in one hour. Taken on an empty stomach, the same drinker would reach the same state of intoxication with one-third less quantity.

By comparison, the social drinker rarely exceeds blood alcohol concentrations exceeding .05 percent; tending to drink less and tending to spend more time in the process. Since the body normally eliminates alcohol from the system at the approximate rate of one drink per hour, it becomes a theoretical possibility for one to consume alcohol at this same rate—over a long period of time—without ever attaining a critical BAC reading.

Along with the devices to measure BAC—supplied to highway patrols in sufficient quantity—improvement in highway apprehension and arrest will continue to call for enactment of "implied consent" legislation in all of the states. Requiring that each citizen who takes out a driver's license agree, in advance, to submit to chemical blood tests if confronted with a drunk driving charge, the implied consent statute poses no threat to the innocent. There is even little statutory threat to those whose BAC readings remain below .08 percent—the lowest level at which drunkenness is legally presumed (in Utah, only). Twenty-five states have set this presumptive level at .10 percent, while 21 states and the District of Columbia specify a presumptive level of .15 percent. In three states, their "presumptive" BAC levels are interpreted as "proof" of drunkenness; Delaware and Nebraska, .10 percent; New York, .15 percent.

An obvious need, of course, is uniformity throughout the states, in regard to the presumptive level and in the methods of BAC measurement. Three states have no legislation whatever that is applicable to BAC measurement.

The National Highway Safety Bureau recognizes that even with strong public support and a greatly improved record of identification and apprehension, the goal of ultimate control must rest with U.S. traffic courts and the juries. Safety professionals have long recognized that heavy fines and the penalty of license revocation have failed as total answers to the drunk driving problem. Misplaced sympathy, as between judge and the accused, of judge and the family whose breadwinner is threatened with loss of license—and job—is easily as widespread a fault of the system as the indulgent jury which fails to convict despite overwhelming evidence.

The thrust of the counter-measures pro-

gram which aims at fuller public understanding will be aimed at the judiciary as well. Pre-sentence investigations will be urged in order to establish the extent of the accused's drinking history and problem. An end to leniency will be urged, where the violations have been repeated and flagrant. A drive to provide better treatment techniques and facilities will point the way toward revocations which are reinforced by means to rehabilitate and then return the problem drinker to job and family.

Finally, the heart of the NHSB countermeasures program lies in the development of community action demonstration programs which will involve the American driver at home, in his own community, "where the action is." The total program calls for at least one such demonstration project in every state, others in larger cities and special areas with unique potential for effecting "cures" of the problem.

Nine of these demonstrations, an aggregate allocation of \$18 million in Federal funds, are already in the opening phases of operation, as announced by U.S. Secretary of Transportation John A. Volpe last June. Each of these will operate over a three-year period and encompass a variety of specifics directed toward curbing alcohol-related, highway safety problems. The first nine, termed alcohol safety action projects (ASAP), together with a brief description of objectives, are as follows:

In the Denver metropolitan area, the Colorado State Department of Health will implement and evaluate a broad program aimed at identifying the problem drinker-driver; controlling his driving while he is being rehabilitated; and improving surveillance and follow-up of offenders.

In Oregon (Portland), identification of drivers who drink abusively and then drive; development of community programs to control and rehabilitate problem drinkers.

At the University of Wisconsin (Marathon and Sheboygan counties) there will be developed four countermeasures descriptive categories: driver education, driver licensing, driver control, and community education.

In Washtenaw county, Michigan, major operational programs will be examined: (1) the use of protective drug Antabuse for the control of problem drinkers who drive; (2) early detection and control of other problem drinkers who drive; (3) a comprehensive information and education program designed to alter favorably the driving-after-drinking behavior of the public at large.

In Washington state there will be established and evaluated a broad program involving treatment, education, surveillance, and information.

In Albuquerque, New Mexico (Bernalillo county), countermeasures will reduce the incidence of persons with high blood alcohol concentrations who drive, will improve identification of problem drinkers who drive, and will initiate programs to modify the behavior of problem drinkers in general.

In Nassau county, New York, alcohol countermeasures will begin major programs of rehabilitation and prevention.

In Mecklenburg county, North Carolina (City of Charlotte), there will be implemented broad countermeasures programs involving public information-education and improved court procedures for better enforcement.

In Vermont, State Department of Mental Health, an effort will be made to document the nature and extent of the current alcohol safety problem within the state and to develop a detailed plan of action. Countermeasures programs will include surveys of the needs of drivers having license suspensions or revocations; there will be developed predictive psychological-biological profiles of drivers from licensing examinations; and enforcement on the highways will be intensified.

Looking ahead, states and communities may expect an accelerated effort by the Bureau aimed at reduction of all alcohol-related highway deaths and the nearly one million crashes each year that maim and disfigure. The goal is a 50 percent reduction during the decade of the 70's. The Bureau predicts positive results through "fifty-fifty" state-funded programs, activated under Section 402 of Public Law 8954, and by community programs utilizing 100 percent funding under Section 403.

Maximum effectiveness of both state and community effort will hinge upon voluntary personal involvement of people—concerned action at grass roots level. At the least, the concerned citizen will be urged to join in the creation of community alcohol safety organizations, seeking better and innovative local programs for reduction of alcohol-related highway fatalities. There is nothing obscure about the national problem—an aggregate of highway deaths topping 500 a week.

These community alcohol safety organizations would develop a stream of pertinent facts. They will begin examination of their own enforcement systems; improved detection of problem drinkers, the availability of blood alcohol concentration chemical tests (three states have no chemical test laws); they will examine the record of prosecution and convictions, or failures of the judicial process. They will investigate treatment programs for problem drinkers; the potential laxities in enforcement of driving suspensions; the record of repeaters and apprehensions, arrests and convictions, for "DWT".

The problem of identifying the problem drinkers may be approached in many ways. One way would be the wider use of the National Driver Register service by the states.

In passing the National Traffic and Motor Vehicle Safety Act of 1966, Congress took special note of the National Driver Register, a Federal-State cooperative, driver license exchange. If properly used, this becomes a single-national source for locating records that the problem drivers have established throughout the states. It can be an early warning system, alerting traffic safety authorities that a bad driving risk is trying to slip through the safety net after being denied an operator's license in another state. Forty of the states report all types of driver license revocations or suspensions. Ten submit transactions applicable to intoxication, driving, and fatal accident involvement.

More thorough use of the National Driver Register by all the states could be a big step toward eventual control of the drinking driver problem.

The NHSB seeks public support for its alcohol safety countermeasures program from national voluntary organizations, educators, medical, and psychiatric professionals. Plans aimed at greater public support and initiating a massive public education campaign, include a January 1971 alcohol and highway safety conference for women's national organizations convened by the Bureau. The conference brought together women's leaders and safety practitioners from Federal, state, and local governments, industry, universities and professional and volunteer organizations. Research information from this source and similar activities will be shared toward the end that more effective action programs may be initiated.

Finally, research and development activity will serve an important role in alcohol safety countermeasures. The range for study is virtually unlimited. Leading universities have been commissioned to identify characteristics of problem drinkers, to offer recommendations in techniques for retraining them, and to assess the role of drugs, and drugs in combination with alcohol in highway crashes.

Similarly, systems are being produced for detecting the presence of alcohol and drugs

to which some drivers are addicted, improved protective drugs to discourage drinking and driving, and new interlock devices capable of making the motor vehicle inoperable for the intoxicated operator.

For the Bureau's Countermeasures program, however, the principal research tool must be those procedures by which we evaluate the overall effectiveness of our community programs and its individual segments. Much is to be learned for future application. It is the Bureau's intent that success will breed success, that successful demonstration will not die as Federal funding terminates but will, in its own right, earn the support and funding of local sources.

The national target of the Alcohol Countermeasures program is the 28,000-plus highway deaths caused by abusive drinking each year. A very significant reduction is attainable, through an informed American public determined to stop the needless killing.

"NEW ARTS LOCUS?" AN EDITORIAL FROM THE CHRISTIAN SCIENCE MONITOR

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD an editorial entitled, "New Arts Locus?" published in the Christian Science Monitor of May 29, 1971.

The editorial follows:

NEW ARTS LOCUS?

This week's cultural events in Washington can be viewed two ways:

One can compare Mr. Nixon's \$60 million arts-humanities proposal for fiscal 1972 with, say, the administration's \$250 million parachute for saving Lockheed, or with the per capita government outlay for the arts in European countries such as West Germany. Looked at this way, to be sure, support for the arts in America still is a rather low government priority.

However, when one recognizes that the \$60 million is double what was sought last year, and that Mr. Nixon appears to be sincerely trying to get Congress to fund his budget request, Washington appears to be trying to arouse itself from its long-time cultural somnolence and to actually fund the arts nearer the level they deserve.

A second plus for the arts was registered in Washington this week as the legacy of previous administrations—the preview benefit held for the John F. Kennedy Center for the Performing Arts, which will officially open this fall. The building will house a 2,200-seat opera house, a somewhat larger concert hall, an 1,100-seat drama theater, and a smaller film theater.

Hopefully, the Kennedy arts complex will help generate another locus for the American arts, in the nation's capital. As it is, most major visiting groups from abroad customarily go first to New York. To the degree that Washington may rise as a reception point, the image of the government as open to the arts will improve. And more significantly, if vibrant resident Washington companies can be created in opera and theater, perhaps a stronger pattern for support of the arts will be encouraged across the country.

This said, there is no denying that Americans ought to do still more for the arts. True, the United States is still on balance the most energetically creative country in the arts. But this is more the happenstance of an indigenous artistic ferment, occurring against the grain as it were, than the result

of public nurturing. Indeed, the strongest support for the arts has come from the private foundations and the universities, not from public coffers.

The times are financially perilous for culture. Many city museums are having to close certain wings. Even many city libraries are having to cut operations. Whatever distance, therefore, Washington can progress in support of the arts should be welcomed.

JOBS—THE REAL CRISIS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, the Senate-House conferees continue on Thursday, June 17, on the emergency employment legislation recently passed by both bodies—despite repeated rumblings that a Presidential veto is imminent. It is for that reason I wish to call attention to the widespread predicament that those in "secure middle-class suburbia" as well as the decaying inner cities find themselves. The dilemma is simple—no jobs, but the resulting problems and possible solutions are not simple. The administration's answer to this has been first, to attempt to substitute manpower revenue sharing for public service employment, and when that attempt failed, to create certain specialized counseling and work-hunting programs.

Mr. Speaker, the engineers and technical people who make up a large part of the unemployed do not need retraining, relocation expenses and employment services as much as they need a job at the end of the line. The economy of the private sector has already demonstrated its inability to absorb these people; both the skilled and the unskilled are filling the welfare rolls.

The Bureau of Labor Statistics shows May unemployment rate nationally of 6.2 percent, which is a return to the 9-year high of December 1970. But a closer look at the recent figures reveals a much bleaker picture:

The average duration of joblessness lengthened in May, primarily reflecting a sizable increase in very long-term unemployment. The number of persons unemployed 27 or more weeks rose by 150,000 over the month to 580,000 seasonally-adjusted, the highest level since May 1963. The average (mean) duration of joblessness increased from 10.9 weeks in April to 11.5 weeks in May, nearly 2 full weeks above the 1970 high reached in December.

A sad and perceptive article written by an unemployed technical writer goes to the heart of the fallacy that training and education can solve everything:

There is a satisfying notion that employment is related to education. We have been told that any number of jobs are available if only people with education and experience could be found to fill them. For many of the unemployed and underemployed, these assumptions have become a cruel hoax.

The article follows:

[From the Washington Post, June 6, 1971]

JOBS, THE REAL CRISIS

(By Keith W. Bose)

Bose, author of the book "Aviation Electronics," was dismissed from his job as a technical writer a year ago. At 49, he has been unemployed for eight of the past 12 months. This article was written for the Long Island daily Newsday and was distributed by the Los Angeles Times-Washington Post News Service.

I am unemployed. I am not part of an ethnic minority. My great-grandfather voted for Abraham Lincoln and wore Union blue. I am part of an increasing number of so-called "middle-class" unemployed who are now viewing the splendor of the nation's economy from its soft underbelly. Our numbers will increase in this new decade. We are only the vanguard of future legions as 20 million more workers come of age in the next 10 years.

Many of Richard Nixon's Silent Majority are discovering that only the thickness of a regular paycheck separates Middle America from the slum. In our preoccupation with the superfluous glitter of the affluent society, we have failed to discover that true affluence must be backed by ownership. Middle America does not hold title to its affluence.

We are not true bourgeois, for we are unprotected. We buy precarious status on time payments. Our chattels become worn-out and obsolete when title passes to us. Our "affluent" consumer economy is a vast parasite feeding on our earnings, and neither frugality nor industry will help us escape.

There is a creeping sensation of futility which follows the white-collar worker to his job these days . . . a feeling of being an expendable pawn in an economic system which does not, in fact, include human service in the tenuous fiction of the Gross National Product. The white-collar worker suffers from a pitiful lack of bargaining power. If Black America is crying for recognition, White Middle America is praying that the myth of indispensability will endure.

HUMAN SURPLUS

Behind the facade of white stability lurks the haunting realization that the economy as presently constituted has a gargantuan surplus of white-collar workers. It is finally becoming possible to garner bland statistics to support facts which the Middle American has felt in his homes for a long while—that more and more workers are becoming surplus and therefore fall under the control of Parkinson's Law: Trivial, superfluous work expands as more and more people become available to do it.

Those who want to understand Middle America must understand that the maintenance of uninterrupted regular wages is mandatory to our very existence. If we appear uninterested in the politics of government, it is because we are consumed by the politics of keeping our job. Without our regular paycheck, we become indigent wards. We know that the constitutional guarantee of life, liberty and the pursuit of happiness has a hollow sound when our income may be unaccountably destroyed without the intercession of judge or jury. Lawyers are not willing to defend WASFs who have been fired.

An unemployed middle-aged former department head of an electronics firm tells it this way:

"At 4:30 on Friday I was called into the conference room. Charlie and Phil were sitting there with a small pile of papers. I sat down. My hands were sweaty.

"Charlie began the conversation. 'As you know, business is off. We are going to have to terminate you effective today . . .'

"I didn't have any witnesses with me,

and they had each other covered. They gave me papers to sign. I asked to be allowed to take them home first to look them over.

"Phil said, 'You will have to sign them now so we can clear you by 5 o'clock.'

"And that's how it was. After 25 years—the bastards terminated me in 15 minutes."

"MIDDLE-CLASS WELFARE"

The psychological pressure on us is soul-destroying. Soon in our careers we trade ethical and professional judgment for a regular salary. We were compromised. Buried in the trivia of our "career," we drifted without protection along a debt-ridden path to nowhere. For many of us, outstanding skill and moral judgment were a hindrance.

There is a satisfying notion that employment is related to education. We have been told that any number of jobs are available if only people with education and experience could be found to fill them. For many of the unemployed and underemployed, these assumptions have become a cruel hoax. The honest need for mechanical, electronic and other specialists was met long ago.

Some sections of the United States have been shocked by unemployment in the aerospace industry. We had forgotten that government-sponsored industry sparked earlier growth.

World War II and Korea thrust manufacturing into the peaceful potato fields. During the '40s and '50s military aircraft poured from runways. But as the 1960s dawned, large-scale production of military hardware faded. To get contracts, firms doing business with the government pushed for glamor products framed in the mystique of "systems design," which featured large proportions of engineering personnel with fewer blue-collar production types.

On the surface it would appear that the "defense worker" is well-paid for trivial work, hence more fortunate than those burdened by the competition of a free marketplace. Unfortunately, the defense worker was not as well off as it seemed even before the present massive cutbacks. Many jobs in Pentagon-sponsored work do not exist in ordinary commercial enterprises. Once a worker accepts this line of endeavor, he is forever doomed to depend upon the vagaries of Pentagon contracting for his lifework.

A few days ago, one unemployed systems engineer, sitting in his tastefully furnished living room, exploded: "The aerospace industry is middle-class welfare in disguise." These are bitter words, and many would like to dismiss them as sour grapes.

But it would be interesting for someone to examine the curious process whereby millions of middle-class Americans are able to find a job in the first place. Examination of the "help wanted" section finds many exotic specialties. A recent newspaper lists:

- Manpower development specialist
- Production traffic analyst
- Quality assurance supervisor
- Logistic control engineer
- Financial aide
- Planning analyst

All of these positions stipulate graduate degrees coupled with ponderously described past experience. Sometimes these jobs disappear when business sags—a process which appears in the financial pages as "trimming the fat." And few businesses are immune from fat-trimming. Edward Booher, a vice president at McGraw-Hill Inc., told The New York Times:

"We've reduced our staff five per cent across the board, or about 250 people, since last fall . . . I wouldn't say it was just because of the recession. We've grown so fast we found that we had to stop for a while and start eliminating some duplicate functions."

In such a way we describe 250 human tragedies. Now there are 250 souls adrift

among the statistics, none of whom can become "manpower development specialists," "planning analysts" or God knows what because a vast, coercive mechanism has been erected that is weighted heavily toward the employer with jobs to offer.

BUYING SLAVES

A familiar psychological ploy is to capture the loyalty of the mediocre professional by paying him far more than he can earn anywhere else. This ancient technique is always good for a faithful slave. It is a characteristic of Pentagon-sponsored firms, since the government picks up salary tabs. Yet it is dangerous to assume that unemployed professional workers are dolts who may be neglected by politicians.

Figures presented by the shamans of the Bureau of Labor Statistics are being called a fraud by a loosely organized group of unemployed professionals who spend time between job-hunting in research. One unemployed engineer has discovered that 67,000 engineers have disappeared from the government count over the past year. "When an engineer becomes a taxi driver and gets laid off, he is no longer an engineer but an unemployed taxi driver, according to the government. I never had much confidence in bureaucracy, but now I am losing confidence in government itself," he says.

"Unemployment percentages are a political device. Such figures as '7.9 per cent' imply great accuracy, but the statistical sampling processes are never questioned," says another. Employment in Pentagon-sponsored industry is down by 30 per cent. It does not seem possible for this many specialists to have found re-employment in the depressed civilian economy. It would be more logical to assume that these men are unemployed or partially employed, and have disappeared from the population count of the Bureau of Labor Statistics.

The key to Middle America is silence. When Richard Nixon pandered to his Silent Majority, we responded with the smug assumption that we were silent out of inherent dignity. Now we are unemployed, and we are agonizing with introspection. Richard Nixon insulted us by calling attention to our silence. Did he know that we were silent out of laziness, stupidity and fear?

Laziness is unpleasant to admit. We have basked in the fiction that Americans are ambitious. But for the hundreds of thousands of middle-aged men now unemployed, we cannot look back upon evidence of ambition. Our adult lives began when we were drafted for military service. The furor of the media over Vietnam hides the fact that the life of an American serviceman is easy by international standards, and disgracefully few soldiers ever really fight. Even in the fury of World War II fighting, only a handful of soldiers were in actual contact with the enemy and therefore in any amount of real danger. For those serving in Germany or Japan after World War II, life could be absolutely idyllic.

After brief military service, as new adults we became eligible for subsidized college attendance under the GI Bill. College during the '50s was more an exercise in conformity than an intellectual experience. That was the beginning of our stupidity, in the days of the organization men who passed psychological tests and believed that the world cried for their services in vague contributions which still remain undefined. That was the decade when 2,400,000 of us accepted "professional" and technical jobs.

Professional life for us became an exercise in trivia, relieved only by the pleasures of split-level materialism. Buried in a job characterized more by jargon than the discipline of honest technology, we took little interest in politics, and we are baffled by the political gimmickry of today's campus.

But millions more workers have come of age, and gradually, over the past decade,

competition for jobs has grown vicious. At some point in the life of every idealist comes the discovery that the virtuous worker is not necessarily rewarded. There was probably a time in a pristine economic order when lower-level workers could find a small measure of security simply by doing their job. Today craftsmanship and excellence are nostalgic relics.

As the economy exploded during the 1950s garrulous young personnel officers circulated pleasant rules for management-employee relations. The cult of "professionalism" guaranteed civil and amenable relationships. It was by and large a happy time for Middle America.

Now much has changed. We were seduced by the glittering market-place, and now we have been left alone and helpless to contemplate the birth of the bastard conceived in a drunken liaison when we fancied ourselves a legitimate part of the relentless economic power structure which now mocks us.

A MASSIVE IGNORANCE

Few of us read well and our ability to communicate in written English is a travesty, highlighting the fraudulent educational process which produced us. Aside from the elusive requirements of our daily tasks, we have added nothing to our knowledge which cannot be presented on a 19-inch screen.

Vaguely we realized that we had no trade skills in the accepted sense. At some point in our careers we became conscious that we had no profession at all, and we hungered for a secret jargon to protect us, as hippies devise secret words.

Our political naivete is appalling. We have no idea who the men are who finance our local congressmen, and many of us do not even know the name of our congressman. We have been taught that power itself is in bad taste, and we shy away from coalitions, workers' unions and meaningful community relationships. We are dimly able to perceive that politics is a power game based upon the art of careful lies, but remain so ignorant as to fall for the most superficial falsehoods.

Our burgeoning suburban neighborhoods are unlike the immigrant neighborhoods of an earlier day, whence we allegedly came. We lack the organization of family ties, parishes and clubs of those early days, and cannot even call upon the paternalism of a local political boss when circumstances crush us. We men haven't even the good sense to congregate in a corner bar to exchange homely wisdom.

Being unemployed forces us to become amateur politicians and economists. In the pursuit of this new interest, we unemployed people know that credit manipulation and Federal Reserve currency maneuvers are a long way from producing jobs in an economy which will be joined by 20,000,000 new workers in the next 10 years. Black Muslims are closer to reality when they propound the religious tenet that America will never be able to furnish enough jobs for the millions of white unemployed, let alone 20,000,000 blacks.

So much for our laziness and stupidity, but what about fear? Imagine us in our black hornrims, clad in wrinkled Bond suit, clutching our briefcase of miserable trivia, hurrying through our bureaucratic halls. What do we fear? Maybe it is our own ignorance.

THE ISSUE IS JOBS

By now my plaintive theme should emerge: that the tragic issue of the United States is not even being debated. The population of America has increased by 26,000,000 in the past 10 years. Each day industry learns to produce more by using less people in honest work. The pressure is being felt throughout the working force. Nothing in economic theory will give these surplus citizens power to bargain in the marketplace for their existence as human beings, let alone defend con-

stitutional rights. We are coolies, hiding in the tinsel of suburbia. Civil laws are a means of pious bargaining for power, from which we are excluded. Outworn class codes of conduct have only allowed us to be manipulated.

The largest, most powerful institutions of America are those which administer to our surplus population. That explains the enormous growth of colleges and our military establishment. The inherent characteristic of any military establishment is that it provides the means of occupying the services of legions of men. In World War II, we mobilized 13,000,000, although at the peak of the fighting in Europe only 250,000 were in contact with the enemy.

Incidentally, with all these removed from the labor force, we still outproduced the world. The fatuous argument that modern warfare requires vast numbers of rear-area troops explains nothing. Vast legions of support troops are a peculiarly American characteristic.

Looking back on my life so far, I am impressed with the tragic waste of human potential in our system, and this is a terrifying paradox. Our unemployment rate is the greatest in the Western nations, yet so much is dying with neglect. We have become a nation of mythmakers. We do not have a racial problem—we have a problem of unemployment. We are feeding the black man with the cruel lie that through education he will become a productive worker. Then we spend billions on glamorous electronic computers when we have millions of wasted human brains with inherent properties of reprogramming and memory recall far beyond those of any computer.

In the history of civilization, America has now added a new face—the throw-away, pop-culture. Among the billions of tons of nonreturn bottles and sad hulks of automobiles, we have now added the middle-class worker. Experienced technical workers and middle management are added as layoffs continue.

I entered adult life just as World War II erupted. That was the beginning of the economic orgy which is now sputtering to an end, even though the President of the United States has finally discovered Keynes.

During the early 1940s, I watched men who would make good peacetime lieutenants or majors become bungling division commanders. After the war came the freeloaders. The freeloaders sprang from nowhere as polywogs in a casual puddle become hopping, croaking frogs. The rapid expansion of an artificial money supply puts freeloaders everywhere. They come from business, the scholarly professions, military life. You find them advising the President, milling about a bloated campus, working for the Chamber of Commerce, choosing targets for supersonic bombers. Many have now climbed onto the kiddie bandwagon, cheering campus idiots and finding profound meaning in the half-baked mouthings of bored kids. These are the men who claw to the top by trafficking in cruel myths... ambitious dullards who manage to extract tenure from tenuous fiction.

A HOPELESS CASE?

As the 1970's progress, I am sadly looking into the bleak premature end to my productive life. I am the vanguard of surplus humanity, cast aside when an artificial money supply would no longer reward us for remaining silent in the face of moral, ethical and institutional decay brought on by the overproduction of trivia. Now that I have lost my meager salary, I have little more to lose. Now I speak freely about the feelings that I was paid to suppress throughout 25 years of service to a grotesque machinery that brought me nothing.

And as Montaigne, "I speak truth, not so much as I would, but as much as I dare; and I dare more as I grow older." I cheered when

Spiro Agnew castigated his "corps of effete snobs," not from glee, but from bitter sadness. I am an American without voice. My thoughts find no value in the marketplace.

I am compelled to conclude my plaintive remarks by noting that they are not aimed at the so-called Establishment, or any contrived group. I am only pointing out a problem of great magnitude, an insidious, creeping, treacherous problem that those who are victims cannot voice.

America has a dangerous problem of unemployment, and it is growing. The highly visible presence of theoretically disenfranchised minorities is only the manifestation of an economic fact: the United States has always had the highest unemployment rate in the Western world.

For those who would fondly retreat into the verbiage of worn-out ideologies, I would point out that the tired clichés of the Left—the dogma Karl Marx propounded on the kitchen table of his London apartment more than a century ago—have run their course. Apple-pie Americanism is a grotesque cotillion of the selfishly conservative right wing. From Marx to Keynes, the assumption has been that the intelligent and educated will always find their services of value in the human marketplace. This notion is reaching an ignominious end.

When we focus on the bare skeleton of any economic scheme of things, we must admit that compensation for useful labor is a classic form of legally recognized distribution of money to the populace. The system is breaking down because we have contrived a socioeconomic system which denies the vast bulk of society the right to perform economically useful services.

Maybe it is time for us to redefine work . . . then get back to work.

LACK OF JOBS FOR ENGINEERS MAY WORSEN

A space agency consultant has predicted that, despite all current efforts to reverse it, the unemployment of scientists, engineers and technicians will double by the end of 1971.

The consultant, Ellis Mottur, of George Washington University, estimates in a report recently submitted to the National Aeronautics and Space Administration that the number of jobless in the technical field is now 100,000 and will increase to 200,000. Included in the higher figure are 27,000 June science and engineering graduates who may fail to find jobs.

The Labor Department, meanwhile, was set today to announce further details of President Nixon's recently announced \$42 million program to alleviate the situation. Among these details:

An unemployed scientist be assisted by up to \$500 to cover out-of-pocket expenses to travel to job interviews.

He could get an average of \$2,500 in training for a new kind of job. Much of this training will be on-the-job, with the federal payment covering up to \$100 a week of his wages.

He could be reimbursed for up to \$1,000 in moving expenses if he were to get a new job in another city.

The Labor Department, under strong pressure from the White House to get the program rolling, has identified 14 areas of high aerospace and defense unemployment where the program will get under way.

They are Huntsville, Ala.; Los Angeles, San Diego, Orange County and San Jose, Calif.; Cape Kennedy, Fla.; Wichita, Kans.; Long Island, N.Y.; Atlanta, Boston, St. Louis, Philadelphia, Dallas and Seattle.

In his 200-page report to NASA, Mottur argues that this kind of program, while constructive, will not go far to easing the problem.

The \$25 million allotted in the program to retraining could reach 10,000 technical personnel over the next year.

While that is happening, said Mottur, "the second and third order effects" of cutbacks in defense and space spending have yet to be felt. They are likely to put out of work more than 70,000 additional scientists and technicians over the course of 1971, he said.

The administration's position, he said, is based largely on the hope that "current economic and fiscal programs will revive the economy, and that once the economy picks up, the scientists and technical personnel will find jobs along with everyone else."

"Unfortunately," Mottur said, "a general economic recovery would not automatically produce jobs for the unemployed scientists, engineers and technicians. . . . Only through federal funding of R&D and engineering in the civilian sector can such jobs be produced."

Mottur's report presents strong recommendations for a massive investment for conversion of much of the nation's scientific and technical resources from defense to civilian objectives.

The administration's proposed budget calls for \$1.1 billion research increase, one-sixth of the amount needed for the projected unemployment at the end of this year. Of the research increase, \$900 million would be in the military field. Mottur concluded that the budget's provision for conversion to civilian research activity "is miniscule indeed."

William Raspberry's column in the Washington Post of June 9 brings up the other side of the coin. He notes the different attitude that we as citizens and lawmakers take when the jobless are "un-schooled, unmiddle class and unwhite," but he also returns to the same theme—

The truth is that nearly all of us would rather earn our way than to subsist on hand-outs of any kind. If unemployment among the privileged classes teaches us anything, it is that there simply are not enough jobs to go around.

His contentions are borne out by May unemployment statistics. The unemployment rate for white persons was 5.7 percent, for Negro and other races 10.5, almost double.

I hope that the administration and especially Mr. Nixon are listening to the expressions of Americans throughout the country who are crying for a way to earn their livelihood. I urge him to sign this legislation into law when it reaches the White House. The articles concerning joblessness follow:

[From the Washington Post, June 9, 1971]

CLASSIFYING THE JOBLESS

(By William Raspberry)

Sunday's Outlook section of The Washington Post carried a penetrating analysis of what happens to white-collar workers who spend years developing all kinds of "expertise," only to discover after they lose their jobs that they in fact have no useful skills.

Monday's Evening Star told of a State Department lawyer-linguist who lost his Foreign Service job and spent two years trying to find another. He reportedly accumulated some 2,000 job rejection letters before he put a gun to his head and took himself out of the job market.

When we read such accounts, the temptation is to lapse into critical analysis of what has gone wrong in our free enterprise system. The economy is under severe strain, as the plight of these unfortunates so clearly indicates.

And yet the same people who demand major economic revision, who want huge federal subsidies to save jobs of aerospace engineers, for instance, are capable of taking a completely different attitude when the jobless

are unschooled, unmiddle class and unwhite.

Write the most touching account of poverty-stricken families and their need for bigger welfare payments and the responses are sure to include something like:

The only reason they're so poor is that they're lazy. We've got to stop letting people believe they can get by on other people's sweat. Anybody who wants a job can get one.

The people who say such things usually aren't aware that they are making invidious distinctions. They really mean what they say.

Look at the want ads, they'll tell you. See all those listings? Don't tell me those bums can't find work. They just don't want a job.

The "bums" in this characterization are never out-of-work space technicians or laid-off government managers. If it could be said of any group that anybody who wants a job, etc., you'd think it would be said of the people who have had the advantages of class and status and education.

But, no. The "bums" are the sixth-grade dropouts without skills or useful work history. These are the people we tell to get off their duffs and find a job.

We don't always say it that bluntly, of course. Sometimes it is stated positively, as in manpower training programs, where we expect to get a dropout ready for "meaningful" employment with six weeks of training at the same time we're admitting that we can't place the ex-engineer with six years of college.

Or we couch it in terms of alternatives that really aren't alternatives at all, as when a work requirement is built into the President's Family Assistance Plan. Such requirements are designed to force poor people to accept work—any work—at pain of losing their assistance checks.

As always, there is the underlying assumption that the jobs are there but poor people, being naturally lazy, won't take them unless forced to.

If we are going to force anyone into productivity, why shouldn't it be those who've had the benefits of the best the system has to offer—schooling, draft, exemption, student loans and cushy jobs, often at the direct expense of the taxpayers.

Why won't we say to the jobless engineers and ex-Foreign Service officers: Look, buddy, we've invested too much in you for you to sit there being nonproductive. If you can't find a job designing supersonic planes, then how about collecting garbage or sodding lawns.

The reason we don't say that to our white-collar jobless is that they resemble too closely the people who make the rules. There is far too much for the there-but-for-the-grace identity for rulemakers to force that sort of indignity upon their social peers.

Indignity? But isn't any kind of honest work intrinsically dignifying? No, that American myth applies only to the lower classes. For the rest, it's better to be an unemployed biochemist than to work full time emptying Jiffy Johns.

The truth is that nearly all of us would rather earn our way than to subsist on hand-outs of any kind. If unemployment among the privileged classes teaches us anything, it is that there simply aren't enough jobs to go around.

[From the New York Times, June 6, 1971]

JOBS: "HELP WANTED"—FOR THE JOBLESS, THAT IS

The nation's 5 million unemployed found themselves last week to be pawns in a battle over public service jobs that may provide more work for politicians than it does for the jobless.

The House of Representatives passed a Democratic bill to make \$5-billion available over four years, the money to be used for

new jobs in schools, hospitals, parks, police and fire departments and social service agencies: The bill, an expanded version of one already pushed through the Senate by a top-heavy vote, was enacted in the face of strong Republican warnings of a probable veto. President Nixon vetoed a similar measure last year on the ground that it would lead to dead-end jobs instead of equipping the unemployed for permanent careers.

RE-ESTABLISHED COALITION

Behind this familiar polarization on Capitol Hill was a near-miss on White House-inspired efforts to re-establish the once-dominant coalition of Southern Democrats and Republicans in support of a bypass maneuver. The aim was to kill the Democratic job plan by substituting for it one of the building blocks in the President's floundering program for Federal revenue sharing with the states and cities—a \$2.5-billion outlay for local use in man-power training. Part of the money could go for "transitional" public service employment, if that was what the localities wanted.

The G.O.P. hopes for reviving their old alliance with the Dixiecrats stemmed largely from the unhappiness of Southern diehards over a recommendation by the House Education and Labor Committee that the now toothless Equal Employment Opportunity Commission get independent authority to crack down on violators of the Federal law banning race discrimination in jobs. The proposal not only would empower the commission to issue "cease and desist" orders in private industry, but also would broaden its jurisdiction to take in Jim Crow practices in public employment.

SCARING DEMOCRATS

The two measures have no direct connection. However, the Republicans were able to capitalize on the Southern disaffection to the point that they threw a scare into the Democratic leadership when the public service job bill was first called up for House action last month under a rule intended to guarantee easy passage. The defection of 45 Democrats from Southern and border states opened the way for overriding the rule and forcing a floor vote on the Nixon revenue-sharing substitute.

A three-week delay in the showdown gave the Democrats the needed opportunity to regroup their forces and beat back the revolt. Some Capitol Hill observers say the critical push to save the Democratic measure came from the powerful Representative Wilbur D. Mills of Arkansas, partly because of his general resistance to revenue sharing and partly because a new G.O.P.-Dixiecrat coalition would undermine possible liberal support for his burgeoning Presidential candidacy.

WORSENING PICTURE

But the prospect of a second Presidential veto after the House and Senate bills are put together chills the hopes for quick creation of 150,000 jobs to cut down the unemployment rolls. The jobless rate has stayed at 6 per cent or higher for the last half-year, despite Administration forecasts that it would start inching down toward the full-employment level of 4 per cent. The picture actually worsened slightly last month, with an especially troublesome spurt in the already high idleness rate among blacks.

When the National Advisory Commission on Civil Disorders concluded, in its landmark report three years ago, that racial imbalances were creating two Americas, separate and unequal, it put much of the blame on unemployment in urban ghettos. The scantiness of the headway made since then to ease black idleness caused the chairman of that commission—former Gov. Otto Kerner of Illinois, now a Federal judge—to warn a Senate subcommittee two weeks ago that the most explosive factor still prevailing in big-city slums was that nearly one-third of

all teen-age Negro job-seekers are currently unable to find work. This is double the high rate among white youth.

An even more discouraging insight into the dimensions of the problem was provided by a special Labor Department study of unemployment in the poverty areas of the 100 biggest cities. It showed a 44.9 per cent unemployment level among black teenagers, as against an 18.1 per cent rate for white teenagers in the same districts. In the more affluent sections of the 100 cities, idleness for black teen-agers came to 27.8 per cent compared with 16.6 per cent for whites. Vietnam war veterans also fared badly in the job market, with one out of five of the black returnees unable to find work and one out of seven of the whites.

As one contribution toward keeping the ghettos from boiling over in the hot months ahead, the President announced last week that the Federal Government would provide \$303-million this summer to supply work for 674,000 poor teen-agers. Private industry has promised to provide another 150,000 summer jobs without Federal funds. Mr. Nixon said the combined total would be 30 per cent above last year's figure.

But even on the national and adult level, a reversal is occurring in what a few years ago had seemed a clear trend toward narrowing the job gap between whites and blacks. The latest report of the Bureau of Labor Statistics puts over-all unemployment for blacks at 10.5 per cent, for whites at 5.7 per cent. This is too close for anyone's taste to the historic disparity of twice as much joblessness among Negroes as among whites.

—A. H. RASKIN.

VIETNAM GI'S CAN NOW GO ON LEAVE IN PAN AM 747'S

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. TEAGUE of Texas. Mr. Speaker, all those who are interested in the welfare and conditions of service of our military personnel in Vietnam should be pleased with the recent announcement by Pan Am that on the 2d of July its 747's will be operating on schedule between Saigon and the west coast of the United States.

This is of tremendous importance to our fighting men and their loved ones. Pan Am recently announced that it is canceling its military leave charter flights from Saigon and our servicemen on leave will now be able, instead, to travel in the new spacious luxurious 747's. And they will be able to do it for the same fare—\$350 round trip, Saigon to the west coast of the United States—as they have been paying for the heavily crowded charter flights.

Also, this is most helpful to our military personnel because it means they can travel on scheduled Pan Am 747's and will be able to make connections at major U.S. international airports served by Pan Am, with the result that there will be a minimum loss of time in obtaining connecting flights to their homes in the United States.

Thus, our fighting men in Vietnam will be able to travel in the most modern and comfortable aircraft on their leave trips to and from the United States. What this

really means is that Pan Am has made it possible for our servicemen to enjoy the same kind of service and facilities in the air as is available to private citizens.

So, not only does Pan Am's operation of the 747 into the central Pacific mean that Saigon is becoming part of the Pan Am network of advancing aviation technology in that vast area, but also that our servicemen are going to have more comfortable travel on scheduled airlines.

JOHN M. FLYNN

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. CONTE. Mr. Speaker, I would like to make note today of the recent passing of a distinguished journalist and very dear friend of mine, John M. Flynn.

John Flynn was an outstanding man in every way. He excelled as an athlete at Searles High School in Great Barrington, Mass. from which he graduated in 1904.

A newspaperman all his life, John joined the staff of the Berkshire Eagle in Pittsfield, Mass. in 1912. From 1919 until his retirement in 1952 he served as sports editor of that newspaper, a position which gained him recognition as the leading sports authority of the western Massachusetts area.

Most important of all, John Flynn was a very human person. He dedicated his life's work to making life more meaningful for his friends and neighbors. In this sense, he was a true public servant.

There was no kinder person than John and he lived according to a philosophy that more of us could follow: He did not seek peoples' faults, but sought out their strengths.

Mr. Speaker, I would like at this time to submit for the RECORD two articles which appeared in the Berkshire Eagle on May 25 and May 26 so that my colleagues and friends can read about this great and wonderful man:

JOHN M. FLYNN, 85, RETIRED SPORTS EDITOR OF THE EAGLE, DIES

John M. "Cap" Flynn, 85, of 1029 West St., retired sports editor of The Eagle, died this morning at St. Luke's unit, BMC. He had been a patient there since March 23, when he fractured his hip in a fall at his home.

Mr. Flynn, who joined The Eagle's news staff in 1912, was named sports editor in 1919. From that time until his retirement in 1952, he wrote a daily column, "Referee's Sporting Chat," which he continued to write on a weekly basis ever since. His last column, written in advance, appeared in the Saturday morning edition of March 27.

FORMER ATHLETE

Born in Great Barrington, Mr. Flynn was a graduate of Searles High School in 1904, beginning his newspaper career shortly afterward as a town correspondent for the Pittsfield Evening Journal. Four years later, he joined the Berkshire Courier staff, resigning in 1912 to become The Eagle's police, City Hall, court and fire reporter.

Mr. Flynn gained his knowledge of sports as an active competitor. He was on baseball and hockey teams in high school and captained the Searles baseball team that won the county championship in 1904. He learned

golf as a caddy at the Wyantenuck Country Club, Great Barrington. For two years, he was golfing champion of the Eastern League Writers Association, of which he was a former president.

While Pittsfield was in the Eastern League, Mr. Flynn was the official scorer for games played here, and he served in a similar capacity for Canadian-American League contests. He covered the Florida training camps of major league clubs for many seasons, and his dispatches to *The Eagle* were liberally sprinkled with news notes on residents and former residents of Berkshire County.

He was generally recognized as the leading sports authority in this area. He had a photographic memory and seldom had to consult rules or record books to answer a question. Mr. Flynn's knowledge was gleaned from his many years of coverage of the major sports, including many World Series and All-Star games, the old Eastern and Canadian-American leagues and the Boston Red Sox training camp in Florida.

Although most of Mr. Flynn's activities were in relation to his newspaper work, he served Pittsfield for 21 years as clerk of the Park Commission.

In 1946, he was honored by Rabida council, Knights of Columbus, for his outstanding contribution to sports and was presented a silver plaque at ceremonies at the Boys' Club. In 1962, he was again honored by the K. of C., this time by the Bishop Conaty assembly, fourth degree, when he was named Catholic Man of the Year.

The citation read in part: "This award is presented to the man who has best employed the virtues of this order—charity, unity, fraternity and patriotism—and because of his fine devotion to home, his widespread service to his community, his unquestioned loyalty to his church."

The late Rev. Thomas F. Finn, pastor of St. Mark's Church, of which Mr. Flynn was a communicant, said at that time that in the 30 years he knew him, he had never known John Flynn "to tear down anything, but he is always building up."

Mr. Flynn attended the annual Great Barrington Fair for more than 70 years, missing his first one in 1968. For a number of years, a feature race at the fair has been named in his honor.

EDITORIAL TRIBUTE

An *Eagle* editorial, on the occasion of Mr. Flynn's retirement in 1952, said in part:

"John Flynn has honored a field of writing and interpretation where judgment and fairness too often have been sacrificed to the interest of the stinging phrase and the wise-crack. He has chosen all his life to be kind, and where kindness was silence, he has been silent. His life, outside his thriving family, has been this newspaper. What it is, and what it will be, is importantly a result of his contribution. His personal integrity has been the highest. He has abided by the ancient virtues of hard work, moderation, charity and respect for others."

His wife, the former Charlotte M. Collins of Pittsfield, died in June 1962. The couple had then been married 48 years.

He leaves five daughters, Mrs. Ira S. Colby, the Misses Charlotte M. and Dorothy G. Flynn and Mrs. Ernest J. Gniadek, all of Pittsfield, and Mrs. John H. Callahan of Silver Spring, Md.; five sons, John J., Charles W. and George H., all of this city, Robert E. of North Reading and Lt. Col. Martin F. of the U.S. Air Force, stationed in Panama; 31 grandchildren and six great-grandchildren.

The funeral will be held from the Devanny Funeral Home. Arrangements will be made after the arrival of his son from Panama.

JOHN FLYNN
(By Roger O'Gara)

My predecessor, John Martin Flynn, died early yesterday morning at the age of 85.

And with the loyalty that was characteristic of him, he did it for the afternoon newspaper, by which he had been employed for 40 years.

I'm moved to write a tribute to him. But I feel that my first "Fair or Foul," published July 8, 1952, says it as well as anything I could compose today.

So, if you'll bear with me, here it is: "Ever since he was that rarity, a left-handed second baseman for Searles High in 1902, 1903 and 1904, John Martin Flynn, who has retired at the age of 66 after 40 years with *The Eagle*, has been set apart from his fellows. Not from the standpoint of aloofness, but more in the sense of quality and industry.

"The *Eagle's* longtime sports editor still is Cap to the many who knew him in the early days. For he was captain of practically every team he ever played with, understandably. Without making an effort to, he inspired confidence in those about him. It has been the same in our newsroom, where he has been known as 'The Master.'

"This may come as a surprise to him, but the chances are, he has known it all the time. Yet no one ever dared to call him that to his face. A few, long ago, got in the habit of addressing him as 'John' but most of us say, 'Mr. Flynn.'

"Possessed of a good sense of humor, an encyclopedic memory and a friendly conversational style, he has been a grand person to work for. In 13 years under him, I never received an order. So what better subject for an initial column by his successor than a sketch of a truly great person? Most of my daily presentations won't be so long. But this will be king size because it will deal exclusively with a royal guy.

"John Flynn has been a sports specialist for 25 years, but he has been a newspaperman for much longer than that. As much as he loved sports, he never forgot that there were other items in the paper. That's why he so eloquently resented a growing disdain for sports among some of the younger reporters. Pseudo-sophisticates I've called them for years, although he never bothered to dignify them with anything but the terse query, 'Who the hell do they think they are kidding?'

"That has been his only deviation from proper speech. He detests profanity, and he abhors risqué stories.

"He was an all-item man when he started as a cub for the old Great Barrington Courier as a high school boy. He never bought an automobile, and that probably has made him doubly valuable to the paper. For as he says with logical pedestrian pride, 'I meet people.'

"When he joined *The Eagle* in 1912, he covered most of the big news, and assisted in sports. He became sports editor in 1919, but continued in general reporting until the late 1920s.

"So, as he observes with a smile, 'None of them can kid me on what he has to do. For, I did all of them and in the days when we used to have to cover our beats twice because we had competition.'

"In addition to carrying a heavy work schedule, John found time to raise 10 children, five boys and five girls. He met Mrs. Flynn, the former Charlotte Collins, while he was convalescing from an appendectomy at Hillcrest Hospital. She was a nurse. Five of the children are married, and he has been a grandfather several times.

"John didn't drive his boys into sports. In fact, he gave them only bare encouragement. He didn't want to become one of 'those doting fathers.' He has met so many in his years at the sports desk, he developed a quiet contempt for them.

"When I say doting,' he tells you, 'I mean the man who yells that high school football doesn't get enough space while his son is on the team, but you never see him at a game after the boy graduates.'

"Still, sons Bob and Marty won football

letters at Pittsfield High, and Henry received his insignia in hockey.

"As may be gathered, John is a master at the art of ferreting foibles. He talks with so many people he can spot a conversational fan two blocks away. The conversational fan is the fellow who follows a team by word of mouth, but never seems to get to a game.

"Some years ago, a frequent office visitor professed great admiration for the Boston Red Sox. Each morning, he would inquire how his favorites had done the preceding afternoon. One day he came in at noon, and asked Mr. Flynn how the Sox had fared.

"Mr. Flynn said sharply, 'Brother, do you really want to know or are you just trying to make conversation?'

"Practically everyone is 'brother' to him. He admits that he finds such a practice convenient. After all, you can't be expected to remember thousands of names.

"But whereas chance acquaintanceships baffle him, the teams and individuals he has covered don't. He'll pause for a second and say, 'Let's see, now. The Hillies that year had Walter Hammond, Johnny Bates, Colonel Snover, Johnny Tillman' and so on until he has named the ticket-taker.

"He has watched dozens of great high school teams, but the one he will quickly call the greatest is the Pittsfield High 1915 New England championship basketball squad. Sol Goldstein, a star on that outfit, wouldn't consider a trip to Pittsfield complete without a chat with John Flynn.

"Of late it has become fashionable among a certain set in the Fourth Estate to inquire in a bored tone: 'Did we have an item about such and such?' John Flynn has too much pride to be guilty of such shiftlessness. If he hadn't seen the item, he would go back into the files until he found it.

"He prides himself on keeping posted by reading *The Eagle* and many other papers. He often chides young reporters with the curt advice that they should glance occasionally at their own paper instead of concentrating on the *New York Herald-Tribune* or the *New York Times*.

"He's also a great believer in radio news-casts. He admits he makes a nuisance of himself at home by turning the dial from station to station at midnight in an attempt to catch all of the latest flashes. Those who have night work at the office can attest to his belief in electronics.

"He likes Pittsfield very much. Yet he will become almost despondent in talking about the city's glaring lack of support for worthwhile athletic enterprises. He is the creator of the cynical phrase describing a large crowd at a free event, 'The price was right.'

"He has a fund of stories. His favorite is the one about the introduction of the ball with the pneumatic rubber center. He was playing with Great Barrington against Canaan, Conn., and they arranged with the umpire to use the lively ball only when Barrington was at bat. Barrington batters drove the ball to all parts of the field.

"He has told me that story at least 50 times. He seems to enjoy it more now than he did when I first heard it in 1939. So do I, and I laugh loudly with each telling.

"He is devoted to his church. He attends Mass regularly, receives communion frequently and seldom fails to make a mission. He is a model family man.

"Although he avoids profanity, Mr. Flynn's language is far from stilted. He will acknowledge a statement of fact with a cheery, 'That's it, hey?' He'll express amazement with a terse, 'Get out!' And rather than the conventional 'goodby,' he'll advise you, 'Don't let them crowd you.'

"That means of course just handle so much.

"It seems to be a good idea. For we could go on and on, and we still would only be scratching the surface on the many fine things John Flynn has done, said and written."

SOVIET CIVIL DEFENSE HANDBOOK

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HOLIFIELD. Mr. Speaker, the Oak Ridge National Laboratory of the Atomic Energy Commission has been conducting, for many years, a civil defense research project in support of the national civil defense program. This research project is directed by Dr. Eugene P. Wigner of Princeton University, a famed nuclear physicist and winner of the Nobel prize.

Several years ago Dr. Wigner, under the auspices of the National Academy of Sciences, directed a civil defense study, project harbor. He continues to work in the civil defense field because of his great knowledge of atomic science and his great concern that the United States is lacking in adequate civil defense protection.

A recent article by Dr. Wigner, entitled "The Myth of 'Assured Destruction,'" will be found in the CONGRESSIONAL RECORD of February 19, 1971, on pp. 3337-3338. It questions the deterrent value of the assured destruction doctrine, which has figured in our defense planning for at least a decade. The article points out that the U.S.S.R. has elaborate preparations to evacuate its cities, and that this capability undercuts our reliance on assured destruction, the fear of which is supposed to persuade the enemy from launching a nuclear attack.

The Oak Ridge National Laboratory, with Dr. Wigner's encouragement, has translated a Russian handbook on civil defense, published in Moscow in 1969. This very interesting document, now available through the National Technical Information Service of the U.S. Department of Commerce, affirms that the Soviet Union takes seriously the need for preparations against nuclear attack. I might say, in this connection, that a subcommittee of the Committee on Government Operations, under my direction, published the first systematic account of civil defense in the Soviet Union some 12 years ago—see House Report No. 86-300, April 27, 1959.

The Soviet civil defense handbook translated by the Oak Ridge National Laboratory deals primarily with rural civil defense. It was prepared in the Ministry of Agriculture of the U.S.S.R. for use as a handbook by the faculties of all Russian agricultural institutions. The very scope and detail of this handbook for civil defense in the rural areas, including the protection of livestock and farm animals as well as people, suggests the thorough-going nature of Soviet civil defense preparations.

The Soviet civil defense system includes shelters for key city workers and planned evacuation of city populations to rural areas. The emphasis on evacuation, a concept pretty well discarded in the United States some years ago, has a special strategic significance to the Russians. In time of crisis and possible nuclear confrontation, city populations would be

relocated, a technique particularly suitable for a preemptive or first strike strategy. Evacuation after an attack is launched is a rather hopeless situation, as analytical studies have demonstrated in the United States.

Soviet emphasis on evacuation is extremely disquieting, as Dr. Wigner has pointedly observed. We cannot glibly assume that our nuclear striking power will deter the Russians, when planned dispersal of their city populations in advance of attack diminishes the threat of assured destruction. We must keep in mind the civil defense factor as we talk about arms limitation and watch the Soviet Union build up a nuclear submarine force at a rapid rate. The United States quietly ignores civil defense and the U.S.S.R. quietly strengthens civil defense.

I include with these remarks an excerpt from the U.S. editor's preface to the Soviet civil defense handbook:

PREFACE

WHY WE HAVE TRANSLATED THE SOVIET CIVIL DEFENSE HANDBOOK

The USSR has a way of working inconspicuously on important projects. The news of Sputnik, for instance, practically exploded in our journals, destroying myths and preconceptions we had unconsciously harbored since 1944. Similarly, Soviet civil defense preparations have received little publicity in our media. Unfortunately, perhaps, the publication of their 1969 civil defense handbook is far from the colorful launching of a Sputnik, but the careful planning evidenced by it may have as much intrinsic importance as that which culminated in the Sputnik launching.

This handbook and other Russian publications on civil defense have been carefully studied by the Oak Ridge Civil Defense Research Project. Their practicality and completeness are impressive—especially their plans for the evacuation and dispersal of the urban population into the rural areas. For these reasons, and since no comparable handbook has been published by our own government, we believe that its English translation will be valuable and interesting to the American public and that knowledge of the extent and character of the Russian civil defense preparations will be important to our leadership.

WHY THIS PARTICULAR HANDBOOK?

We have chosen this handbook first and foremost because of its thorough-going nature. While it is not difficult to find numerous Russian articles on the Soviet civil defense program—Soviet newspapers, periodicals, and broadcasts contain an abundance of information on this subject—this handbook is unusual in that it presents the Soviet civil defense program in its entirety under one cover: its reason for existence, its organization, its aims and goals, and its means and method of implementation, even down to such minute details as to what to wear beneath protective clothing under various temperature conditions, how to convert a tractor-mounted farm sprayer into a decontaminating machine, and how to administer artificial respiration "when injuries to the ribs or upper limbs make all [the ordinary] methods of artificial respiration impossible" (p. 242).

Above all, it is a comprehensive and detailed account of the Soviet civil defense program from the Soviet point of view,¹ thereby affording the reader firsthand knowledge of where Soviet emphasis lies and allowing him to draw his own conclusions.

A further reason for selecting this particu-

lar handbook is its high endorsement by Soviet authorities. It is described by F. Popenko, a Soviet reviewer for the military journal, *Voennoye Znaniya*, for example, as "the most thorough work among the books on civil defense published this year [1969]." According to Popenko, "The need for this publication had long been ripe."²

Intended as a textbook for agricultural VUZ (higher educational institutes), this handbook is the product of editor-in-chief N.I. Akimov and four other editors, with certain technical sections of chapters written by additional specialists. The Russian text consists of 351 pages, and 130,000 copies have been printed, priced at one ruble, one Kopeck each (about \$1.12 at the current official dollar-ruble exchange rate given in *The 1970 World Almanac*, p. 559).

Before studying this translation, the U.S. reader may well wonder, why read a handbook which addresses itself primarily to rural civil defense when U.S. civil defense emphasis has been almost exclusively urban? Moreover, since a little over half the Soviet population lives in cities, would not an urban civil defense handbook have greater relevance than a rural one even in Russia? The answer to this last question is no—not in the context of the Soviet civil defense program. It is essential to realize at the outset that the keystone of Soviet civil defense is the evacuation and dispersal of the overwhelming majority of the urban population to rural areas during periods of escalating crisis, with urban blast shelters provided primarily for on-shift workers in vital industries in target cities. Soviet rationale for moving people to the country is simple: "The simultaneous dispersal of workers and evacuation of the plants and institutions will greatly decrease the number of people in the cities; this in turn will sharply reduce population losses in case of a nuclear attack by the enemy . . . a nuclear attack of an unprotected large city may result in the loss of life of as much as 90% of the population. An early dispersal and evacuation could reduce the losses considerably, to a level between 5% and 8%" (p. 68).

Thus, because of the unexpected tremendous influx of people in the country, rural civil defense assumes a highly important role. Chapter 11 underscores this fact and goes on to indicate other reasons for the significance of rural civil defense as well (pp. 250-251):

(1) Agricultural regions provide human and material resources for civil defense and furnish manpower and materiel for rescue and emergency repair operations in stricken cities;

(2) In wartime, "not only . . . a large part of the dispersed workers, service personnel, and evacuated non-working population [would be transported to the country], but also the main material reserves";

(3) Rural communal buildings, hospitals, and other medical institutions would serve as the main base for treating the injured if the "big cities with their large populations [should] . . . serve as targets of a nuclear enemy attack";

(4) The rural regions would have a primary role in protecting people, animals, plants, food, water supplies, and fodder from contamination by radioactive and chemical substances and bacterial agents;

(5) Responsibility for assuring the output of agriculture during wartime and in the post war years would fall to the countryside.

CONTEXT OF THE PRESENT SOVIET CIVIL DEFENSE PROGRAM

Before we examine the Soviet civil defense program, a few basic considerations are instructive. First, the Soviets have consistently put their civil defense effort within the framework of the threat of imperial aggression. This remains true today, the threat from Communist China and occasional allu-

Footnotes at end of article.

sions to it notwithstanding. (See Introduction, p. 2, and Chapter 1, pp. 4-5.)

Second, the civil defense program occupies an important position in the overall defense of the country. V. I. Chuykov, Chief of Soviet Civil Defense and a marshal of the Soviet Union, has admitted, "Civil defense alone is not capable of assuring the protection of the population and material resources." Such protection, he goes on to say, can be achieved only through the joint efforts of the civil defense and the armed forces. But, he adds, neither is success in these areas possible without civil defense; in the event of nuclear attack, civil defense is vital to the "achievement of victory."²

Third, it is important to remember that when Marshal Chuykov and other Soviets speak of the importance of civil defense, they do so from experience. There are many Russians living today who vividly remember enemy attack on their homeland during World War II. They have seen Red Square on fire and the Kremlin ablaze; they have participated in the evacuation of over 10,000,000 people and over 1300 basic industries from vulnerable areas to the interior.⁴

Fourth, Soviet Civil Defense was given an authoritative boost at the Twenty-Third Congress, when the Central Committee of the Communist Party called for strengthening civil defense in 1966⁵⁻⁷ and when the Soviet government strengthened this mandate by passing the Law on Universal Military Duty in 1967. Article 17 of this law calls for compulsory civil defense training in the grade schools, high schools, and technical schools throughout the Soviet Union.⁸⁻¹⁰ Implementation of the new law has taken place to the extent that today, by the time a Soviet school child completes the tenth grade, he has received a total of 115 hours of civil defense instruction.¹¹⁻¹³ The publication of this 1969 handbook is a result of the continuing Party- and government-backed emphasis on civil defense.

Fifth, the entire Soviet civil defense program derives from the Soviet concept of modern warfare. Chapter 1 of this handbook explicitly describes World War III: "If the imperialists were successful in unleashing war, it would be an armed struggle among countries of two opposite world systems—capitalist and socialist. . . . Thus, it follows that [such a war] would be waged with the widespread use of weapons of mass destruction and, above all, nuclear weapons. Such a war would encompass an enormous area and involve whole continents. Not only troops, but also centers of vital industry, transport, energy production, and communications would be subject to devastating attack. . . . Distinctions between front and rear would disappear" (p. 5).

Cities would be targeted: ". . . one nuclear explosion is sufficient to destroy a large city with a population of millions and to contaminate an enormous area with radioactive materials."¹² And "in agricultural regions people, animals, and plants would be affected by fallout, and food products, fodder, water sources, and other assets would be contaminated" (p. 6).

". . . many administrative, industrial, political, and military centers, ports, airfields, mining enterprises, and other important installations could be subjected to nuclear and chemical attack, and the surrounding territories contaminated with radioactive fallout, poisonous chemicals, and bacteriological agents" (p. 9).

It is from this view of war that the rationale of the Soviet civil defense effort proceeds: If cities would be targeted, remove the bulk of the urban population into the country, providing those who would remain behind with blast shelters; if contamination from fallout, poisonous chemicals, and bacterial agents would constitute the main danger to people, animals, plants, food, water supplies,

and fodder in the country, concentrate on providing protection (such as fallout shelters) from such contamination in rural areas. Moreover, confidence is expressed that civil defense will succeed. As Marshal Chuykov has pointed out, "Although the weapons we have examined are called mass weapons, with the knowledge and skillful use of modern defense measures, they will not injure masses, but only those who neglect the study, mastery, and use of these measures."¹⁴

The business of this handbook is to tell how Soviet civil defense is to be accomplished. Brief descriptions of the subjects of the fifteen chapters follow in chronological order:

1. A general discussion of the Soviet civil defense program,
2. The administrative organization of the program to accomplish its mission,
3. Personal protective equipment (gas masks, protective clothing, etc.) for safeguarding the respiratory organs and the skin,
4. Shelters for protecting essential workers in cities and radiation-resistant dugouts (fallout shelters) for protecting rural inhabitants and urban evacuees in the country,
5. Plans for evacuating and dispersing urban dwellers from the cities and for receiving and relocating them in the country,
6. Instruments for detecting and measuring radiation, chemical substances, and bacterial agents,
7. Methods of assessing the effects of nuclear, chemical, and bacterial weapons on people, animals, food, plants, fodder, and sources of water,
8. Measures for protecting animals, food, plants, fodder, sources of water from these weapons effects,
9. Instructions on administering first aid in times of disaster,
10. Responses of the rural population on threat of attack and on the seven civil defense warning signals,
11. The required format and content of a civil defense plan (a written document) for a county or a collective or state farm,
12. The execution of the civil defense plan (setting the written plan in motion),
13. The rescue and emergency repair work of the civil defense brigades,
14. The use of ordinary farm, road, and construction equipment for decontamination and degassing, and
15. Instruction of the rural population in civil defense.

FOOTNOTES

¹ Leon Goure, director of Soviet studies at the University of Miami's Center for Advanced International Studies, has recently presented a comprehensive review of the Soviet civil defense program in "Soviet Civil Defense Revisited, 1966-1969," Memorandum RM-6113-PR (Santa Monica, 1969).

² Popenko, "New Book on Civil Defense Reviewed" (originally entitled "Not Only for Students . . ."), *Voyennyye Znaniya (Military Knowledge)*, No. 12 (Moscow, 1969), p. 4; in *Translations on USSR Military Affairs*, No. 577, JPRS 49,649 (January 20, 1970), p. 87.

³ V. Chuykov, *Civil Defense in Nuclear Missile War*, Atomic Publishing House (Moscow, 1968); Soviet Military Translations No. 485 (22 October 1968), p. 30.

⁴ I. Kovalev, "The Role of Transport in Modern War," *Kommunist Vooruzhennykh Sil (Communist of the Armed Forces)*, No. 23 (Moscow, December 1967); in JPRS 44,268, Soviet Military Translations No. 418 (February 7, 1968), p. 5.

⁵ O. V. Tolstikov, *CPSU on Imperative Upgrading of Civil Defense*, Atomizdat Publishing House (Moscow, no date); Soviet Military Translations No. 485, JPRS 46,720 (October 22, 1968), p. 8.

⁶ "Extension of Pupil Civil Defense Instruction" (originally entitled "What is New in Student Training?"), *Voyennyye Znaniya*

(*Military Knowledge*), No. 10 (Moscow 1967); in JPRS 43,558, Soviet Military Translations No. 411 (December 5, 1967), p. 15.

⁷ "Spreading Civil Defense Information" (originally entitled "Only Specifically!"), *Voyennyye Znaniya (Military Knowledge)*, No. 2 (Moscow, February 1968); in JPRS 45,130, Soviet Military Translations No. 429 (April 22, 1968), p. 14.

⁸ "Extension of Pupil Civil Defense Instruction," p. 18.

⁹ A. Getman, "The Role of DOSAAF in Training Youth" (originally entitled "Teach the Youth Military Affairs"), *Voyennyye Znaniya (Military Knowledge)*, No. 2 (Moscow, February 1968); in JPRS 45,130, Soviet Military Translations No. 429 (April 22, 1968), p. 9.

¹⁰ Tolstikov, p. 30.

¹¹ "Secondary School Civil Defense Curriculum" (originally entitled "Civil Defense Training Program for Students in the Fifth, Sixth, and Seventh Grades of the Eighth-Year and Secondary General Educational Schools"), *Voyennyye Znaniya (Military Knowledge)*, No. 9 (Moscow, 1968), pp. 26-27; in JPRS 46,811, Soviet Military Translations No. 487 (November 6, 1968), pp. 40-46.

¹² A. A. Sychev, "Civil Defense Training in Secondary Schools" (originally entitled "Study and Expand Experience"), *Voyennyye Znaniya (Military Knowledge)*, No. 9 (Moscow, 1968), pp. 12-13; in JPRS 46,811, Soviet Military Translations No. 487 (November 6, 1968), pp. 14-19.

¹³ According to Colonel General O. V. Tolstikov, First Deputy Chief of Civil Defense of the USSR, in a 1968 publication, U.S. strategy includes "various plans of 'assured destruction' of many millions of people and up to 80% of the industrial potential, and of at least 200 of the largest cities" of the Soviet Union ("SPSU on Imperative Upgrading of Civil Defense," Atomizdat Publishing House, Moscow, pp. 1-26; in JPRS 46,720, Soviet Military Translations No. 485, p. 7). However, the 1970 revised edition of this pamphlet omits this specific statement and instead says that U.S. strategy threatens to kill "many millions of people and up to 80% of the industrial potential," and to "destroy several hundred large cities and other targets of the attacked side" (p. 10).

¹⁴ V. I. Chuykov, "Civil Defense as a Common Concern" in *Nauka i Zhizn (Science and Life)*, No. 1 (Moscow, 1969), pp. 43-47; in JPRS 47,772, Translations in USSR Military Affairs No. 511 (2 April, 1969), p. 43.

LEST WE FORGET

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 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 captured:

Lt. Porter Alexander Halyburton, U.S. Navy, 677514, Davidson, North Carolina. Mar-

ried and the father of one child. 1963 graduate of Davidson College. Officially listed as captured October 17, 1965. As of today, Lt. Halyburton has been held captive in Southeast Asia for 2,067 days.

**HONORABLE TOM STEED PRAISED
FOR REMARKS ON BEHALF OF
SMALL BUSINESS**

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. KLUCZYNSKI. Mr. Speaker, the Subcommittee on Small Business Problems in Smaller Towns and Urban Areas, of which I am chairman is presently holding hearings on the impact of Federal installations on small business. It is my opinion, as well as that of my colleagues on the subcommittee, Representative JAMES C. CORMAN, Representative CHARLES J. CARNEY, Representative FRANK HORTON, and Representative J. WILLIAM STANTON, that the hearings produced some very valuable testimony on this important subject.

I feel that perhaps some of the most important remarks were that of my dear friend and colleague, Representative TOM STEED. He made some very impressive remarks reflecting a sincere desire to further the cause of the small businessman affected by Federal installations. As the ranking member of the Select Committee on Small Business, he has long been a strong advocate of small businessmen and has worked diligently on their behalf.

In the interest of sharing the very enlightening statement of Mr. STEED, I would like to insert it at this point in the RECORD:

STATEMENT OF CONGRESSMAN TOM STEED

Mr. Chairman, I appreciate the opportunity of appearing here briefly to express my special appreciation to you and the members of your subcommittee for your interest in the impact of federal installations on small business.

Few districts in the country equal the one I represent, the Fourth Congressional District of Oklahoma, in the extent to which they are affected by federal installations.

The Fourth District contains Tinker Air Force Base at Midwest City, Oklahoma, by far the biggest payroll in the state and the largest single source of employment. It also contains Fort Sill, just outside Lawton, largest city in my district, which for more than a century has been one of the mainstays of the United States Army.

A third significant federal center is Altus Air Force Base in southwestern Oklahoma, now the training facility for the C5A. As many as 80,000 citizens of the district receive direct federal pay checks.

Tinker Field has a current payroll of \$266 million per year. Its procurement is responsible for \$700 million in goods and services, \$65 million of which go through Oklahoma contractors. The base has a worldwide function and maintenance.

Midwest City, immediately adjoining Tinker Field, was founded along with the base in 1942. It has now mushroomed until the new 1970 census ranks it as the fifth largest city in our state with population of 47,000. The city and the base are in immediate contact. They have reacted on each other from their simultaneous origin.

Only last week I attended a briefing at

which Major General George Johnson, Commanding Officer of Tinker, told members of the Oklahoma delegation the role of his base and its current assignments. He exemplified what must be the goal in operations of this kind, close cooperation between the city and the military. I am glad to report that Tinker military personnel have a very wide acceptance as members of the community, working together on civic matters with local business leaders. Although I am a member of the Small Business Committee and have been for many years only seldom is a complaint directed to me about Tinker Air Force Base practices in this field.

With regard to Fort Sill, Mr. Joseph T. Crain, Director of Planning of the City of Lawton, responded in detail to the questionnaire this committee sent out. Fort Sill has a total annual payroll of \$167 million, \$137 million military and \$30 million civilians. It has a total complement approaching 25,000. One-fourth of the property of the entire county belongs to the Federal Government, the land of the Fort plus the land of the adjoining Wichita Mountains Wildlife Refuge. Some 70,000 of the total population of 108,000 in Comanche County receive some form of Army paycheck or are members of families that receive such.

To Mr. Crain's comprehensive summary I would add only this distributes the business of moving freight such as household goods for military personnel to as many of the interested freight transportation companies in the area as possible. This is an excellent example of a policy beneficial to good community relations.

Altus Air Force Base is located in a smaller community, with the total population of slightly more than 25,000. Its relations with small business people of the area also have been generally good. Policies in all three of these installations have been geared to assisting small business in a constructive way.

I am glad to note that one of the witnesses you will hear is Mr. Donald F. Bradford, Director of Economic Adjustment of the Office of the Secretary of Defense. He and his team of co-workers for years have worked in my district in connection with the deactivation of Clinton-Sherman Air Force Base and the search for appropriate installations to replace it. This process began even before the base became a part of my district. Operations of this type will be extremely important in the future as the shifts in technology bring occasional changes in our requirements for military facilities.

In addition to these giant military bases several other sizable federal facilities exist to the Fourth District, including the Oklahoma Postal Training Operations Center at Norman and the wildlife refuge mentioned previously.

As one who lives every day with the impact of federal installations in his home territory I welcome your focusing of attention on this subject.

THE B-1 BOMBER

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. BRINKLEY. Mr. Speaker, in view of the present-day attitude on the rules of war, I believe a valid issue on the B-1 bomber relates to whether or not we would use this airplane for its intended purpose if we had it. Would the bombing of population centers be tolerated even where the enemy calculatingly disperses military targets among civilian areas?

The case of obsolescence is secondary to the "use" issue which should be resolved prior to such a massive undertaking involving such enormous expenditures.

STRONG OPPOSITION TO COMMERCIAL OR GENERAL AVIATION USE OF FORMER LOS ALAMITOS NAVAL AIR STATION FACILITIES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HOSMER. Mr. Speaker, under date of June 8 the Orange County, Calif., grand jury took it upon itself to tell the board of supervisors to turn the former Los Alamitos Naval Air Station facilities into a public airport. This proposition I violently oppose as do very many of the residents of western Orange County. There follows below my letter, less enclosure, to the grand jury foreman on this subject:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 16, 1971.

Mrs. DOREEN MARSHALL,
Foreman, Orange County Grand Jury,
Santa Ana, Calif.

DEAR MRS. MARSHALL: This is to protest the Grand Jury's recent proposal to the Orange County Board of Supervisors that flight facilities at the Los Alamitos Naval Air Station be turned over to commercial and general aviation.

Since the mission of this naval facility was redirected, many ideas have been suggested for the use of the land. Because of their tentative nature, I have not taken positions for or against them—with one exception.

I am dead-set against using Los Alamitos as a public airport.

While the Navy was still flying there, nearby residents complained long and loud about the noise and the possible safety hazards. However, the Navy was there before the houses were built and high priority military requirements existed for Naval Reserve flight training at Los Alamitos. Naval authorities did their very best to minimize to the fullest extent possible annoyances to their neighbors by reason of the flight operations. As a result, circumstances were tolerable.

Obviously no such careful delimitation of potential commercial or general aviation activities at Los Alamitos could or would be carried out. The area would be turned into a high decibel sinkhole just like every other commercial airport, despite all the pious promises airport promoters customarily make to lull nearby homeowners into false feelings of security. I can find absolutely no justification for the premeditated dooming of residents of Los Alamitos and neighboring Rossmoor and Seal Beach to this fate. To the contrary, there is every reason to avoid subjecting them to the noise, inconvenience, dangers and drastic decline in their property values which would follow as inevitably as the night follows day.

As you may be aware by now, the Army, Air Force and California National Guard, in accordance with Federal regulations, have requested use of Los Alamitos for their own flight training activities. At least they could be expected to be as circumspect in their operations as formerly the Navy was, and it appears at this time that these requests may be honored, although the final decision is yet to be made. In that connection, I have written

Secretary of Defense Melvin Laird, urging that if the field is to be kept active, that DOD make it very clear that commercial and general aviation will never be permitted there. A copy of that letter is attached for your information.

Frankly, I would rather see these concrete runways bulldozed out, for, until they are, I suppose, there will continue to be ill-advised pressures for civilian access to the Los Alamitos runways.

I have chosen the phraseology "ill-advised" carefully. The Los Alamitos facility is at the western most boundary of Orange County, less than five air miles distant from the existing Long Beach Municipal Airport, which has full facilities for commercial and general aviation aircraft. It is not western Orange County that needs another airport. Western Orange County already is well and conveniently served. It is eastern Orange County that needs one. In my opinion demands for civilian use of Los Alamitos right next door to an existing commercial airport, just because it is barely within the Orange County boundary are both ill-advised and xenophobic.

As I have made clear on several occasions to various governmental and civic organizations, including the Cities of Los Alamitos and Seal Beach and the Board of Supervisors, I have no real preference as to the future use of the base. If the Defense Secretary determines that it is needed for Army and Air Force Reserve training, I will respect his judgment. If it can be devoted to badly needed Navy housing, that is fine, assuming some fair and equitable Federal formula is adopted to pay school and city and county expenses involved in excess of those normal for the area. If, by some remote chance the land should be declared surplus and ceded to the County for a park, that would be excellent.

However, I will do everything possible personally and as a Member of Congress to see that this high-density residential area is not subjected to commercial or general aviation, which it does not need and which belongs elsewhere.

I regret that we do not agree on this issue, but my views are sincere and quite strongly held.

With best wishes, I am,
Very truly yours,

CRAIG HOSMER,
Member of Congress.

"PAX ET AMARE"—A POEM BY
RICHARD S. POPE

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mrs. GREEN of Oregon. Mr. Speaker, Richard S. Pope is a research physiologist at the Good Samaritan Hospital in Portland, Oreg. In recent correspondence with me on another subject, he added almost casually and as an afterthought:

I take the liberty to enclose a copy of a poem concerning other matters which I hope you will appreciate.

This was a fortuitous afterthought, as I am sure many will agree, after reading the following lines which evoke, powerfully, Alexander Pope's observation about "What oft was thought, but ne'er so well expressed":

PAX ET AMARE

(By Richard S. Pope)

Man professes love for Man;
Man talks of humanity;
Yet history belies the talk;
History shows Man the lie.

Man has killed Mankind;
Man has killed, always for reason;
Man has killed for vanity;
Man has killed for greed.

Man professes love for Mankind;
Man kills Man; for this love?
Man has killed in God's name;
Man has killed for country.

God is love, some say,
But Man kills in the name of God;
Each side killing for his own God;
Sometimes both sides killing for the same
God.

Man professes love for Man,
Yet Man will kill Man
And peace will not be known
And love will not be shown.

Man will destroy Mankind
Unless Man is willing to try
Something different from talk,
Something different from guns.

Man will destroy Mankind
Unless Man decides to try
The one thing he only emits,
The one thing which has been just sound.

Man must express his love for man;
Man must try for peace;
Only then can we believe;
When Man professes love for Man.

Man builds weapons, for peace
What an obvious lie!
Man has always used those weapons;
Man will use them now and die!

Man must build peace;
Man must build love;
There is no longer choice,
Except the choice to die.

SAN GABRIEL BICENTENNIAL

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1971

Mr. DANIELSON. Mr. Speaker, I would like to thank the gentlemen from California (Mr. WIGGINS and Mr. EDWARDS) for their assistance in the passage of House Resolution 450, congratulating the city of San Gabriel on the occasion of her 200th anniversary. I wish to commend the gentleman from California (Mr. ROUSSELOT) for his leadership in the recognition of San Gabriel's Bicentennial.

San Gabriel can be justly proud of her two-century heritage. As I had occasion to remark in the RECORD on May 10, 1971, the city is one of California's most historic communities, beginning with the founding of the Mission San Gabriel Archangel by Father Junipero Serra. The events, the struggles and the achievements of San Gabriel are a microcopy of the history of California in many respects. Her tradition and heritage have been preserved in adobe buildings as well as the cultural life of the community.

A flag of the United States was flown

over the capitol on May 20th, 1971, in honor of San Gabriel's Bicentennial and in conjunction with the festivities beginning on that day.

WOMEN IN GOVERNMENT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. FRASER. Mr. Speaker, the problem of sex discrimination in employment pervades our society. We find it in business, at our universities and colleges and, I am sorry to say, in governments—Federal, State, and local.

An article recently published in the New Republic, May 29, 1971, entitled "Double Standard" points out that though we hire many women for Federal service in the lower grades, we do not let very many of them move up the career ladder. For example, at the Smithsonian Institution, 33 percent of the employees are women but no women were to be found in the highest GS grouping. This information was obtained by the Civil Service itself in a study done in 1969, the article reports. The article follows:

DOUBLE STANDARD

It is illegal for federal contractors to discriminate in employment on the basis of sex. Accordingly, the Department of Health, Education and Welfare has in recent months undertaken to block new government contracts to several universities, including the University of Michigan, which had not hired enough women for responsible, well-paying positions. Government-sponsored public service television ads make the point that in private employment a man and a woman doing the same work (in the TV spot they're car mechanics) must be paid the same salaries. The U.S. Civil Service Commission ruled on May 12 that federal agencies may not have "men only" or "women only" jobs. Except in positions that require employees to sleep together in the same quarters and employment such as matron in a women's prison, men and women must be considered for all federal jobs. So there may now be female park policemen and security guards. Already there are a token number of female sky marshals.

But though government is moving toward the elimination of sex discrimination in public and private employment, it has a long way to go.

In 1969, the Civil Service Commission examined the number and percentages of women employed at each level of federal service. Government Service (GS) ratings provide an indication of status and income. GS 1-6 include primarily clerical, aid and support positions, as well as some beginning "semi-professional" jobs which require a bachelors degree or three years of "progressively responsible" work experience. The average income of GS level 1-6 employees is (at 1971 rates) \$5,936. Grades 7-12 are mid-level positions, requiring a year or more of graduate school or many years of work experience. The average salary for these jobs is \$11,350. Senior level grades (13-15) pay on the average \$21,742. Government Service levels 16, 17 and 18, the so-called "super-grades," include political appointees as well as some career Civil Service employees.

It was found that in GS levels 1-6, nearly half of the employees were women; in GS 7-12, only 20 percent were women. In the senior grades 13-15, about four percent were women; at GS 16 and above, women represented 1.7 percent of employees. Of all women holding federal jobs 78.1 percent worked in GS 1-6 jobs; 20.8 percent in GS 7-12; one percent worked in GS 13-15 jobs; in GS 16 and above, .03 percent.

The Commission broke down these statistics by agency. The National Mediation Board, for example, had no women at grade levels higher than 12, but 77 percent of its GS 1-6 employees were women. The Federal Home Loan Bank Board employed no women in the top grades; 91 percent of the agency's GS 1-6 level employees, however, were women. At the Smithsonian Institution, which includes the National Gallery of Art, 33 percent of the employees in grades 1-6 were women; no women were to be found in the highest GS grouping. At HEW, the agency that enforces antidiscrimination laws, some 86.9 percent of employees in GS 1-6 were women. In GS levels 7-12 the percentage slipped to 43.8 and in GS 13-15 to 15.2 percent. In the supergrades at HEW only 4.2 percent of employees were females.

Such statistics describe federal employment patterns but they do not explain them. They do not differentiate for instance between the refusal to employ qualified female applicants *because* they are women, and the tendency of women for one reason or another to seek certain kinds of work. Nor do the statistics reveal how many Wellesley graduates with degrees in anthropology settle for typist jobs because that is all male employers offer them. They do suggest, however, that HEW's standards for itself and for the University of Michigan are not the same. In the highest civil service grades at HEW only a little over four percent of employees are female. Would HEW grant federal funds to a university that had so little room at the top for women?

TRIBUTE TO RETIRING IUE HEAD

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. MINISH. Mr. Speaker, it is with mixed emotions that I rise today to pay tribute to a man who has dedicated his career to enriching the lives of the working men and women of this country. Irving Abramson, general counsel of the International Union of Electrical, Radio, and Machine Workers has announced that on July 1, he will "lessen" his official activities with the IUE.

The word retirement is not found in Irving's vocabulary.

As a former member of the IUE, I know how much his dedication, his knowledge and his zeal has contributed to the labor movement.

Born into poverty, he rose to become one of our Nation's finest labor lawyers and trade union leaders. For over 40 years he has worked to secure economic justice and social dignity for American workers. His legal career followed his active participation in National and State labor organizations, including regional director of the New Jersey-Maryland-Delaware Political Action Committee, president of the New Jersey State GIO Council and the eastern area director of CIO.

We in New Jersey take particular pride in Irving's achievements. As a member of the New Jersey State Housing Authority and our State Rehabilitation Commission, he has served our State with distinction.

Following graduation from the St. John's University Law School in New York City, Irving served as an NRA attorney in the Roosevelt administration and as an organizer in the early days of the CIO. He was founding chairman of the CIO War Relief Committee and its successor CIO and AFL-CIO Community Services Committees.

He is a recipient of the celebrated Award for Freedom given him by King George for his wartime activities. He served on the executive committee of the National War Fund and the Enemy Alien Board.

With the Textile Workers in the 1960's, Irving successfully argued the famous Darlington Mills case before the Supreme Court. The decision brought an award of over \$8 million to some 500 workers who lost their jobs when Deering-Miliken Co. closed its Darlington, S.C., plant to escape unionism.

He headed IUE's legal team in winning unfair labor practice cases in which the right to conduct coordinated collective bargaining through multiunion negotiating committees was upheld, and management's take-it-or-leave-it bargaining tactic known as Boulwarism was declared unlawful.

I would be remiss if I did not also pay tribute to Irving's wife, Miriam. She has been at his side in the many battles he has fought and shares his deep feelings for the labor movement.

Put simply, he will be missed by all of us.

PRESIDENTIAL LIBRARY WILL BECOME ONE OF TEXAS' GREATEST ASSETS

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1971

Mr. CASEY of Texas. Mr. Speaker, with many of our colleagues here, we recently shared the great experience of being present at the dedication of the Lyndon B. Johnson Presidential Library in Austin, Tex.

This great and imposing structure, housing more than 31 million items accumulated during his great career of public service, will be a gold mine of information for historians and scholars in the years ahead.

Here, in this beautiful structure on the University of Texas campus, adjacent to the Lyndon B. Johnson School of Public Affairs, is assembled the most complete historical record of our Nation's most turbulent period. Unlike other presidential libraries now in existence, this one will become a working affiliate of the school of public affairs and a major educational institution.

As Dr. Harry Ransom, Chancellor Emeritus of the University of Texas system, stated:

No other account of statesmanship has been recorded in greater depth or breadth. From natural resources to educational planning, from programs in health and civil rights to complex foreign affairs, the Library's original materials reflect not only topical subjects but also permanent concerns of humanity. The most important single quality of the Library is that its spirit is informed by President Johnson's spirit. His time is reflected here not as the era of a Texan or of one citizen who held the highest office in the United States. It is revealed as a period in which men and women came to realize more poignantly their roles as human beings.

Mr. Speaker, I deemed it a high honor to be privileged to be present at the dedication of this great library, which will stand through the ages as a living memorial to one of the State's greatest native sons, and one of our Nation's greatest Presidents.

Future generations will truly benefit from the generosity of President and Lady Bird Johnson and the University of Texas.

CONGRESSMAN JOSHUA EILBERG ON THE NARCOTICS PLAGUE

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. BARRETT. Mr. Speaker, it was my privilege and pleasure to attend the first annual dinner of the ROAD—Responsible People Opposed to Abusing Drugs—on Friday, June 4.

This is a new group in my home city of Philadelphia which operates a drug education and workshop center where therapy and counseling are provided for those wanting to stop narcotics.

The dinner honored as "Man of the Year," our distinguished colleague, JOSHUA EILBERG. As a fellow Representative from Philadelphia, I have known JOSH EILBERG for many years. He is a concerned and dedicated Congressman, one who has earned the respect of his constituency and of his colleagues here in the Congress.

I found JOSH EILBERG's remarks at that dinner in Philadelphia fascinating and I congratulate my colleague for his thoughtfulness, energy, and imagination. With the unanimous consent of my colleagues, I enter JOSH EILBERG's remarks in the RECORD:

THE NARCOTICS PLAGUE

(Address by Congressman JOSHUA EILBERG)

We are here tonight because of a common concern about what has come to be known in this country as the plague. Our nation, our city, and even our neighborhoods are caught in the vise of an epidemic which slowly is reaching the proportion of the plague.

Ten years ago, or even five years ago, it was always someone else's problem. But like a viral epidemic which continues to grow unchecked, it soon became a plague, growing, reaching out and finally infecting a neighbor, a friend, a loved one, or one of their children.

And we, this nation and this society, have been slow to respond. In part, many of us have been reluctant to face the hard and

brutal truth. This country is locked in the grip of a narcotics plague.

The fact that people are coming to grips with this hard and bitter reality was driven home to me this past January and February. During those two months I visited the editor of every newspaper which serves our Northeast community.

I asked each of them what was of concern to them and to their readers. To the man—or woman—they replied drug abuse. Some said their communities were concerned about schools, others mentioned recreational facilities, but everyone mentioned the drug problem. I must admit I was somewhat taken aback by the response. I knew of the growing community awareness of our problem, but the unanimity of their replies truly surprised me.

The Congress had been moving for some years indirectly against the problem, particularly in the area of law enforcement. The traditional approach has been to beef up law enforcement and customs inspection capabilities. Most particularly, the Omnibus Crime Control and Safe Streets Act passed by the Congress three years ago this month set up Federal apparatus for direct assistance to local police departments. Since the passage of that act, millions of dollars in Federal funds have been channeled to local departments.

In the last Congress, two major pieces of legislation became public law, within a month of each other. Last October, the Congress passed and the President signed the Comprehensive Drug Abuse Prevention and Control Act. The following month, the Drug Abuse Education Act became law.

These laws commit the Federal government to the education and rehabilitation aspects of the problem in a major way. Both laws give the Department of Health, Education and Welfare wide authority to promote education and rehabilitation programs. This language in itself signals a major change in the Federal attitude. It recognizes that drug abuse is not merely a criminal problem, but a challenge to the social fabric of the nation.

I cannot emphasize too strongly the significance of this shift in attitude. Most forms of drug abuse remain criminal offenses, both in the Federal code and in the statutes of the 50 states. That is not changed. But now there is an understanding that if we are truly to cope with the problem, we must educate people to the dangers of addiction, and if we are too late, if we lose some people to addiction, we must not abandon them; we must cure them.

Of particular interest to the friends and supporters of the ROAD will be the fact that this cornerstone legislation does not make the arrogant assumption that the Federal government can solve the problem alone. In large part, these two public laws mandate the Secretary of Health, Education and Welfare to provide assistance of all sorts, including money, to public or nonprofit agencies to assist in education and rehabilitation.

The legislation is new and it takes some time for the bureaucracy to gear up so that it can properly administer this new authority. However, I am confident that the ROAD will be eligible to apply for Federal assistance for its programs under these acts.

At the beginning of this, the 92nd Congress, there was a new understanding that what had been done was only a beginning and there also was a new pessimism that no matter how much was done at every level of government and by concerned private citizens like yourselves, we might fail.

The cause of this pessimism is heroin addiction. Other forms of drug abuse remain dangerous to the individual and to the community, but clearly the razor's edge of the problem is heroin addiction. It destroys the individual and it destroys his family. I will

not pretend to be an expert on the problem but it was once explained to me that there are no old heroin addicts. A person either beats the habit or finally it kills him in mid-life before he or she gets old.

Heroin addiction destroys the community. Some big city police departments estimate that half their felony arrests are drug-related. I recently saw one estimate that Philadelphia is home to 15 to 20 thousand addicts, many of whom must steal \$300 a day in goods or property in order to get enough cash from a fence to support a \$50-a-day habit. As an exercise, multiply 20 thousand addicts by \$300 and you will find that the potential total loss in property in this city daily, using these figures, is six million dollars!

That, of course, is a shocking figure. Part of the problem is that no one knows for certain its dimensions. There may be 10 thousand addicts in this city or there may be 20 thousand. Some may have a \$50-a-day habit, some may have a less expensive or more expensive habit. Some may be stealing property to support this habit, some may be stealing cash and some may be participating in other illegal activities, like prostitution, to support their habit. Some few are probably supporting their habit from legitimate sources of income.

But we do know that a heroin addict is trapped in the daily ritual of the "fix" and the relief it provides from physical torment. And we do know that it is expensive to the point where it drives people to criminal acts.

Now, we are confronted with a new and devastating complication; widespread heroin addiction among our troops in Vietnam. The figures are frightening. One estimate is that 300,000 American men have returned from Southeast Asia addicted. The Department of Defense officially dates our involvement in the Vietnamese war from 1961. That would mean that in the past decade, an average of 30,000 addicts have returned home annually from the war. Presidential Counselor Robert Finch estimated late last month that the Armed Services are discharging 20,000 heroin addicts a year. A Congressional investigating team went out to Vietnam earlier this year and returned to report that 10 to 15 percent of our men out there are heroin addicts. Considering that our force level there now is about 250,000, this would mean that between 25 to 37 thousand American soldiers are addicts.

One of the members of this Congressional panel was Representative Morgan Murphy of Chicago and over dinner several weeks ago he assured me that his panel's estimates were not exaggerated. He had other, equally disturbing information. For example, a preponderantly larger percentage of the soldier-addicts are draftees not regular Army personnel or volunteers. He also reported that vials of heroin were available on the streets of Saigon for a few dollars and that the heroin was virtually uncut, or nearly 100 percent pure. All this means is that the soldier-addict returned to civilian life will have to spend many, many more dollars to get the same relief from his torment here in a heroin market where the product is usually less than five percent pure.

The Armed Services have been overwhelmed by the problem, and clearly do not know how to cope with it. There are some who are quick to accuse the Services of a failure of will, but I am not among them. It is unreasonable to expect the military to be any more expert in dealing with a problem that has confounded the combined resources of the social, legal, and medical establishment in this country for twenty years.

Rather than placing blame, we must try to help. The first person we must help is the addicted G.I. I have joined a movement of my colleagues in the Congress to create the framework for such relief.

I have sponsored legislation which, if enacted, would establish and fund a coordinated education, enforcement, and rehabilitation program in each branch of the service. But more importantly, this legislation provides freedom from prosecution for any serviceman who steps forward and volunteers for a drug abuse treatment and rehabilitation program. The legislation also requires that each branch of the service or a Public Health Service hospital treat and rehabilitate any known drug addict before returning him to civilian life with a medical discharge.

The problem now is that the addicted G.I. is afraid to step forward, fearful of prosecution, a possible long prison term and the stigma of a dishonorable discharge. What begins as a lark or escape, for many ends up a nightmare and a prison for most. I am convinced that the soldier-addict will choose treatment, if it does not include prison and a D.D., over a life of despair on the streets at home.

I do not expect that every soldier-addict will be found and cured once this program is enacted into law. No system is fool-proof. For this reason, I will shortly introduce legislation which, if enacted, will ensure that the drug cure and rehabilitation capabilities at each of our country's 166 Veterans Administration hospitals, are properly funded and expanded.

The final tragedy of the war in Vietnam is that it has created a generation of heroin addicts.

The Congress also is confronting another reality of the heroin problem; the source. While much of the heroin in Southeast Asia is originating in Laos, 80 to 85 percent of the heroin illegally sold on the street here in America comes from the poppy fields of Turkey. Opium comes from the poppy! The opium in raw form is illegally transported to refineries in Marseilles, France, where it is converted to heroin. It is then smuggled into the United States, where it is cut and sold.

The terrible irony, of course, is that every United States and international law enforcement agency knows this route. These agencies know exactly where the opium is grown and could put you on a plane tomorrow and take you to the poppy fields of Turkey in the plains of Anatolia, a section of that country.

Destroying the opium at its source, or stopping its cultivation, is a relatively easy matter as compared to stopping it at our borders. It is now estimated that no matter how vigorously customs agents search out and confiscate heroin at our borders, at most, only 20 percent of the heroin can and is being confiscated. This is easily compensated for by suppliers who simply load another 20 percent into the pipeline at the other end as a modest cost of doing business. After all, the heroin trade is enormously profitable.

Finally it has been concluded that we cannot stop the heroin traffic at our borders, even if we were to submit every American or foreign traveler to an exhaustive and unreasonable search, not only of his luggage and his property, but of his person. In an open and free society, this is clearly not acceptable.

But we are optimistic that we can cut off the opium supply at its source. Heroin cannot be manufactured synthetically so if we can dry up its natural source, we might have a chance at success.

I have introduced legislation which calls for the suspension of economic and military assistance to any country which fails to take appropriate steps to prevent narcotic drugs from being produced or processed for eventual export to the United States. This bill is clearly aimed at Turkey and France.

We are dealing, of course, with other independent nations, in this case, long-time

allies and friends. We cannot simply order them around. But, the United States has tremendous leverage. For example, our assistance to Turkey alone since the Second World War is by one estimate thought to total \$5 billion.

And we now have signs that the Turkish government is responding to Congressional pressure. In a recent report to Members of Congress, Turkey's Ambassador to the United States reported that opium cultivation has been outlawed in nine-tenths of the opium growing regions of that country and restricted to four provinces in the interior of the country, away from seashores, ports, and borders.

But all these steps might not be enough. The Senate of the State of New York has asked the Congress to pass legislation enabling the United States to destroy the 1971 Turkish opium poppy crop and has stated that it is willing to pay whatever is the expense of such an endeavor, including the costs of compensation to the Turkish farmer. Incidentally, the 1971 opium poppy crop will be harvested in one 24-hour period in the last week of this month or the first week in July.

Because of the sovereign independence of Turkey and the Turkish people, the destruction of their opium crop on such short notice is not a likely possibility.

Further, I propose that the United States government study the feasibility of a foreign assistance program for Turkey similar to the farm support programs here at home.

Domestic farm programs pay the American farmer not to grow crops or to limit crop yield in order to artificially support the price of certain farm products in the market. The program was designed to protect American farmers from the economic consequences of a glutted market.

In my view, the United States should do one of three things or any combination of the three:

1. Pay the Turkish opium farmer by the acre not to grow his crop.
2. Pay the Turkish farmer a subsidy which would make it more profitable for him to change his crop.
3. Buy the Turkish farmer's opium crop directly and then destroy it.

Any of these three alternatives might be suitable to cut off the source of supply for the heroin trade, but they will require the close cooperation of the Turkish and American governments. Some delicate negotiations undoubtedly will have to precede any such agreement.

But until we end the heroin traffic, the epidemic, the plague, will continue here at home. If we are to make even the smallest advance in ending or checking this plague, we need the cooperation of people like you and we need organizations like The ROAD.

That is why I am particularly proud of this award tonight, and particularly proud of being associated with such a fine group of my friends and neighbors. You care and I care.

I pledge to you my continuing support for The ROAD and its programs and my continuing friendship to the people who are building The ROAD.

Thank you again.

DEFENSE AUTHORIZATION BILL

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. ASPIN. Mr. Speaker, during the past few weeks, there has been a great deal said about why we need a larger

Navy budget. However, the debate has suffered from unfounded assertions and poor reason. Hence, any contribution to clear, rational debate is most welcome.

The following letter appeared in this morning's Washington Post. The writers—Arnold M. Kuzmack and Charles P. Shirkey—both served in the Office of the Assistant Secretary of Defense for Systems Analysis and dealt specifically with naval forces. They conclude that not only is the situation not as bad as the Navy and many of its advocates make out, but it does not lead logically to spending more on the Navy.

At a time of domestic need and taxpayer revolt, we cannot afford to make critical decisions on programs which compete for limited resources based on emotion alone. While my amendment would hold the fiscal year 1972 authorization to the amount authorized last year, it does not cut any particular service or program. Rather, it makes it possible for the Department of Defense to eliminate programs which, at best, make a marginal contribution to defense, and to cut waste and inefficiency wherever it occurs.

The letter follows:

THE NAVY'S BUDGET AND THE VULNERABILITY IN WAR

Michael Getler's June 12 article, "Navy Fears U.S. Couldn't Counter Joint Soviet-UAR Thrust Into Israel", was an interesting and apparently accurate portrayal of the views of the U.S. Navy's top leadership. For this reason, and also because essentially all of the administration's requested increase in the defense budget (over and above inflation) is to go to the Navy, it is important that contrary views be presented as well. George C. Wilson's May 31 article comparing the U.S. and Soviet navies discussed some of them. The following comments are offered to continue the debate.

It is true that, after mid-1972, the U.S. aircraft carriers in the Sixth Fleet would be too vulnerable to play much of a military role in a war with the Soviet Union heavily involved. However, the same is true today and would have been true five or 10 years ago. The most serious threats to the carriers are Soviet land-based bombers carrying air-to-surface missiles, each the equivalent of a World War II Kamikaze attack, and concentrations of Soviet torpedo attack submarines. During World War II, 60 percent of the U.S. carriers hit by one Kamikaze and all hit by two or more were forced to return to port for repairs.) It seems likely, even with a massive increase in the Navy budget, that our defense could achieve the better-than-90 percent effectiveness needed to prevent the carriers from being put out of action by concentrated Soviet air and submarine attack. The much advertised Soviet surface fleet would be only a marginal addition to this threat. The appropriate response is not to spend additional billions trying to defend the indefensible but to rethink the Navy's missions in the light of current conditions.

However, this does not mean that we could not counter a joint Soviet-UAR thrust into Israel, in the unlikely event that such help is needed; it just means that the Navy's role would be limited. The U.S. Navy could counter deployment of Soviet ground troops, just as the Soviet Navy could block deployment of large numbers of U.S. ground troops. Both the United States and the Soviet Union could deploy land-based tactical aircraft, and the U.S. Air Force aircraft would supply the air support that the carriers would have provided were they not so vulnerable. How

such a war would turn out would take too long to discuss in this letter, but we simply note that Israel, with U.S. air support if needed, would have the advantage in geography, in quality of equipment, and in quality of training.

The article also relates the Navy's view that "a Soviet-backed move by North Korea against South Korea would also be extremely hard for the United States to counter with conventional weapons as the fleet and U.S. overseas bases continue to decline." No further details of the argument are given. The Soviets could introduce additional tactical aircraft, but so could we, with plenty of land bases in South Korea itself. The Soviets could, in theory, try to cut off shipping to South Korea with their submarines, but the small volume of required shipping makes it almost certain that we could get it through, though perhaps with large losses. It is therefore hard to see what Mr. Getler's sources were referring to.

In conclusion, not only is the situation not as bad as the Navy makes out, but it does not lead logically to spending more on the Navy.

ARNOLD M. KUZMACK,
CHARLES P. SHIRKEY.

RESTON.

SPECIALITY OF THE HOUSE: LEMON-FLAVORED LEAD PAINT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. FRASER. Mr. Speaker, it may not sound appetizing to you, but to many small children living in older homes, paint chips peeled off walls and trim taste good.

The following article taken from the June 1971 issue of Environment emphasizes the problem. St. Louis laid plans and started their attack on lead paint poisoning. These efforts may now be discontinued due to lack of funds.

Last year Congress passed Public Law 91-695 to counteract this disease. Brain damage and death do not respond to empty authorizations. The children cannot wait.

HALF STEP FORWARD

(By Daniel T. Magidson)

Kelly Jones is one of the children in St. Louis who has lead poisoning; she is nineteen months old and was recently taken to St. Louis Children's Hospital. She had previously been treated by a pediatrician for influenza, but, because her condition had grown steadily worse, her mother took her to the hospital rather than back to the pediatrician. On admission to the hospital the baby was unresponsive and almost unconscious. A spinal tap revealed a high spinal fluid pressure and elevated protein content. X-rays showed characteristic signs of lead in the long bones, and specks in the gastro-intestinal tract that appeared to be undigested lead paint. The level of lead in her blood was greater than 100 micrograms per 100 milliliters (the high "normal" level is below 40 micrograms per 100 milliliters). She was immediately given intravenous calcium disodium versinate which was alternated with BAL (British Anti-Lewisite) over a five-day period, the customary treatment for acute lead poisoning. By the second day she was more alert and responsive. Her life had been saved, but it is still too early to determine whether damage was done to her brain. How did Kelly get poisoned? Her apart-

ment house, seen from the outside, was obviously once a stately edifice and is still presentable. Looking at the inside of the Jones apartment, however, one has little doubt where Kelly got the paint she ate. Plaster is chipped off walls and ceilings, and wallpaper is peeling. Every windowsill in the Jones apartment is a tracery of cracked and flaking white, lead-based paint.

Kelly seems to be a typical toddler, and toddlers often put things into their mouths, no matter how much they are watched or told not to.

Unfortunately, many young children eat old paint, plaster, and putty that contain lead. About 3,600 children in St. Louis have lead poisoning, according to a St. Louis Division of Health official.

James Schoonover, director of the St. Louis Development Program of the St. Louis City Planning Commission, says that about 75 percent of the houses in the city were built before 1930. Presently there are 238,500 housing units in St. Louis. Of these, according to Schoonover, 23,800 are considered by the city to be in "poor or dilapidated condition." It is safe to assume that at least this 10 percent of the houses, freely acknowledged to be substandard, contain deteriorated, easily accessible, lead-based compounds in their interiors.

Ivory Perry, consultant to the St. Louis Metropolitan Tenants Organization (MTO), is among those concerned about the situation. As a civil-rights activist and housing developer for the Human Development Corporation in St. Louis, Perry became intimately involved in attempts to ameliorate poor housing conditions in the city; in time this brought him to consider lead poisoning in children and its major cause.

"I got interested in chipping plaster and paint in 1968. I was worried that children from one to six years would eat it. Most houses built before 1959 had lead paint in them. Most poor people don't have air conditioning, and they raise the windows in the summertime, and most of the little kids put their mouths on the windowsills." They soon discover that the paint chips they lick have a sweet-sour taste like lemon drops (Perry has tasted paint chips himself to confirm this), and soon they are busily chipping and eating the paint.

According to Perry, the use of lead paint in housing interiors was outlawed in the state of Missouri in 1950. In 1970 he started testing houses for lead, using a sodium sulfide solution which causes paint containing lead to turn black on contact. He said, "I tested about 50 houses and found out it was a waste of time because they all had lead paint."

As a member of a Danforth Foundation-sponsored task force on housing code enforcement in St. Louis, Perry attended an aldermanic meeting on the subject in 1969. He spoke in favor of new legislation to enforce the housing code and pointed out that "chipping plaster and peeling paint are a hazard and a danger to the kids, because most little children will pick up anything and put it into their mouths—anything."

The Metropolitan Tenants Organization, with several other community groups, has been conducting free blood-screening tests which account for 50 percent of the St. Louis screening program, the rest of the screening being done by four well-baby clinics operated by the Health Division and its central municipal laboratory (to which all samples are sent for free evaluation); the Community Medicine Department of the St. Louis University School of Medicine is involved, and individual medical students from St. Louis and Washington University Medical schools and a number of hospital technicians have volunteered their services.

Mounting public concern over lead poisoning is now making itself felt in city government. In April 1970, the St. Louis Board of

Aldermen passed an ordinance "to detect, treat and prevent lead poisoning resulting from the ingestion of lead-bearing substances, which ingestion is hereby declared to constitute a serious public hazard." Instrumental in framing the ordinance were the MTO, the St. Louis Division of Health, and the Legal Aid Society. The ordinance made lead poisoning a reportable disease and gave the city health and building commissioners new inspection and enforcement authority; unfortunately, there have been only limited inspection and enforcement because the city has not been able to appropriate enough money. Inspectors have confirmed the presence of lead in at least 100 housing units, including the Jones apartment, and fines have been assessed in a few cases.

In 1970 the city's Health Division gained permission to use unexpended funds from other programs to begin a full-scale attack on lead poisoning. Community pressure was a significant factor influencing the Board of Aldermen to release the funds for the Health Division's program. St. Louis, like other major cities, is in poor financial condition. Dr. Valgard Jonsson, deputy health commissioner, had been asking for years for increased funds to detect and treat lead poisoning. It took the city three years to buy the modern testing equipment requested by Jonsson, and then it could not be put into use for a time because the city could not spare \$200 to send a technician to Chicago to learn to operate it. To the city's rescue came the MTO, which raised the necessary money. Now the Division of Health has eight people working in the Lead Poisoning Control Service under Acting Administrative Chief Sharon Love.

According to Mrs. Love, between June 28, 1970 and April 4, 1971, 2,784 St. Louis children were given blood tests for lead. Of this number, 1,168 had levels greater than 40 micrograms per 100 milliliters; 248 of these were given a diagnosis of lead poisoning by physicians, and 118 have been hospitalized to date. Even for those children who are successfully treated, however, the long-term effects of the poisoning are not known, nor does the city have funds for follow-up studies of the children. In many cases, they are returned to the same environment in which they were poisoned.

The future of even this modest lead poisoning control program now appears doubtful. The special funds will be running out soon, and if the St. Louis Board of Aldermen does not appropriate specific funds for its continuation, it will stop. When asked what he would do if the aldermen do not appropriate the funds, Commissioner of Health William C. Banton, who has said "We have robbed Peter to pay Paul to get the program going," refused to speculate; he said that he could not imagine that the city would not find some way to continue the Health Division's program to halt lead poisoning in children.

Ivory Perry and many other interested citizens will not be surprised if the appropriation is not made, however. He has said, "One reason the city is not trying to prevent the disease is because it is not catching." He also has charged that the city government is not very interested in the victims "because 60 percent are black, 40 percent are white and all are poor." Ten deaths were officially attributed to lead poisoning in St. Louis from 1960 to 1969; all were in children from one to four years of age; six were nonwhite, and four were white. Dr. Banton states that lead poisoning is not solely a "black" problem; he estimates that almost as many poor white children become poisoned as black.

It is likely that far more than the reported ten children have died of lead poisoning in St. Louis from 1960 to 1969. There is probably no way to make a meaningful estimate, however. Larry Evert, deputy assistant health commissioner, told *Environment*, "The exact incidence and prevalence of lead poisoning in the city of St. Louis is unknown." Physi-

cians, as in the case of Kelly Jones, often fail to recognize the symptoms of lead poisoning. Dr. Banton, who graduated from medical school in 1946, commented that, at least in his school, not a great deal of time was spent in making medical students aware that it could be a serious public health problem.

Other physicians have had similar experiences. Dr. Banton said also that lead poisoning could be compared to other diseases that have been, or are in the process of becoming, more widely detected; one must be aware of something before he can suspect it. And although the constellation of signs and symptoms that indicate classical lead poisoning are almost unmistakable when all are seen in one particular child, it is extremely rare for them all to be present at once. Also, they resemble the manifestations of other conditions and diseases, such as malnutrition and influenza, to name only two of many.

In short, people in general, and doctors and parents in particular, must become more aware of the lead poisoning problem, especially if they work or live in the areas where lead poisoning must have been endemic, though largely unrecognized, for many years. When the index of suspicion becomes higher, and when all susceptible children have their blood tested for lead, the real incidence of the disease may become known.

Obviously, better detection and treatment are vital measures, but prevention is the only avenue to eradicate the disease. It is here where there is the greatest controversy and consequently the least action. St. Louis Public Health sources give the cost of removing or covering lead paint in interior surfaces of houses at \$50 per room, while real estate people feel it could be \$250 per room. It has been estimated that it would cost \$100,000,000 to eliminate lead poisoning as a public health menace in St. Louis. The new city ordinance orders the owner or owners of record to remove or cover all lead-bearing surfaces in a house within 14 days of notification by the health or building commissioner. If this is not done the owner is held in violation of the ordinance and the dwelling may be condemned for human habitation until the lead is removed or adequately covered.

Even if no kind of affirmative action is taken, eventually the incidence of lead poisoning in children will go down, if only because of gradual abandonment and razing of older houses. As of May 4, 1971, of the 23,800 houses in very poor or dilapidated condition in St. Louis, 15,000 are vacant and vandalized, just waiting for the headache ball. But this is a painfully slow process.

At a public meeting on May 2, 1971 at the Watch Church of God in Christ in St. Louis, Arthur Jackson, vice-chairman of the Metropolitan Tenants Organization, said "Improvement in housing is the answer, but children who may be subjected to lead poisoning don't have time for long-term projects." Long-term projects must still be initiated; but in the meantime massive, nationwide screening and treatment programs must be initiated and continued to prevent the grave and irreversible damage that lead poisoning can cause innocent children.

THE CRLA FACT SHEET

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. WALDIE. Mr. Speaker, in the very near future the Director of the Office of Economic Opportunity, Mr. Frank Car-

lucci, will be making an important and meaningful decision.

This decision will determine the fate of the California rural legal assistance program.

Sometime this month a Presidential appointed commission of jurists will submit its report on the CRLA program. This report follows some 2 months of hearings and review of CRLA and the charges leveled against it by Gov. Ronald Reagan and the State director of OEO, Lewis K. Uhler.

If Mr. Carlucci and President Nixon buckle under to the political pressures applied by Governor Reagan, the Nation's finest legal assistance program will have been sacrificed and the poor in California and the Nation will again know where they stand.

CRLA has provided me and other Members of Congress with a most informative fact sheet on the present status of CRLA. The fact sheet is based on a number of newspaper stories.

I would like at this time to submit the fact sheet and the newspaper clippings for inclusion in the CONGRESSIONAL RECORD so that all Members can be informed as to the progress of this most important case:

FACT SHEET ON CRLA SINCE JANUARY

On January 30th, Frank Carlucci, Director of the Office of Economic Opportunity, announced that he had decided 1) to refund CRLA for six months, and 2) to appoint a "high-level commission" to examine the charges Governor Reagan had made against the program. Columnists Evans and Novak reported several days later that Carlucci and his staff supported a full year's refunding for CRLA, but the President—wary of what Reagan might or might not do during the 1972 convention and election campaign—ordered a compromise (*The Washington Post*, 2/3/71). The "high-level commission" was obviously conceived as a mechanism whereby the Administration could extricate itself from a direct confrontation with Reagan.

The Commission was appointed in March. It consisted of three state supreme court jurists: Robert B. Williamson, Former Chief Justice of the Maine Supreme Court; Thomas T. Tongue, Associate Justice of the Oregon Supreme Court, and Robert B. Lee, Associate Justice of the Colorado Supreme Court. All appointees were Republicans prior to their Supreme Court appointments.

On April 22, after two preliminary hearings in which Reagan's representatives made it clear they would not participate in public hearings, Justice Tongue resigned. In doing so he criticized the State for not "accepting its responsibility to call witnesses and present other evidence in support of its many and serious charges" against CRLA (*L. A. Times*, 4/22/71). Tongue, perhaps, suspected, as the CRLA staff knew, that Reagan's charges were falacious, could not possibly be supported with evidence, and the Governor's refusal to participate was simply a prelude to his attempt to discredit the Commission itself. Carlucci appointed George R. Currie, Former Chief Justice of the Wisconsin Supreme Court, to replace Tongue.

The Commission commenced its hearings on April 26th in San Francisco. The following day Governor Reagan publicly attacked the Commission, calling on its members to resign if they were not willing to conduct a non-public investigation of CRLA (*S. F. Chronicle*, 4/28/71; cf. cartoon, *Modesto Bee*, 5/4/71). On May 5, Reagan publicly appealed to President Nixon, Vice President Agnew, Attorney General Mitchell, White House

Staff John Ehrlichman, and OEO Director Carlucci to redirect the Commission course. He said the Commissioners were "confused and misinformed" (*Santa Barbara News Press*, 5/5/71).

The President has not interfered with the Commission, however, and by June 5th the Commission will have conducted 16 days of public hearings in ten of the eleven communities where CRLA has offices. At these hearings the Governor's staff and all others with charges against CRLA are free to be heard. Each hearing day more of the Governor's charges are shown to be "totally unfounded and without merit", and the Commission so announces (*S. F. Chronicle*, 5/21/71). The Governor still refuses to come forward with evidence in support of his charges, and with the support of a few reactionary groups, refers to the Commission's activities as a "white wash" of CRLA.

The Commission is to report its findings and recommendations to Director Carlucci by June 15, and Carlucci must announce his decision regarding CRLA's continued existence by June 30. Obviously the President will again be the real decision-maker, and as in January, he will be confronted with the same dilemma: On the one hand, Carlucci—based on the Commission's findings—will want to refund CRLA (in January his favorable recommendation was based on the findings of a twelve-man team from OEO's Office of Inspection who found Reagan's charges against CRLA to be unfounded). On the other hand, Reagan will talk to the President about 1972 and the consequences should the President fail to support the Governor's desire to destroy CRLA (*The Washington Post*, 5/12/71).

[From the Washington Post, Feb. 3, 1971]

THE NIXON-REAGAN STAREDOWN

(By Rowland Evans and Robert Novak)

SACRAMENTO, CALIF.—The reason President Nixon blinked in his high-noon staredown over poverty funds with Gov. Ronald Reagan last weekend can be understood only in the light of a backstage political development two weeks earlier.

The money men who are Mr. Nixon's private eyes and ears in California had quietly put out this message to leading Republican moderates: Don't attack Reagan in any ideological dispute with the President; what we need from the governor is control of the big California delegation at the 1972 convention; don't jeopardize that by fencing with Reagan over issues.

The money men knew whereof they spoke. The White House-dictated decision by the Office of Economic Opportunity (OEO) not to override Gov. Ronald Reagan's veto of funding for the controversial California Rural Legal Assistance (CRLA) program is tied directly into presidential politics. It showed Mr. Nixon willing to compromise to forestall Reagan's threat from the right.

The implications of this accord reverberate through national and state politics. Nationally, it suggests how successful Reagan can be in using the threat of a 1972 challenge to keep Mr. Nixon from moving too far left. In California, it immeasurably strengthens Reagan's hand in controlling Republican moderates, who no longer can explain opposition to the governor on grounds of loyalty to the President.

These cross-currents between Washington and Sacramento became apparent shortly after the 1970 election when leading Republican moderates—State Controller Houston Flournoy and Assemblymen Robert Monagan and William Bagley—visited Washington. Disturbed by Democratic gains Nov. 3, they pressed this advice on their California friend, Presidential Counselor Robert Finch: Mr. Nixon must take a more liberal stance—implicitly, away from Reagan—to carry the state in 1972.

Since then, moderates have been delighted by the newest Nixon, partly because the progressive trend legitimized their criticism of Reagan. Thus, when Bagley publicly opposed Reagan's veto of CRLA funding, he pegged it on loyalty to his President.

What these moderates failed to realize was the depth of fear over a Reagan presidential bid inside the White House. That fear inspired advice to stop criticizing Reagan given by Mr. Nixon's money men here. Moreover, that fear was deepened by Reagan's shrewdly calculated visit to Washington two weeks ago.

Conferring Jan. 23 with Mr. Nixon, Vice President Agnew and Attorney General John Mitchell, Reagan declared the 1972 California delegation would be a Nixon delegation. But then he added, pointedly, how deeply he felt about his disputes with Washington over welfare regulations and CRLA funding.

Mr. Nixon's reply was so cordial that Reagan returned to Sacramento confident Washington would never suspend California's welfare money (a matter not yet determined) and would not, as OEO officials supposed, override his CRLA veto. Soon thereafter, the White House got word to Frank Carlucci, the foreign service officer who is OEO's acting director, to conduct himself like the diplomat he is in dealing with Reagan. The order: Don't make Reagan angry.

In tedious telephonic negotiations last weekend between Sacramento and Washington, Reagan's men made clear to Carlucci they would not accept anything even smelling like an override. Whatever face OEO puts on it, its decision not to override but to issue a temporary new grant (refunding CRLA for six more months pending thorough investigation) was a Reagan victory. The governor described it as such at last weekend's State Republican Convention here, adding fulsome praise for the Nixon administration and reiterating his 1972 support for Mr. Nixon.

Nixon loyalists in California are unsure what to make of all this. Optimists feel the President may have neutralized Reagan for 1972 without really curtailing his own leftward move. Pessimists feel Mr. Nixon demeaned himself, reverting to his image as "the old shell game operator."

Indisputably, Republican moderates, fearful that Reagan's bare-bones fiscal policy points toward future Republican disaster, cannot count on White House backing to oppose the governor. Flournoy, a rising star after his amazing 1.4 million-vote plurality for re-election as controller, can take independent positions. But without presidential support, few other Republicans feel strong enough to confront the governor—and that is a political victory for Ronald Reagan of some magnitude.

[From the Los Angeles (Calif.) Times, Apr. 22, 1971]

OREGON JUSTICE QUITS U.S. PANEL PROBING CRLA—LETTER TO OEO DIRECTOR SAYS CALIFORNIA OFFICIALS ARE FAILING TO COOPERATE

(By Jack Jones)

Oregon State Supreme Court Justice Thomas T. Tongue has quit the three-Justice panel investigating Reagan Administration charges against California Rural Legal Assistance because he believes California officials are not cooperative, it was disclosed Wednesday.

Federal Office of Economic Opportunity Director Frank Carlucci announced that Justice Tongue, 59, is being replaced by George R. Currie, 71, retired chief justice of the Wisconsin Supreme Court.

The official reason for Justice Tongue's resignation was that he faces a "heavy caseload" in Oregon.

But the jurist's office in Salem released copies of his letter to Carlucci in which he said

the California OEO "is not willing to accept . . . responsibility" for supporting its accusations against CRLA by presenting witnesses and other evidence in a public hearing.

UHLER'S OBJECTIONS

State OEO Director Lewis K. Uhler had objected to public hearings on the grounds that the scope of the investigation would not be broad enough and said the state would not participate in such proceedings.

Last Friday, however, Gov. Reagan said OEO director will attend the hearings scheduled to begin Monday in San Francisco and that the state "will provide all possible assistance to the commission in its investigation of CRLA."

Wednesday, following Tongue's resignation, Ed Gray of the governor's press staff said the Administration position remains the same. He would not comment on whether that means Uhler's participation will include presentation of witnesses and evidence.

"We will make our specific plans and intentions known to the commission on Monday," he said.

Tongue's letter to Carlucci read in part: "My acceptance of appointment to the commission was . . . based upon the assumption by your staff that if the commission decided to proceed with its task by holding public hearings, the State of California could be expected to cooperate . . ."

FURTHER REMARKS

That cooperation, he said, meant "accepting its responsibility to call witnesses and present other evidence in support of the many and serious charges made in its recent 'Study and Evaluation of California Rural Legal Assistance, Inc.'"

"It now develops," he added, "after two preliminary conferences in San Francisco that California State OEO is not willing to accept that responsibility, but insists that the commission prepare a report based upon an 'investigation' of CRLA to be conducted, at least in part, by private interviews and 'executive session' . . ."

The antipoverty legal services agency itself had sought the public hearings so that its attorneys could present evidence and cross-examine witnesses.

Reagan is fighting a \$1.8 million federal grant to the CRLA, an agency which has battled the governor on many issues such as welfare and Medi-Cal.

The state submitted a 283-page report, along with 9,000 pages of additional documents, critical of CRLA. The legal aid group responded that the state report was replete with false statements, rumors and "half-truths."

Others on the three-member panel appointed by Carlucci are Robert B. Williamson, 71, chairman and retired chief justice of Maine, and Justice Robert B. Lee, 58, of the Colorado Supreme Court.

[From the San Francisco (Calif.) Chronicle, April 28, 1971]

REAGAN'S ATTACK ON THE CRLA PROBE—"GO OUT IN THE FIELD," HE SAYS

(By George Murphy)

Governor Ronald Reagan said yesterday that a federal commission investigating charges against the California Rural Legal Assistance program should "go into the field and investigate" the program.

"And if they're unwilling to do that, they ought to resign," Reagan told a press conference in Sacramento.

While the governor and his State Office of Economic Opportunity director, Lewis K. Uhler, have objected for some time to the commission's methods, this was the first time a charge has been made that the commission is not following the methods laid out by the Nixon administration, which appointed it.

(CRLA for California Rural Legal Assistance, provides legal aid to the rural poor. It has been accused by the Reagan administration of not fulfilling its role, and of concentrating more on suits against government than serving its clients.)

(Reagan vetoes a \$1.8 million federal appropriation for the program, and the commission is to determine whether an interim, six-month funding should be extended or ended when it expires on August 1.)

TELEGRAM

But in San Francisco, CRLA officials released a transcript of a telegram sent to commission Chairman Robert B. Williamson by federal OEO Director Frank Carlucci on April 1 that appeared to contradict Reagan's position.

Carlucci wired: "The commission has determined that the only feasible method by which it is prepared to proceed with its task is by the receiving testimony on the record at hearings. In my March 29 letter to you I said it is understood that the Commission shall adopt such procedures it deems appropriate to accomplish this task.

"Accordingly, this is to advise you that the procedure the commission has chosen is acceptable and I request the commission to proceed with its task."

Reagan had said "They were a commission that was set up to do the job of investigating and I'm afraid they came here with the idea that they could sit at a bench while everybody else did the work for them and they could sit back and make a judgment.

"And this was not what they were supposed to do. They were to go into the field and investigate (CRLA), and if they're unwilling to do that they ought to resign."

NEWSMEN

CRLA Executive Director Cryz Reynoso, in San Francisco, told newsmen: "It's difficult to grapple with so untrue a statement. He (Reagan) is absolutely wrong and I believe he knows he is wrong and knows that this is not the charge the commission has."

The governor, Reynoso said, "understood full well what the hearings were going to be. So did Mr. Uhler, because he was present at the closed hearing (April 12), when Mr. Carlucci's telegram was read into the record."

Commission Chairman Williamson, a courtly jurist who is a former Chief Justice of the Maine Supreme Court, had a firm "no comment," when newsmen asked him about the governor's suggestion the commission resign.

RESIGNATION

Reynoso, however, said Reagan's method of suggesting the resignation, made at a press conference rather than to the commission itself, was "outrageous and inappropriate. These are three distinguished jurists, appointed by the federal government to hear this case."

(The other commission members are George R. Currie, retired Chief Justice of Wisconsin's Supreme Court, and Robert R. Lee, an Associate Justice on the Colorado Supreme Court.)

Reagan described CRLA lawyers yesterday as "ideological ambulance chasers," to which Reynoso responded: "If we're chasing anything, it's our phantom accusers."

The state has refused to participate in the commission hearings under the commission rules.

In the hearing itself yesterday, Earl Johnson, a USC law professor who was for two years director of the Federal OEO Legal Assistance Program, testified Reagan had threatened a CRLA fund veto as far back as 1967.

Johnson said he discussed the threatened veto with Sargent Shriver, then head of OEO, and Shriver told him:

"If I didn't override (the threatened veto), we might as well turn the country over to the John Birch Society."

(The veto was never ordered at that time.) Johnson said also that Carlucci had told the National Advisory Committee on Legal Services, after reading a 283-page report listing the State's charges against CRLA:

"I'd hate to base a veto on that report." There was another apparent contradiction arising out of the CRLA controversy in the governor's press conference.

On Monday, Uhler had produced a letter from Corrections Department Director Raymond Procunier in which Procunier said CRLA attorneys had played a "major" role in some prison disturbances.

Asked whether any pressure had been put on Procunier by the administration, the governor said: "I . . . certainly know of no pressure . . ."

His executive secretary, Edwin Meese III, interposed: "It (the letter) came directly from the Department. There was no pressure or even request from our office."

But Procunier's letter, dated April 21, to Uhler, begins:

You have asked if in our opinion individual attorneys . . . have played a part in recent prison disturbances . . ."

It appeared that Procunier's letter was in response to a question.

The Commission hearing resumes at 9 a.m. today in the Ceremonial Courtroom of the Federal Building, 450 Golden Gate avenue.

[From the Inglewood (Calif.) Daily News, May 5, 1971]

REAGAN TAKES HIS DISPUTE WITH OEO DIRECTLY TO NIXON

SACRAMENTO.—Gov. Reagan took his increasingly bitter dispute with federal antipoverty "bureaucrats" directly to President Nixon today.

He called on the President to order top federal officials to meet with California representatives and establish "necessary safeguards" against what he charged was "misconduct" by officials of the U.S. Office of Economic Opportunity (OEO).

Reagan charged that the Federal OEO, whose director reports to Nixon, had acted against the best interests of California apparently "to curry favor with the 'poverty law establishment' and to appease certain ultra-liberal members of congress."

CITIES REPORT

Reagan cited both a federal report highly critical of the state OEO leaked to the news media last week and what he said was federal OEO "hindrance" in the current investigation of California Rural Legal Assistance by a special federal commission.

In a letter, Reagan asked Nixon to order Frank Carlucci, OEO director, and his White House superiors to meet with members of the governor's staff to establish safeguards "so that these types of incidents will not occur again."

A separate letter was sent to Carlucci yesterday with copies to Nixon. Vice President Agnew, Atty. Gen. John Mitchell and John Ehrlichman, a White House counselor.

DEFENDS UHLER

At the same time Reagan defended at the news conference Lewis K. Uhler, state OEO director, whose agency has drawn fire from legislators and a federal evaluation team which charged he spent antipoverty funds to "harass" and "spy" on local antipoverty programs.

Reagan, who appointed Uhler last July, brushed aside the criticism as "unwarranted." He said that what federal bureaucrats had called "harassment" is actually nothing more than supervision that is more than needed."

Reagan told Carlucci that the Federal OEO had "repeatedly breached" understandings between the state and federal government and that Carlucci staff members made "false and misleading" statements about the purpose of the three-judge commission studying CRLA.

MISINFORMED

He said the commission was "confused and misinformed" about its task and charged the federal OEO had threatened to withhold other federal antipoverty grants unrelated to CRLA "unless California altered its position."

"We think that we're a victim and what the commission is a victim of is a bureaucratic trick brought about by some of the people back there in the (federal) OEO headquarters," Reagan told newsmen.

He identified no such Nixon administration bureaucrats by name but said they were "numerous" and constituted a "permanent structure of government."

VETOED GRANT

Reagan last January vetoed a 1.8-million-dollar grant for CRLA. The veto was upheld by Carlucci who issued a reduced six-month grant and appointed the commission to investigate CRLA and the governor's complaints against it.

The governor charged that the leak of the federal report on Uhler's office was an example of "the most recent misconduct" by the national administration's OEO.

He said the leak seemed "calculated to create a smokescreen to mask the revelation of federal OEO's improprieties in regard to the commission investigating CRLA and to aid those who are seeking to abolish any effective controls or safeguarding of OEO funds and programs within our state."

FOUR REVIEWS

Four separate reviews of the state OEO by the federal government in the past four months, Reagan said, "raises at least a suspicion of bureaucratic harassment."

He also denounced as a "kind of harassing tactic" deletion from his proposed budget of \$70,000 for the state OEO by a subcommittee of the Assembly Ways and Means Committee.

The committee agreed to seek passage of a separate bill to restore the sum attached to a requirement that at least half of the policymakers in the state OEO be "poor people."

But approval of the bill in advance of passage of the state budget requires a letter of permission from Reagan. He said he considered the bill "hogwash."

[From the San Francisco (Calif.) Chronicle, May 21, 1971]

NO EVIDENCE: U.S. COMMISSION CLEARS CRLA OF THREE CHARGES

(By George Murphy)

EL CENTRO, IMPERIAL COUNTY.—A federal commission investigating charges against the California Rural Legal Assistance program opened its hearings yesterday in this hot Imperial Valley town by throwing out three major charges against CRLA.

Commission chairman Robert B. Williamson read a unanimous decision by the three justice panel.

It held that allegations CRLA had acted improperly with regard to cases involving Angela Davis, the Soledad Seven, and three Soledad inmates accused of murdering a guard were "totally unfounded and without merit."

The commission's ruling included some of the harshest language used since the panel opened hearings in San Francisco last month.

Referring to a report by State Office of Economic Opportunity Director Lewis K. Uhler, which charged the CRLA with some 129 improper or unethical acts, the commission said the Soledad section of the report

contained "certain charges and insinuations," adding:

"... No evidence whatsoever has been produced to support any claim of misconduct by CRLA personnel or attorneys regarding these matters, and no supporting evidence was attached to the Uhler report."

FLOOR

Yesterday's hearing opened in a second floor courtroom of the 47-year-old courthouse, and the crowd jamming into the room was so large that Williamson informed spectators the fire marshal had ordered no one else could enter.

The atmosphere here indicated some of the antipathy toward CRLA felt by many Imperial county residents.

Pickets representing the Citizens Committee for Agriculture—which is primarily opposed to Cesar Chavez's United Farm Workers Organizing Committee—paraded in front of the courthouse.

They carried signs reading "CRLA Eats Cessars Salad," "CRLA Doesn't Help The Poor," and "Keep CRLA Out of Our Schools."

Motorists parked in the courthouse area found under their windshields flyers reading "El Centro Stinks" and "CRLA and UFVOC Have Caused Problems in Our Valley" ... "They have harassed and intimidated us."

DISMISSAL

The commission's dismissal of three more Uhler Report charges was the sort of thing which had angered Governor Ronald Reagan the day before.

In a Wednesday letter to Federal OEO director Frank Carlucci, the governor said he was upset because the commission had dumped three other charges after holding hearings in Salinas.

CRLA attorneys here are confident the commission will recommend Federal funds be given them to continue their work.

Last January, Reagan vetoed a \$1.8 million Federal grant, but Carlucci gave CRLA six months of temporary funding pending the commission's findings.

The commission, coming close to its June 15 deadline for completing its report, ordered an extraordinary session until 9 o'clock last night. Normally, the commission had been ending its daily work at about 4:30 p.m.

WITNESSES

Among yesterday's witnesses here was Donna English, a county welfare department employee who earlier this week, it was charged, was being kept under virtual "house arrest" by her superiors to prevent her from testifying in CRLA's favor.

Mrs. English took a day's unpaid leave from the welfare department to appear.

She said the high opinion the rural poor in the area have of CRLA attorneys was exemplified last January. "When the poor people heard of Reagan's veto of CRLA, a large group ... went to the church and lighted candles for them."

El Centro attorney F. Douglas McDaniel appeared at the counsel table for witnesses opposing CRLA here.

MEMO

Earlier this month McDaniel had somehow obtained a confidential memo between two CRLA attorneys concerning various witnesses to appear here. The memo so enraged Reagan that he fired off a telegram to Carlucci urging a joint Federal-State investigation of "possible misconduct" on CRLA's part.

McDaniel was reported to have been placed under protective surveillance because of phone threats he had received.

Yesterday the attorney said, "it was only two phone calls, and I don't know what 'protective surveillance.' All I've been doing is phoning the police department and telling them when I'm going to go some place."

The commission will conclude hearings here at a session beginning at 9 a.m. today (Friday).

[From the Washington Post, May 12, 1971]

NIXON, REAGAN: COLLISION SEEN

(By Rowland Evans and Robert Novak)

The dangerous collision course being traveled by President Nixon and Governor Ronald Reagan of California was dramatized in an emotion-charged telephone conversation last week between Reagan and one of the President's most loyal California supporters.

The governor, absolutely frantic about developments in his quarrel with Washington over legal services for the poor, placed the call to a liberal Republican who long has been a steadfast Nixon man: State Assemblyman William T. Bagley. Federal "bureaucrats," charged Reagan, were driving a wedge between him and Mr. Nixon. Bagley retorted bluntly that the governor's criticism was hurting the President in California.

Reagan's intensity of feeling underscored a risky dilemma for the President. Unless Reagan agrees to a face-saving compromise on legal services, Mr. Nixon will be faced with either humiliating surrender by repudiating his own subordinates or dangerously alienating the governor.

At stake is far more than legal services. Mr. Nixon cannot carry California in 1972 if Reagan is recalcitrant, and failure to carry California would mean failure to be reelected. Consequently, the White House has tried everything to avoid a confrontation with Reagan.

That is why the White House Jan. 30 ordered Mr. Nixon's antipoverty chief—Frank Carlucci, director of the Office of Economic Opportunity (OEO)—not to override Reagan's veto of funding for the highly aggressive California Rural Legal Assistance (CRLA). That decision went against Carlucci's own inclinations, the "compromise" worked out was six-month temporary funding of CRLA with an investigating commission appointed.

A few shrewd presidential staffers speculated this only postponed trouble, and they were right. Reagan has charged that the commission (consisting of three respected state judges from outside California) is not functioning as agreed upon, and he has called on its members to resign. High OEO officials claim Reagan's aides were advised well in advance of how the commission would function.

A possible reason for the disagreement can be traced to Mr. Nixon himself. In private conversations with Reagan (most recently at San Clemente), the President tried so hard to please that the governor could be excused for thinking Mr. Nixon supports him completely. In fact, however, apart from an admonition from White House policy chief John Ehrlichman Jan. 30 to keep "cool" in handling Reagan, OEO has received no presidential instructions to appease the governor.

The upshot was Reagan's May 5 letter to the President attacking "bureaucrats" and his telephone call the same day to Assemblyman Bagley, then attending a session of the Assembly Ways and Means Committee. The governor's immediate cause for displeasure was Ways and Means approval. Bagley concurring, of a bill to abolish the state OEO (which is headed by a former John Birch Society member).

But early in the half-hour conversation, Reagan got to really what bothered him. "Nixon and I are like peas in a pot," he told Bagley, adding his problem was with bureaucrats—"all the bureaucrats, right up to and including Jack Veneman." He referred to fellow Californian John G. Veneman, Under Secretary of Health, Education and Welfare, who has been jousting with Reagan over welfare regulations. Reagan's implications: Mr. Nixon ought to either reign in or fire these offending bureaucrats.

Bagley replied in kind. Commenting on criticism of Nixon welfare and poverty policies by Reagan and his aides, Bagley snapped: "I don't like it." It hurts Reagan as well as the President, he added. "I don't think you can win playing hard core"—that is, right wing—politics."

That view is privately held by some White House aides who hope Reagan will break clear of his hard-line assistant, Edwin Meese, and buy some compromise—say, a continuation of CRLA under certain restrictions. But what if Reagan won't compromise and, indeed, insists now on presidential support for his opposition to the commission investigating CRLA?

At this writing, OEO has not heard from the White House following Reagan's May 5 letter. If silence continues, it will be a tip-off that Mr. Nixon may refund CRLA in the face of Reagan's opposition. Before that point is reached, however, the oval office will be steeped in the agony of decision-making that contemplates the immense risks for 1972.

A GENERAL SPEAKS FOR AMERICANS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. WYMAN. Mr. Speaker, Brig. Gen. Chappie James has a vital message for Americans—particularly the teardowners. His message is eloquent, dynamic, truthful, and challenging.

The difference between the challenge General James hurls and that of punks like the Chicago Seven is that General James seeks to build individual character and help strengthen our free society while the Chicago Seven seek to substitute a state of anarchy by violence.

A capable columnist, Mr. Jay Hanlon, writing in the Manchester, N.H., Union Leader of June 1, tells something of General James' address to a group of service clubs in Manchester last month. I commend Mr. Hanlon's remarks to the thoughtful review of readers of the RECORD:

JAY HANLON'S NOTEBOOK

There was a sort of poetic beauty to the whole affair. For there he stood, tall and straight, the silver stars of a brigadier general in the U.S. Air Force gleaming on his broad shoulders, his chest be-ribboned with every possible military honor and campaign.

As he stepped back from the microphone the entire audience of some 300 of Manchester's most influential citizens rose as one and gave him a standing ovation. This too was poetic. For it was the first time in history that all seven of Manchester's service clubs had joined together to hear a single speaker. It was, in short, an occasion not every one-star general might expect.

But then, General "Chappie" James is no ordinary one-star general. The first thing that sets him apart from others is his color. Chappie James is black, the highest ranking negro in the Air Force and the second ever to be named to that rank. (Brig. Gen. Benjamin O. Davis, now retired, was the first.)

Secondly, Chappie James is an unabashed patriot and he is proud of it.

But even more to the point, what makes General James the subject of today's column is not his color or his patriotism but how he puts it all together in a spell-binding address that makes you feel lucky to have had

the opportunity to hear him. And at the same time, he makes you wish desperately that more people could have heard this prominent black general from a very humble origin stand up straight and tall and tell you why he thinks this nation is the greatest in the world.

For this reason we are reprinting here excerpts of General James' address to the Manchester service clubs last week as taped by WGIR:

Speaking of his own upbringing:

"... I am not without hope and faith because I had a set of the strongest parents in the world and they refused to let me despair. In fact, my mother points out very early in life a blueprint that will lead me to the top and will, she says, solve most of the problems that will beset me along the way.

"She tells me in no uncertain terms what it's all about. She says, my son, for you, you must remember there is an extra commandment you will add to the other 10. The 11th commandment says Thou Shalt Not Quit, no matter how tough the odds.

"You take advantage of every opportunity that is offered to you no matter how meager and improve on your position and make sure that you keep pressing forward all the way while you do this. Don't you dare linger in the dubious luxury of despair. You press forward and you eliminate one by one every reason why some bigot will say you are not his equal.

"If he says you're dirty, make sure you're clean; if he says you lie, make sure you speak truth, if he says you're dumb, make sure you learn, if he says you're scared, make sure you are brave, my son.

"Don't you ever, no matter what the provocation or the invitation, don't you ever turn your back on your God or your country or that flag. She's yours. It is the greatest nation in the world and it's the greatest emblem of that nation that's available.

"And you stand up and don't you get too busy practicing your right to dissent that you forget your responsibilities to contribute. And you will prosper in proportion as you contribute to this great nation of ours. Remember that with the heritage that comes from being born an American goes the equal responsibility to develop that heritage and hand it to your kids in better shape than you got it.

"You will find that if you will do these things and you will press forward all the time in self-betterment, you will find yourself rising to the top with authority and that's the place to be because you will find you can create more influence from on top with authority to solve the ills that beset our people... than you can from under the bottom with a sign or a brick or a torch.

"My father lent the exclamation points along the way and refused to let me dawdle with things that were not important... The only power worth your investing in, he said is the power of excellence. It is a staple that does not change and it is in demand throughout the world and nobody asks what is its color. Therefore, my son, perform, perform, excell, excell, win, win, contribute, contribute... that is all I know because that is all I was taught.

Speaking of the Vietnam war:

"... I never ceased to be amazed at the people who can find so much wrong with our side and absolutely nothing wrong with the other side. And they point out and say why don't you listen to Hanoi then she says if you'll name a date when you will get everything out of Southeast Asia they will release the prisoners.

"Well, they really didn't say that officially at the peace table and that is the only place where government-to-government conversation is carried on. They said if you will tell us a date for total withdrawal we will then talk to you about releasing the prisoners. And that's a different story, my friends.

"The road out of this war has been set. We have drawn down and the President and Secretary of Defense have made good on every agreement and promise they have made on pulling people out of Southeast Asia.

"But I have not seen the other side withdrawing anything. It has been unilateral so far. And so how far can we go? We're not going to tell the enemy where and when and to what level because nobody really benefits by that but the enemy and its very vocal lobby in this nation.

"We've got to be concerned about the lives of the men now deployed over there. Those are the people we've got to be concerned about. And there is a larger issue here than even the prisoners. There are 45,000 men and more who have given their lives already and we've got to make sure they didn't die for nothing. You just don't turn around and tuck tail and run. Americans aren't that way. At least they weren't the last time I looked at them.

Speaking of this nation:

"... She is the greatest nation in the world and she will survive. The other side is figuring really without a lot of patriotic Americans who are still in the majority and are concerned about their nation and are willing to see to it that she does survive.

"To those who say if they don't do it my way I'm going to burn it down, I say like hell you will. I have got too much invested in it. And to those people who think it is possible to do that, they reckon without the hundreds of thousands of us who held up our hands many years ago and swore to protect this nation and defend her against all enemies—both foreign and domestic, so help you God!

"... You've got to stick with this country. She's ours, and if there is something wrong with it we'll fix it ourselves...

And we need right now to modify the greatest weapon we ever had... It is not a physical weapon but a psychological one. The weapon is called unity, unity in the principles of democracy and the law and the letter of our constitution and our just made agreements bound together by the thread of togetherness... It is up to you... you are the people who are going to have to provide, the needed modifications, you, the citizens of the United States...

Speaking of black militancy:

"... There are a lot of helping hands out, reaching out in friendship or reaching down to help them (blacks) along the way and I ask them to be receptive to this.

"And I remind them that it is pretty hard for a hand to grasp in friendship or to pull and pull if yours is balled tightly into a fist of hate...

"Togetherness, yes! Hate and separatism no! This country or no other country can long endure its greatness if it sacrifices any percentage of its population to such ideology.

Speaking of indifference and silent majorities:

"... You cannot only be responsible for yourself. It does not suffice to say I didn't throw the brick I didn't light the torch, I'm no bigot. Did you have the guts and the courage to tell the guy who is that he is and that he is wrong? Or did you stand by in self-righteous satisfaction and see him practice his hate or his bigotry or his unpatriotic attitudes sometimes bordering on anarchy because if you are quiet, sometimes the enemy counts you in his camp.

"Silent majority, hell! Stand up and be counted today. That's what we need today, on the side of this great nation. And make sure you build, by the way you lead your daily life, by those you touch and influence, make sure you build your link in the chain of unity that has made America strong... And let us show that unity to the rest of the world so they will know America is as strong and solid as she always was..."

JUAN M. CARREON

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. ARCHER. Mr. Speaker, Juan Carreon, a 21-year-old constituent of the Seventh Congressional District of Texas, has recently completed a 2-year mission with his church in Mexico City, the Church of Jesus Christ of Latter Day Saints.

Juan, the son of Mr. and Mrs. Claro Carreon of Houston, graduated from S. P. Waltrip High School in 1968. He chose to serve his Lord and spent 2 years preaching the Gospel to the people of Mexico.

In the words of his director in the mission:

In the process of bringing souls to the Lord, he has brought joy and happiness to himself, his family, and those with whom he has labored. Elder Carreon is a credit to his family. He has been engaged in a good cause and has done many things of his own free will and brought to pass much righteousness. He has grown in his missionary experience, and learned many truths which will aid him during his life.

Now Juan Carreon has come home ready to serve his country in whatever may be his lot. He brings with him the strongest kind of evidence that we have no "lost" generation on our hands. We have some great young people who are doing much to make this world the place we would all like it to be. Juan is an inspiration to me—and to all who will consider his work. I think we in Congress should all join in extending our congratulations and gratitude to Juan Carreon and his parents. They are making a reality of the dreams to which we are dedicated.

NIXON'S ASSAULT ON DRUG ABUSE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DUNCAN. Mr. Speaker, "The drug scene will not vanish if ignored," says a recent statement in the Knoxville, Tenn., Journal. I would like to place in the RECORD the full text of this editorial statement:

NIXON'S ASSAULT ON DRUG ABUSE

The national tragedy of drug abuse has been explored at length in the columns of this newspaper and in other media. There can be no question that drug abuse constitutes a national problem of alarming scope and diversity. But, as in many cases, defining the problem still leaves society with the challenge of developing a solution.

Nationally drug abuse costs \$3.5 billion a year in property losses attributable to drug addicts and in law enforcement expenses. Deaths caused by drug overdoses (mainly heroin) number in the thousands each year. (New York City alone counted 1,100 deaths due to overdoses last year.)

Thus it was encouraging to see President Nixon in his latest news conference unfold plans for a massive, three-pronged federal assault on the problem.

The basic proposals are these:

(1) A large-scale program to rehabilitate Vietnam veterans addicted to drugs. Estimates of the addiction rate among U.S. servicemen in Vietnam run from 10 to 20 per cent of those assigned there.

(2) Increased sanctions against governments of countries where servicemen are illegally supplied with drugs.

(3) Establishment of a massive drug information program aimed at all Americans.

We question only the last part of the overall proposal. This newspaper tends to agree with the Knox County school superintendent, Dr. Mildred Doyle, who recently questioned the real value of additional drug information programs in public schools. She said, in effect, that exposure to detailed information about drugs may have contributed to some children experimenting with drugs when otherwise they might have left them alone.

We would suggest instead that federal money proposed for a drug information program might be better spent on domestic law enforcement and on policing the illegal international drug traffic. Additional crackdowns like the world record seizure of 248 pounds of heroin in Spain last week would soon put a dent in the American hard drug problem.

Effective control of illegal international traffic in drugs, combined with local policing efforts aimed at drug pushers, could remove "hard" or dangerous drugs from the market. If heroin cannot be obtained it cannot be used.

The combined thrust of Nixon's proposals also recognizes another vital phase of the problem—rehabilitation of addicts. In this regard a number of promising scientific breakthroughs in the program to find effective, nonaddictive substitutes for hard drugs have been made in recent weeks. Continued research hopefully will produce additional insight and perhaps even more significant discoveries.

In this context the President's proposals were both timely and realistic.

The drug scene will not vanish if ignored; it must be excised from society as a surgeon would remove a cancerous growth from an otherwise healthy body.

A FIRM COMMITMENT EASES UNEMPLOYMENT

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. WOLFF. Mr. Speaker, on March 26 of this year, Jack Altshul, a distinguished columnist from Long Island, published in Newsday the story of the Transvac Electronics Corp., which has successfully weathered recent defense cutbacks, and done so with a labor force made up largely of the handicapped, retarded, ex-drug addicts, and housewives.

I would like to take this opportunity to commend that company, and to insert Jack Altshul's excellent article in this RECORD, both to advise my colleagues of the existence of this unique enterprise and to encourage them to seek out and foster similar enterprises in their own districts.

The article follows:

A FIRM COMMITMENT EASES UNEMPLOYMENT
(By Jack Altshul)

Newtown Road, Plainview, is a wide thoroughfare that bisects the heart of Long

Island's electronics industry. The street is landlord to more than 200 plants that manufacture and sell electronics equipment, and it is hurting. Since many of the manufacturers depend on the even larger aerospace industry, and since the Grumman, Republics and Sperry's have been steadily losing contracts, Newtown Road is struggling to keep alive.

One of the firms on the street that is keeping its head above water—has continued to grow in the five years of its existence—is the Transvac Electronics Corp. The paradox is that when Arthur Hoffer and Jim Hall started the business in 1966, they found it almost impossible to hire help from a Long Island labor pool that could pick and choose jobs in the glamor aerospace and electronics businesses.

So Hall, a one-time band singer who later went to college to earn a degree in industrial management, went after Long Island's unemployables. He hired housewives who could only work part-time because of their duties at home, high school boys who were either dropping out or about to drop out, drug addicts seeking rehabilitation, even the mentally retarded. Hoffer and Hall started with a work force of 15; today they employ 250, most of whom once would have been regarded unemployable.

Art Hoffer, 38, a tall, lean, Brooklyn native, who worked in his father's grocery store while he was earning master's degrees in engineering and business administration, remembers the early days. He and Hall had worked for a large French concern in New York and they decided to go into business together when the corporation abandoned its Manhattan office. In return for phasing out the business, their employer offered them office equipment and machines.

So they came out to Newtown Road, rented 1,500 square feet of space and began to look for employes. Help-wanted ads produced no takers. Hall, a backer of Kinsman Hall, an upstate drug rehabilitation center, decided to recruit several young men who had kicked the habit but were finding it difficult to reenter society.

"In all," Hoffer recalls, "we hired about 15 of them. We still have 10, several of them in supervisory positions, and we never had trouble with one of them. I remember one boy from a nearby high school who had been in trouble for drug possession and was about to leave school. We hired him and he turned out to be a fine worker, concerned and quick to learn. He attended our on-the-job training courses at night and gave every indication of becoming a permanent member of our staff. One day about a month later, he came to me almost in tears and said he had to quit.

"I asked him why and he said that his parents were unwilling to co-sign a loan of \$100 he needed to buy an old car. That was the only way he could get to work. We co-signed the note and he's been working here ever since. Now he's in charge of a department, is married and has kids."

The housewives proved valuable, too. "We fitted our time into theirs and they learned to become assemblers and harness makers, putting cables together for the variegated electronic parts."

Hoffer and Hall are perhaps proudest of the success they have had with mentally retarded employees. "This is the first chance any of them ever had to earn their own way," Hoffer says, "They're conscientious, anxious to please and hard workers. Sometimes one of them would take on a job that was just too difficult and when he couldn't do it, he'd cry. But he'd keep trying till he got it."

Both Hoffer and Hall will admit that their growth (they now use 175,000 square feet in four locations) is in large measure because they did not have to pay as much for labor as competing companies. "We had to create our own labor market," Hoffer says. "And it was very satisfying to put people to work

who ordinarily wouldn't have had the opportunity. And you want to know how the labor market has changed? Three years ago when we put a help-wanted ad in the papers, we'd get maybe one applicant. Today we get about 300."

Hoffer is president of the firm and handles the administrative and financial end of the business. Hall is vice president in charge of manufacturing. Both will agree that they have been successful not only because of their employment policy but because they have not had to depend solely on subcontracting jobs for the aerospace industry.

"We're so diversified, we're able to stand a setback in any one industry," Hoffer says. "And we're always trying to come up with something new. Right now we've put on the market automated vending machines in which you can buy high-theft items like tape cassettes and films. We're also working on a credit-card system that makes it impossible to steal a card and try to use it."

Art Hoffer and Jim Hall. They put unemployables to work and their employees are not joining the ranks of the unemployed.

WOMAN OF THE YEAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. LONG of Maryland. Mr. Speaker, I have just learned that one of my constituents, Mrs. Bessye Owings, is to be honored as Woman of the Year, by her congregation in Baltimore. Mrs. Owings is the first lady to receive this award which commends outstanding service to her community and her synagogue. She certainly sets a high standard for future recipients to live up to.

I would like to further recognize Mrs. Owings achievements by including the following article in the CONGRESSIONAL RECORD:

BETH JACOB TO HONOR WOMAN

Mrs. Bessye Owings is to be honored as the Woman of the Year by the Beth Jacob congregation, Brotherhood, Sisterhood and PTA at the congregation's eighth annual Patrons of Education dinner, to be held at 6:15 P.M. Wednesday, June 23, in the Shapiro Auditorium of the synagogue, 5713 Park Heights avenue.

Dinner and dancing will be available and the cantor, David Levine, is to sing. Rabbi Albert A. Pattashnick, executive vice president of the Talmudical Academy of Baltimore, is to deliver the invocation.

FIRST WOMAN

Mrs. Owings is the first woman to be so honored at Beth Jacob. She also is the first woman in the history of the synagogue, a modern orthodox synagogue, to become a member of the board of trustees of the Beth Jacob congregation.

She is president and a board member of the women's division of the Jewish Convalescent Home, a member of the board of the Talmudical Academy and a life member of the Beth Jacob Sisterhood, National Council of Jewish Women, Mizrahi, Bais Yaakov School for Girls, Hadassah and Ner Israel Rabbinical College, among others.

HEBREW SCHOOL

Proceeds from contributions of the guests will go to the Hebrew School, which is part of the board of Jewish education school system. Scholarships are awarded to children whose families cannot afford tuition.

Dr. David Josephs is chairman of the event. Albert B. Polovoy and Armand Levin are in charge of the program. Rabbi Uri Miller is spiritual leader of the congregation.

QUICK PULLOUT MAY PRODUCE BLOODBATH

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. KEMP. Mr. Speaker, when President Nixon told the American people how he would end the war in Vietnam, he also said how it would not end—that is, the Americans would not throw down their arms, turn, and walk through the jungles down to the sea. This action, of course, would leave the South Vietnamese to make whatever accommodations they can.

So while we discuss this week whether we should get out of Vietnam fast I hope the proponents of such action will engage in a discussion of the consequences.

Mr. Speaker, those that are in favor of setting a date for complete withdrawal say that such action will "call the hand of the North Vietnamese." I am of the opinion we should be more concerned with the "hand of death" in Vietnam rather than the "poker game" being played by the North Vietnamese in Paris.

There was an excellent article emphasizing this point in the May 19, 1971, issue of the Christian Science Monitor. I call this to the attention of my colleagues and include the article at this point:

ANY RISK HERE?

(By William H. Stringer)

A Harris opinion poll finds people deciding, 58 to 29 percent that it is "morally wrong" to be fighting in Vietnam. Does this impressive sentiment mean that the United States should get out of Vietnam fast—set a total withdrawal date now for, say, October 1, or the end of 1971? Perhaps it does. But to assist the decision shouldn't there be a careful consideration of all that we can discover about the Vietnam problem: Hanoi's mood, Saigon's regime, Vietnamization, reaction of other Asian states to an American pullout, prospects of a bloodbath, and such like? So that we know what the United States is or is not risking.

I find it incredible that almost no one advocating a quick pullout is discussing anything about possible consequences. The "six-pack" of Democratic presidential hopefuls say nothing about such weighty matters. The prestigious professors who lend their names to full-page "we demand" advertisements say nothing about future policy. The Washington marchers discuss nothing of the global impact. Even the hawks say very little. A great and responsible nation, it would seem, sees the war as so terrible that it can think of nothing but how to get out of there fast.

Of course there are some unstated assumptions. One is that the Thieu-Ky government is, or must be, utterly corrupt, worse than the Communists. Another is that the Americans are, or must be, bombing villages almost daily and creating refugees by the hundreds of thousands. But that is about as far as the conventional folklore goes. To put the best possible face on it, it's as though we decided that if we make the quick pullout, everything else will fall into place. Or that, if it doesn't, we shouldn't have been there in

the first place, so it's no longer our responsibility.

Now it happens that there are some who do ponder the whole policy and picture of America and Vietnam—people in the White House, and in Henry Kissinger's office, and so forth. And they have views. Which may be wrong, or wishful thinking, or slick conclusion. But let's just consider their views, so as to see all sides of the picture.

For one thing, they believe that setting an early definite date for total American troop withdrawal is the same as announcing that Vietnamization is to be abandoned. The immediate result, they say, would be to advise all committed South Vietnamese to make whatever accommodations they can—to quit, develop a low profile, scuttle, attack Americans, or flee to Switzerland. This of course would end the prospect of leaving behind a viable Saigon regime or an effective army. It would negate the successful rural elections of recent years, and the parliamentary elections that were honest enough so that Buddhists got elected.

Again, if we ask whether there may be an eventual bloodbath, perpetrated by the North Vietnamese, these spokesmen point, not to the massacre at Hue as a warning, but to the killings of years ago in North Vietnam, which drove a million refugees southward. Can we be sure that Hanoi will abandon a Communist-tested formula for consolidation of power?

Impact on neighboring states? Consider Japan, the most important. Suppose Tokyo sees China and Russia as dominant in Asia, with the Americans gone resolutely home. Will Tokyo wish to maintain its alliance with the United States? Will it continue to forgo nuclear weapons? For how long?

Recriminations back in the United States? No, not right away. But think of the possibilities for exploitation, if Saigon is ruled from Hanoi and executions do occur, or if Japan rejects the American tie-up. And if some politicians charge that scuttle-and-run let this happen, after a sacrifice of 45,000 of our young men.

These are a few "possibilities on the other side." None of the dire predictions may materialize. Southeast Asia may enter a period of development under the "benign" dictatorship of Hanoi. Hanoi might even accept a coalition regime in Saigon, though the Polish history after World War II advises otherwise. But do let us consider, let us ponder, let us be alert, to the various possible outcomes.

SUPPORT FOR SOCIAL SECURITY AND WELFARE REFORM BILL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DINGELL. Mr. Speaker, former Secretary of Health, Education, and Welfare, Wilbur J. Cohen, has made available to me a statement with regard to H.R. 1, the social security and welfare reform bill reported by the Committee on Ways and Means, signed by himself and three other outstanding Americans—Fedele F. Faurie, chairman of the Federal Advisory Council on Public Welfare, 1964-66; William Haber, chairman of the Federal Advisory Council on Employment Security, 1948-64; and Wayne Vasey, president of the National Conference on Social Welfare, 1967-68.

So that my colleagues may be aware of the views of Secretary Cohen and his

conferees, I ask unanimous consent that the text of their statement appear at this point in the CONGRESSIONAL RECORD:

SOCIAL SECURITY AND WELFARE REFORM BILL

H.R. 1, the social security and welfare reform bill reported by the House Committee on Ways and Means has many important, commendable, and progressive features. As in all major legislative proposals, it includes some undesirable and unnecessary provisions which can and should be changed and it is reasonably certain from past experience that the Senate will make changes in a number of the provisions.

Action by the House of Representatives on a social security bill is usually by a closed-rule which prohibits any amendments from the floor. This means that if the bill is not passed as is, it is probably doomed to die. Further review will undoubtedly indicate various amendments which would be desirable in the Senate. Public hearings by the Senate Committee on Finance should result in additional changes. We support several amendments to the bill in the Senate.

The 5 percent increase in social security benefits (payable for June, 1972) is necessary and desirable. We believe a more substantial increase in social security benefits is warranted. Recent recommendations of the Advisory Council on Social Security under the chairmanship of Arthur Fleming, former Secretary of Health, Education, and Welfare in the Eisenhower Administration, indicated that revisions in the method of making actuarial estimates would make it possible to increase benefits in 1972, probably without any further increases in contributions than are already provided. We favor an additional 5 percent increase in social security benefits, effective for June, 1972. One way in which this kind of additional across-the-board improvement could be provided would be through a \$5 a month increase to all primary beneficiaries. This would significantly help lower-benefit and lower-income recipients.

The States and localities should be relieved of substantially more of their welfare costs than is provided in the Committee bill. Some substantial savings should be provided for fiscal year July 1, 1971 to June 30, 1972. There is no doubt in our minds that all welfare costs must be assumed by the Federal government within the next three to five years. We favor an increase in the level of family assistance payments of \$2400 for a family of four persons to \$3600. There are alternative ways to accomplish this result. One way would be for the Federal government to pay one-half of the cost of any supplementation.

The employment requirements for welfare recipients which are specified in the bill, in our opinion, are unrealistic and will prove to be unworkable and sooner or later will be amended or repealed. A study of women with children on welfare several years ago indicated that 70 per cent wanted to work. Obviously the wish is undoubtedly greater than the reality when practical considerations are taken into account. In any case there are more women on welfare who want to work than there are facilities for the care of their children and training programs to meet their special needs. We recommend that the Senate modify these provisions.

The House Committee is to be commended for the provisions in the bill relating to child care for the day care of children of mothers on welfare. Priority should be given to the implementation and financing of these provisions. However, we do not believe that prompt and effective implementation of these provisions can be achieved unless Federal requirements for these facilities supersede the 50 different State requirements which are unrealistic, unflexible, outmoded, and restrictive.

The automatic cost of living adjustment for social security benefits included in the bill has been appropriately amended in our opinion to provide that if and when Congress acts to improve the program the automatic provision will not apply in the following year. This retains the basic initiative and responsibility for improvements in the Congress. An automatic cost of living increase is not a real improvement in the program. It only keeps benefits in the same relative position as they were before. Despite the important constructive improvements in the OASDI program contained in the bill, there is still a need for further basic changes to make the program adequately meet the needs of the aged, disabled, widows and orphans in a dynamic and expanding economy and to take these groups out of poverty.

We support the provision in the bill to provide a minimum monthly social security payment of \$100 to persons with 20 years of insurance coverage, and \$150 with 30 years of coverage. This provision recognizes the equity for individuals who contribute to the system over a long period of time. At the same time it recognizes the social adequacy concept embodied in the minimum benefit for the lower-income participants.

Similarly, the provision to increase the social security benefit one per cent a year for individuals who continue to work (and pay contributions) above the retirement age (65 to 72) is a desirable addition.

The reaffirmation by the Committee of the soundness of the social security approach as a basic method of preventing poverty among the aged, disabled and widows and orphans is encouraging. The Social Security Act is the biggest and most effective anti-poverty program in the United States. Some eleven million persons are kept out of the poverty group by virtue of the social security program. It will make a somewhat broader and more effective contribution as a result of the Committee bill. We hope the Senate will further improve it and that future Congresses will continue to build on the strong foundation established over the past 36 years. The Committee on Ways and Means has shown vision and statesmanship in making social insurance such a central part in public social and fiscal policy.

The Social Security program, however, is not solely directed to relieving poverty. Nor do we believe it should be. Social security is designed to enable an incentive, risk-taking economy to function. It attempts to provide compensation to individuals who produce and take risks.

We are particularly pleased that the Committee has included disabled persons under the Medicare program. The tremendous favorable acceptance of the Medicare program by older persons and their children and the successful administrative operation of the program over the past five years has made it possible to extend the program. We believe that prescription drugs on a limited scale should be added to the program, and hope the Senate will do so.

Because of the many constrictive improvements in the bill, we hope the House will pass it and send it to the Senate for further improvement.

FREEDOM—OUR HERITAGE

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. STUCKEY. Mr. Speaker, Miss Nella Arnold is a high school student who lives in my Eighth Congressional District.

She has written a paper titled, "Freedom—Our Heritage."

Mr. Speaker, if we had more young people who felt, deep in their heart, about their country as this young lady does, I would rest easier about the future of these United States.

I include Miss Arnold's paper at this point in the CONGRESSIONAL RECORD:

"FREEDOM—OUR HERITAGE"

(By Nella Arnold)

"The God who gave us life gave us liberty at the same time," Thomas Jefferson spoke.

Long before the first American colonies were in existence, the people of England were gradually laying the foundations of our liberties, building up those institutions which have made us a free nation. Those who came here were the heirs of great political traditions.

"What sought they thus afar?

Bright jewels of the mine?

The wealth of seas, the spoils of war?

They sought a faith's pure shrine."

They sought to develop, in the new world, a government that would give them freedom such as their ancestors had been struggling for, a government to secure the blessings of liberty for themselves and for those who would dare to follow them.

The interests of the newcomers were not in treasure, but in beginning a new life—a life in which they would be free, among other things, to worship God as they chose. One writer observes, "At best, men cannot be simply free or simply happy in being free. They must be doing something with their freedom."

The Englishmen who came wanted to build a heritage which would secure a better way of life for their children. They planned to build a land freedom could own. They chose to build a land whose ray of peacefulness could guide others to freedom. They chose to build . . . America.

America meant freedom of religion. Each man brought with him his own beliefs.

And America meant freedom to earn a better living. She served as a refuge for those unfortunate people who were not only jobless but homeless.

Emma Lazarus spoke for America in her poem "The New Colossus."

"Give me your tired, your poor,

Your huddled masses yearning to breathe free,

The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me.

I lift my lamp beside the golden door."

America—as a fortress, she stood tall in the night, offering everything her name represented to all who would call her home. America stood for many things.

America meant freedom to share in government, freedom to talk over political matters, freedom to criticize the government, its officers, and laws. America meant freedom to make plans for common action. It can only happen here: free speech, free opinions, even for the youth of the land.

When my forefathers fought for freedom of choice, they fought for individualism—for the ability to speak out and make their opinions known. They fought for "freedom to learn enjoyably, freedom to express learnedly, freedom to share the knowledge which they had wisely, and freedom to lead others to freedom."

Now, "this is my country, land of my choice . . . What difference if I hail from North or South—from East or West? My heart is filled with love for all of these." Freedom has been made mine.

Freedom to laugh, to cry, to love—Freedom to dream and make dreams come true—

To ride my bike down a country trail, and freedom to walk down that same path—Freedom to choose from a dozen different religions, and yet, I can feel truly safe being part of this "one nation under God"—Freedom to choose my friends, to plan my life—freedom to explore and discover—Freedom to understand—And freedom to ask questions when I don't understand.

I have told of my heritage. I can accept no other. I am a product of Freedom's Heritage.

DR. JOHN E. MOCK

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DAVIS of Georgia. Mr. Speaker, the State of Georgia has long been in the forefront of a move to strengthen the capabilities of the individual States vis-à-vis applications of science and technology to the multitude of problems facing us.

Leading this effort is the distinguished John E. Mock, director of the Georgia Science and Technology Commission, and top-level advisor to Gov. Jimmy Carter. Dr. Mock is well-known in scientific circles for his dedication to the premise that the States are valuable repositories of scientific manpower, imagination, and spirit that can be effectively harnessed to community, State, and even national problems.

Under the enlightened guidance of Dr. Mock, Georgia has developed one of the strongest and most effective science advisory councils in the Nation, a council which has set an example of leadership for the rest of the country.

I am pleased that Dr. Mock has taken some of the truisms and theories of science and State governmental relations and applied them to the Federal Government's role as a partner with the States in the direction of scientific policies.

While I am not in complete accord with Dr. Mock's views on revenue sharing, I think these recommendations will be of interest to all who are concerned with the proper utilization of our scientific manpower, and I commend them to my colleagues as follows:

SUMMARY

In recent years the Federal Government has sought to further the Nation's goals by sponsoring the development of new scientific and technical knowledge relating to a wide variety of problems. Increasingly, these Federal efforts have been directed to problems that, in our Federal system, are the responsibilities of the States. A division of labor has consequently emerged which promises substantial accomplishments if the lines of communication between the levels of government operate effectively.

The Federal Government, with its system of agency science policy officials, plus inter-agency coordination through the President's Office of Science and Technology, is well organized to develop and evaluate the overall implications of Federal actions. A comparable set of mechanisms does not exist to encourage effective science and technology policy development between Federal and State levels of government, or to apprise State Governments of the implications of national policy developments. States have increasingly begun

to strengthen their own capabilities to produce and assimilate scientific and technological findings of relevance to their operations. In this regard, however, State governments vary widely in the extent and effectiveness of their endeavors.

Though progress has been made, many national problems continue to demand our best efforts at solution. Science and technology cannot supply answers to all of our problems. However, to the degree that new knowledge can be made relevant to those problems, it behooves us to take whatever steps are necessary to assure that our organizational arrangements are effective in accomplishing our objectives. There is a need to develop national policy and mechanisms to mesh Federal and State activities more effectively and to strengthen State capabilities.

Public science policies are necessarily subordinate to overall public policies. Since public resources are limited, and since public goals undergo constant change, governmental commitment to support of science and technology, and of established public policies on science and technology will vary directly with the utility of science and technology to the fulfillment of overall societal goals. In the solution of public problems, science and technology may not be regarded as ends in themselves. They must be constantly kept relevant to overall societal goals.

We find that the best interests of our society—Federal, State and local governments, private industry, and the general public—will be more effectively served if the Federal Government strongly encourages the increasing interest of the State Governments in enhancing their capabilities in the application of scientific and technical knowledge to the solution of their many problems. This effectiveness of Federal efforts will be measured, in large part, against the utilization by State Governments of the products of Federal efforts to contribute new knowledge, new methods and new management arrangements.

Efforts to improve the development and delivery of scientific and technical knowledge in resolving national domestic problems in the economic, social and environmental spheres must be done with proper recognition of the constitutional and legally defined roles of each of our levels of government. In advancing the following recommendations, the Committee recognizes that the nature of the public R&D system requires strong central direction by the Federal Government. However, unless undertaken with State partners possessing a policy and management capability comparable to the Federal Government, Federal efforts are unlikely to result in an optimum impact on efforts designed to solve national problems.

Each of the following recommendations included in the Report is intended to provide for the improved use of science and technology. The greater gains will follow when Federal, State and local governments each more clearly identify their roles in a national system and take steps necessary to implement their roles.

PRINCIPAL RECOMMENDATION NO. 1—ESTABLISHMENT OF AN INTERGOVERNMENTAL SCIENCE AND TECHNOLOGY PROGRAM WITH ASSIGNMENT OF LEAD AGENCY RESPONSIBILITY

It is recommended that the Director of the Office of Science and Technology formally establish an overall Federal government program on intergovernmental relations dealing with science and technology. This activity should receive sufficient staff and program resources to deal with the important considerations reflected in this Report.

It is also recommended that as a part of this program, all Federal agencies that support scientific and technological programs relevant to the problems of State and local governments should:

(1) formally incorporate the advice and

judgments of the representatives of the States in the development of Federal agency science and technology policies and programs; and

(2) develop both interagency and inter-governmental funding arrangements to support scientific and technological efforts in a manner reflecting the priorities of both Federal and State governments.

To accomplish these objectives, it is recommended that the Director designate a Federal agency to assume the responsibility for developing the necessary guidelines and procedures. Such a lead agency would receive policy guidance both from the Federal Council for Science and Technology and from the Governors of the States, as represented by such groups as the National Governors' Council on Science and Technology.

PRINCIPAL RECOMMENDATION NO. 2: STRENGTHENING STATE SCIENCE AND TECHNOLOGY MECHANISMS

It is recommended that the Federal and State governments provide support through revenue sharing or other appropriate means for the development and coordination of State science and technology mechanisms that would serve to augment State capabilities for policy making, programming and implementation—including the review, development, assessment and application of scientific knowledge and technology in the public area. In a given state, it would appear that minimum administrative costs for such operations would approximate \$100,000 per year.

Such State mechanisms would function to:

(1) increase the capabilities within State governments, both executive and legislative branches, for identifying needs and priorities in research and development and for ensuring the use of science and technology in the provision of public services;

(2) encourage the formation of more effective arrangements for applying technology to public objectives and managing research and development within State government.

It is recommended that State Governments establish appropriate institutional arrangements reflecting each State's structure and its view of priorities. In the executive branch of State Governments, an Office of Science and Technology or a science advisory council to the Governor, are possible arrangements. Since State legislators also frequently feel the need for advice on science and technological problems, an agency of the legislature charged with similar functions is an additional possibility.

PRINCIPAL RECOMMENDATION NO. 3: JOINT FEDERAL-STATE RESEARCH ACTIVITIES

Implementation of Federal revenue sharing with State Governments is likely both to enhance State responsibilities and decision-making, and to change the ways in which research and development is applied to the solution of domestic problems. The Committee believes that States would be in a better position under such an arrangement to shape new R&D application systems, and accordingly recommends that consideration might be given to ensuring that a small percentage of revenue sharing funds to States should be set aside for R&D purposes.

It might, for example, be possible to establish a cooperative Federal-State research adaptation and application fund. Approved State projects could provide for application of science and technology to public objectives by transfer and adaptation, and could include further research as necessary. The funds could be used to support in-house efforts or for contractual research. Collaborative efforts by States on problems of mutual interest would be encouraged. The creation of state and regional research institutes is an attractive possibility since such institutes would offer the prospect of larger scale efforts with minimal possibilities of duplication.

OKLAHOMA PUBLISHER CITES BUREAUCRATIC SNARL IN NEW POSTAL CORPORATION

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. EDMONDSON. Mr. Speaker, one of the principal arguments advanced by the administration last year when it asked Congress to pass legislation creating a new Postal Corporation was the improved, streamlined postal service which would result to the American public. The Congress went along with the administration's request, and Public Law 91-357 was approved August 12, 1970, authorizing creation of the new U.S. Postal Service Corporation.

With the July 1, 1971, effective operational date for the new Corporation fast approaching, I think it is timely to take a look at some of the "improvements" which the Corporation has tentatively adopted thus far. To expedite handling the mail, the Corporation says, it has become necessary to do away with the practice of canceling mail with the name of the city from which it was mailed. The hours of open service at numerous post offices have been substantially curtailed in order to speed up delivery service.

One of the most recent "improvements" initiated by the Corporation has been to eliminate Saturday window service at our post offices. My good friend and editor of the Claremore, Okla., Daily Progress, Mr. Donn Dodd, has taken a look at the changes by the new Postal Corporation, and I think his views on this subject will be of interest to other Members of this body. I insert Mr. Dodd's column "A Bit of Progress" at this point in the RECORD:

A BIT OF PROGRESS
(By Donn Dodd)

The decision to eliminate window service on Saturdays at Claremore's post office is just another example of the bureaucratic ineptness which seems to be playing a bigger and bigger part in our American way of life.

Claremore Postmaster Grant Stout blames the decision on a cutback in hours by the regional postal service. He also says he made a survey to see what the reaction was and there was no protest on closing. "The business places felt like it was all right," he is quoted as saying.

It looks like the American public has had about all of this so-called postal efficiency and reform they can take. We've lost our identity by having our stamps cancelled without our town name on it, the number of hours windows are open during the week has been cut back, mail service in general is lousy and now this Saturday closing bit.

To argue that this Saturday closing is justified because the banks close that day is a bunch of bull. The postal service, or at least it started out to be, comes in the same category as police and fire.

Do you think the police and fire stations are going to close on Saturday because the banks do? To say that a survey of business people failed to turn up any complaints is like asking a few to make decisions for the majority.

Most of the counter mail service, we'd venture to guess, is not business people, but is for the housewife, the guy who works everyday and those who have just gotten in the habit of doing their postal business on Saturday morning.

If this is just another bureaucratic decision which we've got to mold our lives to fit then let it be. However, we can't help but think the civic leaders of this community should let this decision stand only after exhausting every effort possible to get it changed.

BRINGING THE U.N. TO THE PEOPLE

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1971

Mr. REUSS. Mr. Speaker, the first international symposium on the United Nations' Second Development Decade, held last month in Boston, proved a great success. Sponsors of the meeting made a fine start toward their goal of marshaling support for the international body's vital development assistance program, by bringing the U.N. to the people. U Thant, the Secretary General of the United Nations, has said that similar programs to further his organization's development work are planned for other cities in this country and abroad.

The following editorial, from the Christian Science Monitor of June 4, contains some thoughtful comments on the symposium and, more broadly, on the U.N.'s development efforts:

A GAP THAT MUST BE BRIDGED

The industrialized powers have a tremendous moral obligation to the developing states of the world—the obligation to help the less advanced lands lift themselves up from the grind of subsistence at the poverty level.

Development aid so far—however worthwhile and valiant it has been in many directions—has hardly begun to scratch the surface of the problem. The stark fact is that, because of the population explosion, inflation and other factors, the gap between rich and poor, between industrialized and developing states, is actually growing wider instead of shrinking.

These issues were put in blunt terms at a symposium on the United Nations Second Development Decade held in Boston last week. Speakers such as UN Secretary-General U Thant and former Canadian Prime Minister Lester Pearson stressed the risk to world peace if the present imbalance in development is allowed to drift on indefinitely. But it must be remembered that the means of correcting this inequality already exist, and that, while the need is greater, the scientific and technical ability to meet it has increased too, as Mr. Pearson pointed out.

There is, therefore, no ground for discouragement, but a call for ever greater dedication and effort. There also must be more compassionate understanding of the human and social needs of the developing lands, so that they do not feel their resources are being exploited for selfish ends in some form of neocolonialism.

Under the "strategy" adopted for the Second Development Decade, the industrialized nations have been asked to contribute 1 percent of their gross national product to devel-

opment aid. Several West European countries already have reached this goal and Britain and Japan have set target dates for attaining it. We hope the United States will soon do likewise.

Mr. Pearson stressed the role of the individual citizen in this great help-your-neighbor enterprise. It is up to the individual to see that the world develops in the right direction, he said.

Happily the UN is now making a deliberate effort to reach out to the people and to explain what needs to be done in the development field.

The Boston symposium, which was attended by many concerned citizens, including clergymen, academicians and businessmen, was the first of a series to be held in major American cities.

We all need these closer contacts. We need to know what the problems are and what contribution the individual can make to help the world meet them.

The UN is to be congratulated on this new outgoingness.

BUNKER HILL

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. O'NEILL. It was many years ago that the battle for Bunker Hill was fought, and those men who so valiantly risked their lives have long since died. Bunker Hill was more, though, than just another battle in the Revolutionary War; its impact both on the founding of the Nation and on those of us who live today has been immense. This battle, involving less than 5,000 troops, served as the first major step in the long, hard-fought struggle for independence. Yet, measured in the same terms as other great battles the world has seen, the fighting which took place on that hill was indeed a small affair, described by some as "more gallant than safe." But the importance of this confrontation and the contribution made there cannot be measured whether by the number of troops involved, or the casualties inflicted.

Today, on this anniversary of that historic battle, we should remember not only those men who fought there, but the ideals for which they chose to endanger their lives. The story of Bunker Hill and the lesson we must derive from it is that the ideals for which men strive require a heavy price, that of ceaseless and determined endeavor. We pause today, not only to commemorate the fighting which took place on this day, but also to be invigorated anew with the spirit and purpose which guided the men who fought this battle.

In these days of internal strife and questioning we must as a nation reaffirm the purpose for which those early patriots fought so courageously. The Revolutionary War was won, not by intricate maneuvers or advanced weaponry, but by men whose determination to strive for the ideal of freedom was unsurpassed and whose efforts were unrelenting.

The problems facing this country today are manifold. The solutions to these problems seem as remote to us as freedom and independence must have seemed to those early patriots who defended Bunker Hill. But if we can take inspiration from gallant efforts of those brave men and direct our energies toward the problems at hand, a victory as important as that which we celebrate today will be ours.

INDEPENDENCE FOR THE BALTIC STATES

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. ROE. Mr. Speaker, this week we mark two sad and tragic anniversaries in history. They are the 30th anniversary of the first mass deportation from the States on June 14, 1941, and the 31st anniversary of the Soviet occupation of Lithuania on June 15, 1942.

The history of the Baltic nations has been one long tragic struggle against czarist and Soviet designs to secure outlets on the Baltic Sea.

It was not until the close of World War I, that these courageous people through determination and sacrifice were rewarded with independence. In 1920, Estonia, Lithuania, and Latvia signed peace treaties with the Soviet Union, in which the Soviet Union voluntarily and forever renounced all sovereign rights over the people and territory of the Baltic States.

The independence of the Baltic States was shortlived, lasting only two decades. But during those 20 years of national independence and self-government these nations made great progress. Largely, as a result of hard work, thriftiness, and determination, the economy prospered, industry, grew, art and literature flourished.

These achievements were abruptly destroyed when the Red Army, in callous violation of the treaties, invaded Lithuania, Latvia, and Estonia on June 15, 16, and 17, 1940. The process of Soviet seizure of total power then began.

A year later the systematic destruction of all traces of nationalism among the Baltic peoples commenced with the deportation of 60,000 citizens of these countries to various parts of the Soviet Union, mainly Siberia. It is estimated, by Baltic States experts, that when the Soviets finished their campaign to colonize the three countries more than 25 percent of the population of the three states had been deported or murdered. Today, in the capital of Lithuania, Vilnius, native Lithuanians are a minority.

The crime of those rounded up for exile, or slaughter, was simply being a leader, a patriot.

It might be assumed that after 30 years of enslavement, and oppression the Baltic peoples would be ready to stop fight-

ing. But they do not quit. Despite the captivity in which they live, despite the tragedies they have endured, the Baltic peoples throughout the world remain dedicated to the restoration of the independence of their respective fatherlands.

Today, let us extend our expressions of sorrow and concern to people of Latvia, Lithuanian, and Estonian ancestry in our country and around the world. Let us also assure them they are not forgotten, that we are aware of their continuing plight, and that they have the support of all who cherish freedom in their struggle for freedom from tyranny. Expressing, also, our desire that they soon will attain their goal and live in peace in their homelands enjoying the fundamental rights which are now so brutally denied them.

SELF-DETERMINATION OF THE BALTIC PEOPLES

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HUNT. Mr. Speaker, June 15 marked a tragic anniversary for the Baltic States, for it was only 31 years ago that the Soviet Union overthrew by force the republics of Lithuania, Latvia and Estonia.

It is indeed a paradox of history that the miseries of war must be suffered to insure freedom, but the lessons of the past must be kept before us lest we extinguish the hopes of less fortunate nations whose people have been strangled by the yoke of communism.

Of this occasion, I would like to supplement my remarks with an essay that was prepared by the National Executive Committee for the Lithuanian American Community of the United States of America, Inc., which reflects the endurance of the Baltic people under more than 30 years of Russian slavery, yet manifests their unyielding struggle to again realize the freedom of self-determination:

SELF-DETERMINATION OF THE BALTIC PEOPLES RED TERROR IN LITHUANIA, LATVIA AND ESTONIA

The Soviet Union invaded the Baltic States on June 15, 1940, and took over Lithuania, Latvia and Estonia by force of arms. These three peace-loving republics have been suffering in Russian-Communist slavery for more than 30 years.

At a time when the Western Powers have granted freedom and independence to many nations in Africa, Asia and other parts of the world, we must insist that the Communist colonial empire likewise extends freedom and independence to the peoples of Lithuania, Latvia and Estonia whose lands have been unjustly occupied and whose rightful place among the nations of the world is being denied. Today and not tomorrow is the time to brand the Kremlin dictators as the largest colonial empire in the world. By timidity, we invite further Communist aggression.

The Balts are proud peoples who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 720th anniversary of the formation

of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251.

The Lithuanians, Latvians and Estonians have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Balts, it should be kept in mind, are ethnically related *neither to the Germans nor the Russians*.

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into the Baltic republics and annexed them in June of 1940. In one of history's greatest frauds, "elections" were held under Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire.

Then began one of the most brutal occupations of all time. Hundreds of thousands of Balts were dragged off to trains and jammed into cars without food or water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic or Siberia. The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, these three nations have lost more than one-fourth of their entire population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. During the period between 1940 and 1952 alone, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end of the Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

This year marks the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established.

This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Governments of the Baltic States. Since June of 1940, when the Soviet Union took over Lithuania, Latvia and Estonia, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to get rid of the Communist regimes in their countries.

The case of the Baltic States is not a question about the rights of self-rule of Lithuania, Latvia and Estonia, since this is established beyond any reasonable doubt, but the question is how to stop the Soviet crime and restore the freedom and independence of

these countries. The Select Committee of the House of Representatives to Investigate the Incorporation of the Baltic States into the U.S.S.R., created by the 83rd Congress, after having held 50 public hearings during which the testimony of 335 persons was taken, made a number of recommendations to our Government pertaining to the whole question of liberation of the Baltic States. According to the findings of this House committee, "no nation, including the Russian Federated Soviet Republic, has ever voluntarily adopted communism." All of them were enslaved by the use of infiltration, subversion, and force. The American foreign policy toward the Communist enslaved nations, the aforesaid House committee stated, must be guided by "the moral and political principles of the American Declaration of Independence." The present generation of Americans, this committee suggested, should recognize that the bonds which many Americans have with enslaved lands of their ancestry are a great asset to the struggle against communism and that, furthermore, the Communist danger should be abolished during the present generation. The only hope of avoiding a new world war, according to this committee, is a "bold, positive political offensive by the United States and the entire free world." The committee included a declaration of the U.S. Congress which states that the eventual liberation and self-determination of nations are "firm and unchanging parts of our policy."

The United States Congress has made a right step into the right direction by adopting *H. Con. Res. 416* (89th Congress) that calls for freedom for Lithuania and the other two Baltic republics—Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States to the United Nations. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union, is surely intolerable.

Mr. Speaker, on February 18, 1971, I introduced House Concurrent Resolution 169 that is identical to House Concurrent Resolution 416 as unanimously approved by both the House and the Senate in the 89th Congress. It is respectfully urged that the Congress should reaffirm its belief in the right of self-determination for all people and that the President should implement this legislation accordingly. The full text of House Concurrent Resolution 416 follows:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic

peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

PFAFFTOWN JAYCEES ARE NO. 1 AGAIN

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. MIZELL. Mr. Speaker, it gives me great pleasure to announce to my colleagues that the Pfafftown, N.C., Junior Chamber of Commerce has again won the Giessenbiar Sweepstakes Award, given annually to the most outstanding Jaycee chapter in the State of North Carolina.

The award, given for the greatest community service and leadership activity, makes the Pfafftown organization eligible to compete again for the No. 1 national award which it won last year.

The list of accomplishments compiled by the Pfafftown Jaycees is an impressive one indeed, and I am sure my colleagues in the North Carolina delegation and others in this Chamber join me in congratulating these young men for their outstanding achievement.

The Nation could use more people like the Pfafftown Jaycees, who are prepared to work through the system to improve the quality of life for the citizens of their community.

An article published in the Forsyth County, N.C., *Suburbanite-Weekly News* of May 27, 1971, tells more about this award, what was done to earn it, and the men who did all the work.

At this point, I include the text of that article in the RECORD of today, and recommend it for the consideration of my colleagues.

The article follows:

PFAFFTOWN JAYCEES NO. 1 AGAIN

The Pfafftown Jaycees were again named Number One Jaycee Chapter in North Carolina last Saturday night at the State Jaycee Convention which was held this past weekend at the M.C. Benton Convention Center in Winston-Salem.

The award known as The Giessenbiar Sweepstakes, is awarded each year to the Jaycee Chapter in North Carolina judged to be the outstanding Chapter in terms of community service and leadership activity. All 225 North Carolina Jaycee Chapters have the opportunity of entering the contest for the award and in preliminary judging, five clubs

are chosen. This year these five were East Bend, Pfafftown, Rockingham, Lumberton, Greenville and Greensboro. The most outstanding club is chosen from the group and the club is entered in national competition. Our local Pfafftown club will be entered in the judging for overall U.S. outstanding club. They won that award last year.

The Jaycee Chapters are judged on the design and follow through of projects. This year the Pfafftown Club submitted 170 projects to the judges. About one-third of their projects are of an internal nature dealing with leadership training for their members. The rest of their projects, or about 112 of them, were involved with community service in some way. Examples of community service projects include their Law and Order Program, whereby they sponsored an auxiliary Deputy for the County Sheriff's Department; helping with the Together House Drug Program by training Jaycee members to assist with the clinic; helping the Cystic Fibrosis educational effort in Forsyth County which helped them double their money raising goal; carried out Pitch, Hit and Throw, a program to aid 9 to 12 year olds in improving their baseball skills. Among their other projects were Junior Camp Day; a field day for boys and girls called a Field and Track Day for boys and girls ages 6 to 14; a Christmas party for over 300 5 to 11 year old less-privileged children; sponsored Bantam Bowling League for boys and girls 12 to 15 years old; sponsored Foreign Officers' Visit which brought six foreign military officers to live with Jaycees to see what our country is like. They have also conducted community attitude surveys and been engaged in numerous other projects which are reported throughout the year in these pages.

"Our winning of this award is a result of a tremendous team effort by the entire membership," said Roger Jones, Jaycee President, "and of course, we could never have accomplished anything like what we have without the full support and cooperation of our wonderful Jaycettes which are the backbone of our organization."

Members of the award winning Jaycee Organization are:

Thomas G. Beaman, Thornton J. Beroth, Winfield W. Beroth, Larry D. Billings, Bill Boswell, Jr., Roger A. Boyd, John H. Burton, Ralph W. Burton, Douglas Butler, Kenneth W. Cabarle.

Stephen G. Calaway, Jerry T. Carter, William G. Case, Norman H. Cash, James R. Cass, Max Covington, Tommy Dalton, Donald G. Farrow, Phillip E. Fleming, Charles H. Fletcher.

Kenneth W. Griffith, Ralph W. Hawkins, Charles A. Hayes, Edwin Henson, James D. Hewett, Phillip G. House, L. Jerry Johnson, C. Roger Jones, William Jones, Roger Jordan.

Richard H. Lane, W. Thomas Logan, Robert K. Lukach, Arnold Marshall, Mike Marshall, Kenneth McKaughn, Billy J. Mendenhall, Stephen M. Miller, Joseph Ottaviani, Ellis Pardue.

W. Douglas Parrish, Jack W. Patterson, David C. Poindexter, Dr. Barry W. Ramsey, James R. Scales, Gary H. Schroeder, Gene Speas, Jack G. Stewart, John W. Stewart, Mike Tuttle.

Aaron Eugene Veach, Michael R. Vehorn, James L. Wagoner, Charles Watkins, Paul R. Watson, Jimmy R. Westmoreland, Gerald R. Wheeler, Larry D. Wilkinson, Charles Williams, Johnny L. Williams, Ronald E. Williams, J. Alan Willis, Donald M. Wooten, Michael Yates.

ASSOCIATE MEMBERS

Ray F. Bottoms, Bobby H. Jordan, John C. Kiger, Stuart W. Rollins.

COURTS NO LONGER IMMUNE FROM
CHAOS AND DISINTEGRATION

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mrs. GREEN of Oregon. Mr. Speaker, in the speech marking his inauguration as president of Boston University this past May, Dr. John R. Silber remarked that no longer do we believe "that there is a time and a place for everything—a time to be born, a time to be a child, a time to be an adult, a time to be old, and a time to die. We cannot," he concluded, "take time to observe the rites of passage."

He might have added that in the midst of social chaos and disintegration which daily flaunts itself to our attention, we no longer have time to practice civility which the morals and manners of another day would have demanded that we do. Even courtrooms—the last bastion of the dignity and majesty of the law—are no longer immune from the temper tantrums of some who, or so it would appear, are more interested in notoriety than the attainment of justice.

It has been reassuring to me to note that this fact has not escaped the attention of this Nation's foremost jurist. I commend to your attention the following excerpts from a speech by Chief Justice Warren E. Burger last May 18 before the American Law Institute:

With passing time I am developing a deep conviction as to the necessity for civility if we are to keep the jungle from closing in on us and taking over all that the hand and brain of man has created in thousands of years, by way of rational discourse and in deliberative processes, including the trial of cases in the courts.

Whether in private negotiation or public discourse, in the legislative process or the exchanges among leaders, in the debate of parties, or the relatively simple matter of a trial in the courts, the necessity for civility is imperative. Without civility no private discussion, no public debate, no legislative process, no political campaign, no trial of any case, can serve its purpose or achieve its objective.

When men shout and shriek or call names, we witness the end of rational thought process if not the beginning of blows and combat. I hardly dare take the risk of adding that this may also be relevant to the news media.

Today more and more new and vexing problems reach the courts, and they call for the highest order of thoughtful exploration and careful study. Yet all too often, overzealous advocates seem to think the zeal and effectiveness of a lawyer depends on how thoroughly he can disrupt the proceedings or how loud he can shout or how close he can come to insulting all those he encounters—including the judges.

A large part of the new litigation involves the rights of the whole of society, or claims of so-called "new property," or new constitutional theories or what some advocates describe as "political cases."

At the drop of a hat—or less—we find adrenalin-fueled lawyers cry out that theirs is a "political trial." This seems to mean in today's context—at least to some—that rules of evidence, canons of ethics and codes of professional conduct—the necessity for civility—all become irrelevant.

The role of the press is a crucial one. Sometimes their highest service is to reflect precisely the conduct of the brash and swaggering lawyer or intemperate, blustering judge.

History records numerous episodes of physical attacks by members of Congress on their fellow members. Pistolwhipping and caning escalated from verbal attacks. News media were intensely partisan and vicious, and it was not uncommon for political leaders to horsewhip newspaper reporters.

Today, and increasingly in the past few years, we witness some of this kind of incivility as well as violence. Speakers are shouted down or prevented from speaking. Editorials tend to become shrill with invective and political cartoons are savagely reminiscent of a century past.

I suggest this is relevant to law teachers because you have the first and best chance to inculcate in young students of the law the realization that in a very hard sense the hackneyed phrase "order in the court" articulates something very basic to the mechanisms of justice. Someone must teach that good manners, disciplined behavior and civility—by whatever name—are the lubricants that prevent lawsuits from turning into combat.

With all deference, I submit that lawyers who know how to think but have not learned how to behave are a menace and a liability, not an asset, to the administration of justice.

And without undue deference, I say in all frankness that when insolence and arrogance are confused with zealous advocacy, we are in the same trouble the courts of England suffered through a century ago. Today English barristers are the most tightly regulated and disciplined in the world and nowhere is there more zealous advocacy.

It may seem strange to some that such obvious truths as these should be uttered. But perhaps our failure to state them more often and practice them more faithfully has brought us to the need—the need as I see it at least—to discuss so simple and elementary a subject as the necessity for civility in all the affairs of men—and especially men of the law.

Our failure is collective and our responsibility total. The solution must be one shaped and executed by lawyers, law professors and judges.

I submit that we must make some basic decisions in terms of allocating the responsibility for regulating an inherently contentious profession and then place rigorous powers of discipline wherever we place the responsibility—whether it be in the courts or in the profession.

LIST OF WITNESSES HEARD IN THE
HOUSE PUBLIC WORKS COMMITTEE

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. McFALL. Mr. Speaker, I refer to my floor statement yesterday in support of the conference report on S. 575. At the close of my statement I referred to a list of witnesses that participated in House Public Works Committee hearings when the bill was considered as H.R. 5376.

Unfortunately, this list was not printed in yesterday's RECORD and I believe it would be appropriate to list those witnesses at this time.

The list follows:

TESTIMONY

Alexander, Hon. Bill, a Representative in Congress from the State of Arkansas.

Anderson, Hon. Wendell, Governor of the State of Minnesota; accompanied by Thomas Feeney, commissioner of economic development, State of Minnesota.

Annunzio, Hon. Frank, a Representative in Congress from the State of Illinois.

Bennett, Hon. Charles E., a Representative in Congress from the State of Florida.

Bergland, Hon. Bob, a Representative in Congress from the State of Minnesota.

Bevill, Hon. Tom, a Representative in Congress from the State of Alabama.

Boggs, Hon. Hale, a Representative in Congress from the State of Louisiana.

Brademas, Hon. John, a Representative in Congress from the State of Indiana.

Burmeister, W. J., president, American Association of State Highway Officials; accompanied by Alfred E. Johnson, executive director, American Association of State Highway Officials.

Burton, Hon. Phillip, a Representative in Congress from the State of California.

Conte, Hon. Silvio O., a Representative in Congress from the State of Massachusetts.

Corman, Hon. James C., a Representative in Congress from the State of California.

Curtis, Hon. Kenneth M., Governor of the State of Maine.

Danielson, Hon. George, a Representative in Congress from the State of California.

Deavers, Kenneth, director, Office of Planning and Program Support.

Dechant, Tony, president, National Farmers Union, Denver, Colo., accompanied by Dr. Blue Carstenson.

de la Garza, Hon. E. (Kika), a Representative in Congress from the State of Texas.

Diggs, Hon. Charles C., Jr., a Representative in Congress from the State of Michigan.

Dingell, Hon. John D., a Representative in Congress from the State of Michigan.

Dulski, Hon. Thaddeus J., a Representative in Congress from the State of New York.

Esala, Rudy R., president, National Association of Development Organizations; accompanied by Tim F. Maund, past president, NADO, Augusta, Ga.; R. B. Patterson, board of directors, NADO, New Bern, N.C.; Earl Price, past president, NADO, Shawnee, Okla.

Foley, Hon. Thomas S., a Representative in Congress from the State of Washington.

Ford, Hon. William D., a Representative in Congress from the State of Michigan.

Fraser, Hon. Donald M., a Representative in Congress from the State of Minnesota.

Garmatz, Hon. Edward A., a Representative in Congress from the State of Maryland.

George, Elmer, executive director of the Georgia Municipal Association; accompanied by Mayor Gerald Thompson, of Fitzgerald, Ga.; and Mayor Charles Bradshaw, of Franklin Springs, Ga.

Gribbs, Hon. Roman, mayor, Detroit, Mich.; accompanied by Norman Miller, assistant to the mayor; J. Thomas Cochran, legislative counsel, National League of Cities and Conference of Mayors; and Larry Snowwhite, legislative assistant, National League of Cities and U.S. Conference of Mayors.

Gubser, Hon. Charles O., a Representative in Congress from the State of California.

Hall, Hon. David, Governor, State of Oklahoma.

Hansen, Hon. Julia Butler, a Representative in Congress from the State of Washington.

Harvey, Hon. James, a Representative in Congress from the State of Michigan.

Hastings, J. Albert, chairman, board of directors, Central Texas Economic Development District.

Hechler, Hon. Ken, a Representative in Congress from the State of West Virginia.

Hicks, Hon. Floyd V., a Representative in Congress from the State of Washington.

Hull, Hon. W. R., a Representative in Congress from the State of Missouri.

Johnson, Hon. Harold T., a Representative in Congress from the State of California.

Keyserling, Leon H., president, Conference of Economic Progress, consulting economist and attorney, former chairman, Council of Economic Advisers.

Leggett, Hon. Robert, a Representative in Congress from the State of California.

Matsunaga, Hon. Spark M., a Representative in Congress from the State of Hawaii.

McCormack, Hon. Mike, a Representative in Congress from the State of Washington.

McDade, Hon. Joseph H., a Representative in Congress from the State of Pennsylvania.

McFall, Hon. John J., a Representative in Congress from the State of California.

McKay, Hon. K. Gunn, a Representative in Congress from the State of Utah.

Meany, George, president, American Federation of Labor and Congress of Industrial Organizations, accompanied by Andrew J. Biemiller, assistant; and Nathaniel Goldfinger, assistant.

Meeds, Hon. Lloyd, a Representative in Congress from the State of Washington.

Mikva, Hon. Abner, a Representative in Congress from the State of Illinois.

Minish, Hon. Joseph G., a Representative in Congress from the State of New Jersey.

Mollohan, Hon. Robert H., a Representative in Congress from the State of West Virginia.

Monagan, Hon. John S., a Representative in Congress from the State of Connecticut.

Moore, Hon. Arch A., Jr., Governor of the State of West Virginia.

Moss, Hon. John E., a Representative in Congress from the State of California.

Nathan, Robert R., economist, Washington, D.C.

O'Neill, Hon. Thomas P., a Representative in Congress from the State of Massachusetts.

Pantos, Hon. George J., special assistant to the Secretary for Regional Economic Coordination, Department of Commerce.

Partridge, Robert D., general manager, National Rural Electric Cooperative Association; accompanied by William E. Murray, legislative representative.

Pelly, Hon. Thomas M., a Representative in Congress from the State of Washington.

Podesta, Hon. Robert, Assistant Secretary for Economic Development, Department of Commerce.

Price, Hon. Melvin, a Representative in Congress from the State of Illinois.

Pryor, Hon. David, a Representative in Congress from the State of Arkansas.

Quillen, Hon. James H., a Representative in Congress from the State of Tennessee.

Rarick, Hon. John R., a Representative in Congress from the State of Louisiana.

Rodino, Hon. Peter W., Jr., a Representative in Congress from the State of New Jersey.

Roybal, Hon. Edward R., a Representative in Congress from the State of California.

Semer, Milton P., former Deputy Administrator and General Counsel, Housing and Home Finance Agency.

Shriver, Hon. Garner E., a Representative in Congress from the State of Kansas.

Sisk, Hon. B. F., a Representative in Congress from the State of California.

Skubitz, Hon. Joe, a Representative in Congress from the State of Kansas.

Slack, Hon. John, a Representative in Congress from the State of West Virginia.

Smith, Spencer M., Jr., secretary, Citizens Committee on Natural Resources.

Staggers, Hon. Harley O., a Representative in Congress from the State of West Virginia.

Stubblefield, Hon. Frank A., a Representative in Congress from the State of Kentucky.

Tabor, Ralph I., director of Federal affairs, National Association of Counties, accompanied by Frank Steriha, county chairman, Board of County Commissioners, Muskegon County, Mich.; Gordon Skipper, county commissioner, Muskegon County, Mich.; Ray Wells, county administrator, Muskegon County, Mich.; Dr. John Schaeffer, consultant, Muskegon County, Mich.; Elmer Peters, chairman, Board of County Commissioners, Sedgwick County, Kans.; and Robert Lakin, director of planning, Sedgwick County, Kans.

Thomson, Hon. Vernon, a Representative in Congress from the State of Wisconsin.

Vander Jagt, Hon. Guy, a Representative in Congress from the State of Michigan.

Vank, Hon. Charles A., a Representative in Congress from the State of Ohio.

Waldie, Hon. Jerome R., a Representative in Congress from the State of California.

West, Hon. John C., Governor of the State of South Carolina; accompanied by Philip G. Grose, Jr., executive assistant; and Jack West.

Whalley, Hon. J. Irving, a Representative in Congress from the State of Pennsylvania.

Williams, Harold W., deputy director, Boise Cascade Center for Community Development, Washington, D.C.

MATERIAL RECEIVED FOR THE RECORD

Abbott, Laurie K., on behalf of the city of Savannah, letter.

Abourezk, Hon. Jim, a Representative in Congress from the State of South Dakota, statement.

American County, August 1970, article entitled "Muskegon County, Mich. Mends Waste Lands With Waste Water".

Anderson, Hon. Wendell, Governor of the State of Minnesota, statement.

Bannister, John, executive secretary, Office of Oil and Gas Conservation Commission, letter.

Barnes, Maurice, vice president, B-N Ranch, letter.

Bumpers, Hon. Dale, Governor of the State of Arkansas, statement and letter.

Burkehalter, David A., city manager, Springfield, Mo., letter.

Clements, James H., mayor, city of Temple, letter.

Curtis Hon. Kenneth M., Governor of the State of Maine, statement.

Denholm, Hon. Frank E., a Representative in Congress from the State of South Dakota, statement.

Docking, Hon. Robert, Governor of the State of Kansas, letter.

Eichwold, Lawrence G., president, CAMBIO, letter.

Eltzroth, Clyde A., Hampton, S.C., statement.

Elwell, Eben L., director, Maine Housing Authority, letter.

Esala, Rudy, executive director, Arrowhead Regional Development District and president, National Association of Development Districts, statement.

Fanning, J. W., vice president of services, the University of Georgia, statement and letter.

Fosco, Peter, general president, Laborers' International Union of North America, ALF-CIO, statement.

George, Elmer W., executive director of the Georgia Municipal Association, statement.

Gershkoff, Robert S., executive vice president, Citizens United Renewal Enterprises, Inc., letters.

Goalsby, Rex, county judge, Freestone County, letter.

Gray, Frank E., acting director, State of New Mexico, Department of Development, letter.

Hall, Hon. David, Governor of the State of Oklahoma, statement.

Hastings, Albert, chairman, Meridian; P. F. Thomas, telegram.

Hearnes, Hon. Warren E., Governor of the State of Missouri, statement.

Helland, Henry C., Utah State Department of Highways, letter.

Hull, Harry, executive director, the International Center of New England, Inc., letter. Jorgensen, Lee, director, State of Utah, Department of Development Services, letter.

Kee, Hon. James, a Representative in Congress from the State of West Virginia, letters and supplementary statement.

Laufenberg, Wayne E., coordinator, Governor's rural policy for rural development, statement.

Linson, M. G., Colorado State director, vocational education, statement.

Lucy, Hon. Patrick J., Governor of the State of Wisconsin, letter.

Maund, Tim F., executive director, Central Savannah River Area Planning and Development Commission, Augusta, Ga., statement.

McNair, Konduros & Corley, Columbia, S.C., letter.

Manda, Robert N., executive vice president, Mid-America, Inc., letter.

Meany, George, president, American Federation of Labor and Congress of Industrial Organizations, letter with attachments.

Melcher, Hon. John., a Representative in Congress from the State of Montana, statement.

ATTACHMENTS

Joint letter to Secretary Maurice Stans from Members of Congress.

Formal statements from Governor; Testimony from Senator Mansfield;

February 24 letter to the President; John Ehrlichman, letter.

Milliken, Hon. William G., Governor of the State of Michigan, letter.

Moore, Arch A., Jr., Governor of West Virginia, telegram.

Nathan, Robert R., statement.

National League of Cities, U.S. Conference of Mayors, Samuel V. Merrick, director, congressional relations, letter and enclosures.

Office of the City Manager, Muskegon Heights, Mich., Donald P. Ziemke, city manager, letter.

Oklahoma legislative appropriations that relate to development of regional commission programs.

Olson, George T., director, Comprehensive Health Planning, State of New Mexico, letter.

Ozarks Region—Oklahoma Economic Indicators.

Pantos, Hon. George J., special assistant to the Secretary for Regional Economic Coordination, Department of Commerce.

Federal "Veto" in the title V regional program, and Summary of Regional Commission Funding.

Perfection Products Co., Waynesboro, Ga., J. M. Lovett, personnel manager, letter.

Pet, Inc., Dairy Division, Washington, Ga., Harold S. Skinner, letter.

Peters, Elmer S., chairman, Board of County Commissioners of Sedgwick County, Kans., statement.

Peterson, Hon. Walter, Governor, State of New Hampshire, letter.

Plucci, Virginia L., Rhode Island College, letter.

Price, Earl V., executive director, Central Oklahoma Economic Development District (COEDD), statement.

Redding-Record Searchlight, Reading, Calif., February 5, 1971, article entitled "We Forgot Good of WPA."

Robins, W. B., general manager, Utah Cooperative Association, letter.

Sargent, Hon. Francis W., Governor, State of Massachusetts, letter.

Schweigert, Hon. Thomas F., Federal Co-

chairman, Upper Great Lakes Regional Commission, statement.

Semer, Milton P., former Deputy Administrator and General Counsel, Housing and Home Finance Agency, statement.

Smith, Spencer M., Jr., secretary, Citizens Committee on Natural Resources, statement.

Staggers, Harley O., a Representative in Congress from the State of West Virginia, statement.

Steele, G. Fred, Jr., Federal Cochairman, Coastal Plains Regional Commission, statement.

Steriha, Frank, chairman, board of county commissioners, Muskegon County, Mich.

Stewart, Edward J., mayor, city of Muskegon, Mich., letter with attachments.

Stewart, E. L., Jr., Federal Cochairman, Ozarks Regional Commission, statement.

Strickland, Marty, city manager, Pittsburg, Kans., letter.

Township of Muskegon, Muskegon, Mich., Juane A. Baker, Muskegon township supervisor; Jack Joslyn, chairman, Water and Sewer Committee, letter.

UAW Solidarity, February 1971, article entitled, "Unemployment—The Crisis Is Now."

Waters, John B., former Federal Cochairman, Appalachian Regional Commission, statement.

White, Bob, director, Department of Aviation, State of New Mexico, letter.

Wiggin, Chester M., Jr., Federal Cochairman, New England Regional Commission, statement.

Williams, Harold W., deputy director, Boise Cascade Center for Community Development, statement.

Williamson, Kenneth, deputy director, American Hospital Association, letter.

Womer, Stanley, Federal Cochairman, Four Corners Regional Commission, statement.

UNITY TEMPLE—A NATIONAL LANDMARK

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DERWINSKI. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address which my dear friend and distinguished colleague, Mr. COLLIER, delivered at Unity Temple, in Oak Park, on June 6:

UNITY TEMPLE—A NATIONAL LANDMARK

Doctor Krick, distinguished guests, friends and neighbors:

This afternoon's observance will be twofold. Unity Temple will receive a plaque from the Department of the Interior, signifying that it has been designated as a national landmark, and we will pay a well-deserved tribute to the building's designer, whose birthday is Tuesday.

Man, through the centuries, has worshiped his Creator in many different kinds of places, in tents and tabernacles, on the tops of mountains, and by the banks of rivers. In our own day we may hear the word of God proclaimed in modest buildings or in magnificent cathedrals.

It matters not where we assemble to kneel in prayer and lift our voices in hymns of praise to the Almighty, so long as we meet in the proper spirit. The Saviour himself assures us that "where two or three are gathered together in my name, there am I in the midst of them."

Frank Lloyd Wright, to whose great genius we owe this remarkable structure, was born

in 1869 at Richland Center, Wisconsin. Long before his arrival, his mother, confident that her first-born would be a boy, had determined that he should grow up to become an architect.

His formative years were spent in Oak Park, where he practiced his profession from 1892 to 1909. It was during this period that a congregation with \$45,000 on hand decided to build a new church.

Its building committee first considered holding a competition for the designing of what was to be Unity Temple. Fortunately the idea of a competition was abandoned.

According to Wright, competition among architects had produced no worthwhile building. The jury, a hand-picked average, rejects not only the worst designs submitted but also the best, in order that the average may average upon something average. Any architectural competition will therefore be an average upon an average by averages in behalf of the average.

As an architect enters a competition in order to win the prize, he aims his efforts at what he conceives to be the prejudices and predilections of the jury. The building that results from the contest will be well behind the times before it is even begun.

Wright had to deal, not with a jury, but with a committee. Abraham Lincoln is supposed to have described a camel as a horse that had been put together by a committee.

Wright believed that decisions reached by a committee were seldom above mediocre unless the group was dominated by a strong personality. Unity Temple as we see it here this afternoon would never have been built had it not been for such a strong individual—Charles E. Roberts. Roberts was not only a mechanical engineer but also an inventor.

The pastor of the congregation, Doctor R. F. Johannot, thought in terms of that with which he had been familiar during his boyhood, the modest house of worship back in New England, with its thin spire pointing heavenward. Wright asked, "Why the steeple of the little white church? Why point to Heaven?" and proceeded to tell the committee a story.

A man with an overwhelming desire to see God ascended to the summit of the highest mountain and climbed to the top of a tall tree that stood on its peak. Ragged and weary from his strenuous exertions, he lifted his eager face to Heaven and called upon God.

A voice ordered him to get down and return to the place from whence he had come. If he wished to see God, he must descend into the valley below where his own people were. Only there would he find God.

Why not, the architect asked, build a temple to man, appropriate to his uses as a meeting place, in which to study man himself for the sake of his God? A church did not need a spire to point to Heaven, either to call God down or to take man up.

The curiosity of the members of the committee had been aroused. What, they inquired, would such a building look like? They could not visualize such a structure.

"That's what you came to me for," Wright replied. "I can imagine it and I will help you create it."

At the first meeting the inventor and the architect used all the resources at their disposal and succeeded in convincing a third member. There remained four who were still dubious, including the pastor. One of the doubters, Mr. Skillin, was openly hostile.

Doctor Johannot was soon won over, however, and the balance of power shifted to the side of the architect. The doubts and fears of the others were eventually put to rest, except for Skillin, who was firmly convinced that the room would be dark and its acous-

tics bad. The formal decision to proceed was made despite his warnings and over his dissent.

The congregation's \$45,000 was expected to provide a church auditorium that would seat 400, along with an adjoining room for banquets and recreation. Even in 1906, when a dollar had a great deal more dignity than it possesses today, the sum appeared to be insufficient for what was desired.

When an architect sits down to plan a building, he must consider many things, such as the site, the climate, the size of the building, its cost, the use to which it will be put, how it can be made attractive and in harmony with its surroundings, the materials to be used, and such matters as light, heat, ventilation, acoustics, and sanitation.

Frank Lloyd Wright was perhaps best known for his insistence upon blending the buildings which he planned with their natural backgrounds. Design, he theorized, must take second place to function or purpose.

Although they were written when Wright died, the words of Edgar Kaufman, Jr., for whom the architect planned a home, are apropos at this point:

"The needs of everyday life were prime problems to Wright; he considered prosaic answers to them inadequate. For developed individuals in a democratic society he sought an architecture that kept life whole without keeping it back."

Even as far back as 1906, when Unity Temple was but a dream, Lake Street was a noisy thoroughfare because of the streetcars. It seemed best, therefore, to keep the proposed building closed on the three street sides and arrange it so that the people would enter from a courtyard between the auditorium and the adjoining recreation building. The two parts would be joined by the pastor's study.

Foremost in the architect's mind was a noble room for worship. His idea of the great room would shape the whole edifice. Let the room inside be the architecture outside.

The room itself would be constructed with four interior free-standing posts to carry the overhead structure. These concrete posts, which would be hollow, would become ducts to insure economic and uniform distribution of heat.

The large supporting posts would be so set as to form alcoves on all four sides of the room. These side alcoves would be flooded with light from above to bring a sense of a happy, unclouded day into room.

With this feeling for light, the center ceiling between the four great posts would be pierced by skylights, with daylight sifting through between the intersecting concrete beams, filtering through amber glass ceiling lights. Thus managed, the light, would, rain or shine, have the warmth and softness of sunlight. Daylight and night light would have the same effect.

According to Wright's plan, the worshippers should not stream in toward the minister and turn their backs on him as they departed. Why not place the pulpit at the entrance side, at the back of the square room, and bring the congregation into the auditorium at the sides, on a lower level?

From that thought came the depressed foyer or cloister corridor on either side, leading from the main lobby at the center to the stairs in the near and far corners of the room. Those who thus entered the room would be able to look into it, but they would be imperceptible to those who were already in their places.

At the conclusion of the services, wide doors beside the pulpit permitted the people to come forward toward the clergyman and find themselves directly in the entrance loggia from which they had come in.

The wooden forms or molds in which concrete buildings had to be cast at that time were always the chief items of expense. In order to economize as much as possible by using the forms over and over, the outside walls of the building would have to be nearly identical. The first building to come complete as architecture cast from forms was Unity Temple.

It was the custom in those days to place a thin veneer of brick or stone over the concrete, but because there wasn't enough money for this, Wright put some of the stones of the concrete mixture on the walls, thus giving texture and variety to the flat surfaces. There was but one material from which to choose—concrete was cheap.

After getting the main idea, Wright worked all night. During the next few days he made no fewer than thirty-four studies of the relationship of the auditorium to the recreation building before he was satisfied with their harmony.

It took two years to build Unity Temple. No building in America had even been constructed of reinforced concrete poured into wooden frames.

No contractor was very anxious to assume the responsibility of translating the architect's visionary designs into living reality. The only bids available were double the utmost limit or even higher.

Finally Paul Mueller agreed to build the house of worship for but a little in excess of the amount that the congregation had earmarked. Mueller took his time but he accomplished what he set out to do. He lost money on the deal, but not much. Surely the privilege of working with Frank Lloyd Wright was some reward and may have brought the builder other contracts, just as the architect proceeded to even greater achievements.

As the congregation assembled for the first service in its new structure, September 26, 1909, with Doctor Samuel A. Eliot of Boston preaching the dedication sermon, Frank Lloyd Wright stayed home. Why? Perhaps the answer to that brief and blunt question can be found in the story that is told of a king of England who was paying his first visit to a newly constructed cathedral.

The king declared that he was *amused* and said that the new building was *awful*. Inasmuch as these words were uttered three centuries ago, the monarch meant that he was *amazed* at what he saw and that the cathedral *filled* him with *awe*.

It may well be that Wright remained away on that autumn day because he feared that the members of the congregation would give the words their present-day meaning. Perhaps he did not want to be laughed at by those who might be shocked at what he had prepared for them.

If the architect entertained any such thoughts, his mind was soon relieved of them. Shortly after the church had opened, his telephone began ringing and he was kept busy accepting messages of enthusiastic congratulations from those who were delighted with their new church home.

Finally Mr. Skillin, who had played the role of doubting Thomas, was on the line, retracting his words of opposition. He was pleased with the appearance of the new building and told Wright that he could see and hear fine.

After more than six decades, Unity Temple still functions as a house of worship. The man in whose fertile brain it first appeared went on to achieve national and international fame.

Wright had built the first mechanically ventilated, steel-furnished office building in Buffalo, New York, back in 1904. Eight years later he projected the first "slab" skyscraper. It was he who designed the lightweight wall

of glass and metal that was to become so common on tall buildings. Wright also designed floors that were cantilevered from a tall central mast. He devised and named the now familiar carport.

It was Frank Lloyd Wright who built the great Imperial Hotel in Tokyo during the years from 1916 to 1922. It was put to its severest test the very next year after its completion when an earthquake killed 143,000 people. Due to the hotel's floating cantilever construction, then considered revolutionary, it was the only large building that offered safety and survived the catastrophe.

Wright died in Phoenix, Arizona, on April 9, 1959, in his ninetieth year. One of his last great dreams had been a mile-high skyscraper. Perhaps if his days on earth had been extended for but a few more years, he might have made even this dream come true. In these days, when men journey to the moon, one hesitates to say that anything is impossible.

In both the broad sense and the narrow, an appropriate epitaph for Frank Lloyd Wright would be the English translation of part of the Latin one devised for another great architect, Sir Christopher Wren. Wren's epitaph can be seen in his architectural masterpiece, St. Paul's Cathedral in London. The words most often quoted from it are: "If you would see his monument, look around."

During Frank Lloyd Wright's extraordinary career, which continued for sixty-six years, he designed more than 600 buildings. They are located in many different states, as well as abroad. He was also a teacher of architecture who inspired his pupils to emulate him by designing useful buildings themselves. His influence will be with us as long as we live.

"If you would see his monument, look around."

Many of the most outstanding buildings that contributed to Frank Lloyd Wright's position of preeminence among architects are to be found in Chicago and its suburbs.

"If you would see his monument, look around."

One of the very earliest structures designed by Frank Lloyd Wright was the magnificent house of worship in which we have assembled this afternoon, an edifice that has stood the test of time and which the government of the United States has designated as a national landmark.

"If you would see his monument, look around."

DOWNEY SIDE, INC.

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. BOLAND. Mr. Speaker, I take pride in calling my colleagues' attention to a unique juvenile rehabilitation program in my district, Downey Side, Inc.

Downey Side was founded in 1968 by Margaret M. Downey, a Chicopee teacher who recognized the sad fact that many of our juvenile programs often serve more to punish than to rehabilitate. The program is based on the motto, "Growth Through Love."

Since its founding, Downey Side has grown. It now operates four homes for boys, and has just recently dedicated its first home for girls.

The Rose M. Engle Home for Girls is

dedicated to the memory of its founder's mother. Its purpose is to provide a home-like atmosphere—complete with love and understanding—to teenaged girls who have been deprived of the benefits of true family life. This is the unique feature of Downey Side, the creation of a family milieu. Each home consists of a mother, a father, and six to 10 children. In this way, the residents learn to love by being loved.

The merits of Downey Side have been recognized by many. Jerome Miller, commissioner of the Massachusetts Department of Youth Services, has praised Downey Side as being a major step toward true rehabilitation. Terrance Cardinal Cooke, archbishop of New York, at the dedication ceremonies of the Rose Engle Home, cited Downey Side as "having a message for other sectors of society." That message is one of sharing and compassion.

Downey Side is a pilot program, unique to Massachusetts. Its short history has shown remarkable success—so much that it is now being studied by numerous agencies throughout the country.

Mr. Speaker, I include in the RECORD the program from the dedication exercises, and a brochure published by Downey Side. This brochure describes the positive approach being taken by Rev. Paul Engle, director of the program, and his staff, to give these troubled youngsters a loving home and family life.

[Downey Side Dedication—Thursday, May 27, 1971]

ROSE M. ENGLE GIRLS HOME

(By Terrence Cardinal Cooke)

PROGRAM

CARDINAL. This is the day the Lord has made.

ALL. Let us rejoice and be glad in it.

MASTER OF CEREMONY. A house is made of brick and wood, and nails and glass and a hundred other things. It becomes a home only when people bless it with their presence. A new family has moved into this house and has once again transformed it into a home. We come together today to share in that blessing and to dedicate their home to the memory of a woman whose life and love built a home—a home in which her family was able to grow in love because they were loved.

READINGS. Impossible Dream; Proverbs 31. Song. St. Mary's High School, Westfield, Mass.

Common prayer

CARDINAL. Let us pray now for the strength to love and accept one another just as we have been accepted and loved by God.

(Petitions should be read by representatives of Jewish and Protestant clergy, Father Paul, and Downey Side members)

That each of us might realize that we are capable of both loving and being loved let us pray to the Lord.

ALL. Lord hear our prayer.

That each of us might open ourselves to the possibilities of love, let us pray to the Lord.

ALL. Lord hear our prayer.

That the love which transformed this house into a home might spread throughout the world, let us pray to the Lord.

ALL. Lord hear our prayer.

That those who have not found love in their lives might find someone who cares, let us pray to the Lord.

ALL. Lord hear our prayer.

That we might learn to accept people as they are just as God has accepted us.

ALL. Lord hear our prayer.

That we might share the joy and hope of this day with the communities in which we live and work, let us pray to the Lord.

ALL. Lord hear our prayer.

CARDINAL. Oh, God, you have taught us to love by loving us first. Help us to love one another so that together we might form a community of love, a community that shows your love for all mankind. Amen.

Remarks by Cardinal Cooke.

Dedication ceremony

(Cardinal should be flanked by both Engel and Downey Side families.)

O, God, you have shown us your love in the beauties of nature—the sea, the sky, the earth all reflect your love. Nothing, however, in all of creation is quite as beautiful and reflective of your love as a person who loves.

Rose M. Engel was such a person. Her life was spent in sharing her love. Out of love for her family she shared with them her strength that they might become strong. Out of love she shared with them her joy that they might learn to celebrate life. Out of love she shared with them her God that they might know the source of her strength, joys and love.

This home is built on love so we dedicate it to the memory of Rose M. Engel. In dedicating it to her memory it is our hope that the love which filled her life will now fill this home; that the love which enabled her to enrich the lives of others will now enable this family to enrich the lives of each other. We ask this in the name of God who was the source of her love. Amen.

Song. Final Song.

DEDICATION COMMITTEE

Chairman, James Tremble.
Ticket Chairman, Mrs. Tye Flanders.
Publicity, Richard Kelley.
Traffic, Daniel McLoughlin.
Banquet Arrangements, Margaret Downey.
Mary Ann Maloney, Marie Hickey, Cathy Calahan.
Limosine for Cardinal, Peter Houser.
Printing, Magnani & McCormick.
Floral Arrangements, Mascaro's.
Arrangement for Special Gifts, Knights of Malta and Knights and Ladies of the Holy Sepulchre.
Dedication Program, Rev. William Meehan, O.F.M. Cap.

DEDICATION DINNER

Master of Ceremony, Rev. Paul Engel, O.F.M. Cap. President and Executive Director.

Honored Guest, Terrence Cardinal Cooke.
Guest Speakers, Commissioner Jerome Miller, Dept. of Youth Services.

Dereck Miller, M.D. Chief Psychiatrist, Michigan State Hospital.

Blessing before meals, Rabbi Bernard Cohen.

Blessing after meals, Rev. Emerson Smith.
Entertainment, Springfield Sing out.

A SEARCH FOR UNDERSTANDING

Downey Side is a unique and exciting program designed to meet a rising problem in today's society—that of neglected and homeless youth. In learning of Downey Side, interested groups and individuals have many questions concerning the program, its history, and the youth we serve. Through the following list of questions, we hope to provide the bulk of the answers being sought.

Q. What is Downey Side?

A. Downey Side is a non-profit, non-sectarian charitable corporation which provides homes for neglected and homeless boys or girls.

Q. How did Downey Side come about?

A. Nearly three years ago, Father Paul Engel discovered a seventeen year old boy living alone in a one room, cold water apartment and barely making ends meet. Father Paul enlisted the help of a local school teacher, Margaret Downey, and proceeded to provide the boy with the healthy environment he so much needed. It was from this experience and from the realization of the plight of thousands of neglected youngsters that resulted in the cooperation of two lawyers, two doctors, and two businessmen in forming Downey Side.

Q. Is Downey Side just for boys?

A. No, although the original units were for boys, it became quite apparent that there is also a serious need for girls' units. Therefore, Downey Side has made provisions to include separate units for these homeless and neglected girls.

Q. How does Downey Side actually work?

A. Downey Side takes six to eight neglected and homeless youth and provides them with the one thing they so desperately need—a home with love and respect. It is in the Downey Side home and through the dedication and sincerity of the Downey Side parents that a healthy family environment is created for the positive development of these youths.

Q. What is the basic philosophy behind the Downey Side program?

A. Simply that a youth is an individual who needs love and respect in order to grow and that it is through the home and through the healthy family environment that these youths can develop to their full potential.

Q. Well, has this theory been successful?

A. Although it takes many years to statistically verify success, our immediate success has become quite apparent through observing the remarkable progress of our first group of boys in just two years' time.

Q. Is Downey Side any different from a halfway house or a group home?

A. Yes, in the halfway house or the group home there is no attempt to create a new family, and youths are usually in these units for only a short period of time. In every conceivable way, Downey Side attempts to make real homes—a mother, father, eight youths and maybe one or two younger children making a family of ten or twelve.

Q. What kind of youths, then, are in the Downey Side program?

A. The youths in the Downey Side program are what has been termed "throwaway children." This means that these kids are actually dropped into the hands of the state by parents who no longer want them, or who are divorced and cannot care for them. In short, these are kids who have no home.

Q. How are the boys or girls selected?

A. Our professional staff searches through case after case after case of youths in our state institutions until they find individuals preferably from the area of the new unit who can best benefit from our program. Of course, a prerequisite is that these boys or girls have no home to go to. The youths are then invited to our Adolescent Developmental Center for several days where they receive extensive testing and evaluations by our professional staff and prospective parents. It should be emphasized that we are interested in the parents and the child mutually agreeing on becoming a family. No child is assigned to any of our homes and no parents are assigned to any of our youth without mutual consent. An analogy is a foster home and foster parents where instead of the parents adopting one child, eight youths benefit from adoption.

Q. Do the houseparents receive any help?

A. Yes, counselors in each unit assist the houseparents in providing support on the

development of these units. Also, a professional psychiatrist and psychologist meet weekly with the houseparents to best interpret the directions for the positive development of these units. And, of course, medical, dental, tutorial, psychiatric and psychological services are readily available. Again, the emphasis is on meeting the individual needs of these so long deprived youths.

Q. With all that is provided Downey Side must be expensive. How is it financed?

A. First of all, initial finance to open a home comes from the community. Once a home is in operation, the state pays a partial subsidy for our services. The balance of our expenses has been met through the generous efforts of the community.

Q. Does the community have a role in the Downey Side program?

A. Yes, very definitely. The community has continued to play an instrumental role in the Downey Side program. We believe that apart from the professional staff and the parents, the most important aspect is the response of the community. The community's concern for an acceptance of these boys is a critical factor in the "buying in" to the home and to our society. And it has been the tremendous acceptance and support by the community that has enabled Downey Side to be such a positive factor in the development of these youths?

Q. What is the future of Downey Side?

A. Very bright! There is an increasing realization that the care of neglected children has to go back into the local communities. Downey Side is an attempt to bring the boys and girls back into the communities from which they came, there to learn and discover that the community does care and that they do have a future. It is our conviction that state institutions may cease to exist almost entirely. So we don't talk about one home or two homes, we talk about enough homes so that every boy and every girl has a chance to know a family, to experience love and to be accepted into their neighborhood.

UNITED STATES, CANADA JOIN IN PLAN TO CLEAN GREAT LAKES

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DULSKI. Mr. Speaker, I am delighted to see the action at the international level of the United States in joining with Canada in a program to clean up pollution of the Great Lakes and to bring a halt to damaging oil spills.

As a result of an agreement in substance, it is expected that the formal document will be signed later this year, according to a joint communique issued following a meeting at the State Department.

In substance, representatives of the two nations agreed to accept the major recommendations made last January by a working group of the International Joint Commission.

This program includes standards intended to insure that all type of fish can live in the Great Lakes.

The representatives of both nations hailed the significance of this joint effort, and I certainly agree, it is an important step forward in dealing with the

Lakes problem which has been allowed to get out of hand—in part because of neglect and in part because of the international complications.

Mr. Speaker, as part of my remarks I include a newsstory and related editorial from the Buffalo Evening News with regard to the agreement:

[From Buffalo Evening News, June 11, 1971]
UNITED STATES AND CANADA JOIN IN PROGRAM TO CLEAN LAKES

(By Rowland Powell)

WASHINGTON.—The United States and Canada agreed Thursday to a joint program to clean up pollution of the Great Lakes and bring a halt to damaging oil spills.

The two countries will adopt common water quality standards and also operate some water pollution control programs jointly. But the actual enforcement and prosecution of violators would be left to each nation depending on where the violation occurred.

The agreement spelling out in detail how the countries will conduct their concerted effort is expected to be signed by early fall, it was announced in a joint U.S.-Canada communique following a day long "ministerial level" meeting at the State Department.

The ministers and their representatives agreed to accept the major recommendations made in January by a working group of the International Joint Commission, including standards to insure that all types of fish could live in the lakes.

"HISTORIC FIRST STEP"

Russell E. Train, chairman of the Council on Environmental Quality, called the conference a "historic first." Mitchell Sharp, Canadian secretary of state for external affairs, said it was "the first time two countries have decided to attack such a major common problem jointly."

Mr. Train said the final pact would be in the form of "executive agreement" rather than a treaty which would require Senate ratification. He said that approach was decided on because the effort also required a "close partnership" with the states. Mr. Sharp said it made no difference to Canada since Parliament did not have to ratify its treaties.

Following are some of the major points agreed upon Thursday and to be included in the formal agreement for signature in the fall "at the highest possible level," as Mr. Sharp put it.

Common water-quality objectives based on the IJC working force recommendations would be adopted for the boundary waters of the Great Lakes systems. Both governments would be committed to developing "compatible" standards and to implement programs to carry them out.

COST ABOUT \$2 BILLION

William D. Ruckelshaus, administrator of the Environmental Protection Agency and one of the conferees, estimated the cost to governments—federal, state and local—in the United States, would be about \$2 billion, with the federal government paying half. The Canadian officials estimated Canada's share at \$200 million.

Both countries would implement programs to upgrade municipal and industrial treatment plants to remove phosphorus from effluents. Regulations also would be established for ship design and construction to prevent fuel and cargo loss, for control of vessel waste discharges, for disposing of polluted dredge spoils and for preventing discharges of oil and hazardous polluting substances from on and offshore facilities.

A joint investigation of new navigation

equipment "establishing traffic lanes on the lakes" and manning and operating vessels would be made. Water-quality research would be co-ordinated by the IJC.

The IJC also will be asked to expand its water quality investigation which, in the January report dealt with Lakes Erie and Ontario, to include Lakes Superior and Huron. Lake Michigan lies entirely within the U.S.

The Canadian delegation urged that the agreement be written to insure that municipal and industrial pollution control programs in the lower lakes are completed by 1975. The Canadians urged that inputs of phosphorus be reduced to agreed standards in Lake Erie by the end of 1973 and in Lake Ontario by the end of 1975.

[From the Buffalo Evening News, June 12, 1971]

BOOST FOR LAKES CLEANUP

The historic agreement by Washington and Ottawa to undertake a joint program to clean up the Great Lakes by 1975 is the most hopeful step yet taken to save these vital waters from ecological disaster.

The Great Lakes are an international resource and only international action can preserve them from the kind of wanton misuse that already threatens to turn Lake Erie—the most seriously contaminated of the lakes—into a lifeless sea.

What needs to be done to eliminate pollution in the lakes is no mystery; it was spelled out clearly in recent months by the International Joint Commission, the U.S.-Canadian body that has been studying Great Lakes boundary-water pollution for the past six years. The pressing need today is simply for vigorous action by the two governments to implement known remedial and preventive measures. This the two capitals have now for the first time officially agreed to do.

The heart of this agreement is a commitment by the U.S. (which bears most of the onus for Great Lakes pollution) and Canada to adopt and carry out common water-quality standards both for the lakes and for the St. Lawrence River. While each nation will be responsible for enforcement within its own borders, the program will be embodied in an international executive agreement that would have most of the solemn force and binding power of a treaty. This pact is expected to be concluded and signed by early fall.

Skeptics will correctly observe that, so far, the two governments have merely agreed to agree on a joint program—nothing more. Nevertheless, the present announcement advances the growing momentum of the past year for firm international cleanup measures; and a welcome token of American intentions is the coincidental announcement by the Environmental Protection Agency that Detroit and Cleveland have just agreed—under strong federal pressure—to a \$1 billion program for controlling their waste discharges into Lake Erie. Since these cities are prime culprits in the deterioration of Lake Erie, this settlement represents in itself a major victory toward safeguarding the Great Lakes.

Of course, it is one thing to promulgate pollution abatement programs and another thing to get them carried out. That is painfully evident right now on the Niagara Frontier, where only a handful of 36 anti-pollution projects are likely to meet a June 30 deadline for federal and state aid eligibility. This deplorable record of local tardiness in coming to grips with the need for regional sewerage programs contrasts with events in other upstate metropolitan regions, and could end up costing local taxpayers millions of dollars in lost grants for pollution control.

Such official lethargy in one region only underscores the necessity for tough-minded and unremitting federal follow-up action to redeem the promise of the coming U.S.-Canadian plan to save the Great Lakes.

WAKE UP, AMERICA

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mrs. GREEN of Oregon. Mr. Speaker, one is likely to lose his way permanently if he is lost in a wilderness without compass or map, and the United States may lose its way permanently if it does not commit itself to some hardheaded, long-range policy and method.

With our State and municipal governments facing bankruptcy, with the federal system incredibly overcommitted, with many of our private institutions such as the Nation's colleges facing financial crisis—we have raced beyond the opportunity for therapeutic social tinkering and have arrived at that awesome and awful watershed: what will be our fundamental direction?

If the American experiment is to survive its own bicentennial, the Nation desperately requires more than a few mapmakers. Mr. Miller Upton, president of Beloit College, in Wisconsin, may well be one of the intellectual draftsmen of our destiny—if we will listen. I commend to my colleagues a remarkable statement by President Upton, titled "Wake Up, America":

WAKE UP, AMERICA!

(By Miller Upton, president of Beloit College, Beloit, Wis.)

A combination of recent events indicates conclusively that the United States of America is close to approaching the point of no return with regard to loss of its economic, social and political integrity and vitality. There have been distinct signs on the horizon over the last several decades warning of such an impending calamity. Now they are no longer on the horizon; they are in our midst. Nor are they merely signs about which there can be conjecture. They are stark facts which can no longer be refuted. Hopefully, the nation is still too strong to justify an attitude of resigned fatalism. But its qualitative strength is gradually seeping away through its somnolent state, and hope for the future lies only in it awakening itself and adopting a spirit of renewal and invigoration. Let us consider some of the facts.

The Carnegie Commission on Higher Education has recently issued a study which indicates quite clearly that most of the colleges and universities in America are suffering grave financial strain. It suggests further that all will be under varying degrees of financial difficulty in the future unless some form of public corrective action is taken. The private sector is under more severe strain than the government sector. And, in fact, we are fast approaching the time when the government sector will be so dominant that we will have a virtual government monopoly in higher education. There will be fifty state government monopolies to begin with, but extension of the present trend suggests an eventual monolithic system of higher education. Many, if not most, of the

major state universities are themselves now suffering severe financial pressure because of the recent cut-back in Federal financing.

TAXPAYER REVOLTS

But our colleges and universities are not alone in this kind of plight. As we all know, our municipal governments are in much the same state, with the situation most severe for the large metropolitan areas. Throughout the land property taxes have reached the breaking point. Evidence of real taxpayer revolt is readily at hand. In Beloit and Madison, Wisconsin, property owner leagues have been formed, and the members threaten to strike against the payment of state income taxes unless relief is provided in the payment of property taxes. These cannot be isolated instances; they must simply be illustrative of what is happening at the local level throughout this broad country, for the problem is the same wherever one turns. Mayor Lindsay suggests that the City of New York can no longer meet its mounting obligations.

Because of the increasing strain on local government finances frantic effort is made to increase revenues by relying upon the taxing authority of the state and federal governments, particularly the former. Shared taxes, shared taxing authority, rebates the development of metropolitan areas, are all pressed for possible solutions.

But increasingly it is becoming apparent that all such approaches are doomed to failure. It does little good to count to help from a dry well. The state governments are also broke! As a consequence, the current fad in public finance is for the state governments to turn for assistance to the federal government. Apparently, President Nixon is currently working on a plan of shared taxes with the states, the details of which will probably have been divulged by the time this article is published. And with the increasing tendency of colleges, universities, local governments, and others to short-circuit the whole flow-of-funds process by directing their appeals to the federal government in addition to the state governments, the centralizing of governmental finance is gradually taking shape.

NOTHING TO SHARE

But to what higher authority does the federal government now turn for help to preserve its own financial integrity? What taxes is it going to share with the states when its current deficit for the year is estimated conservatively to be at least \$15 billion? What additional revenues can it generate without destroying the value of its currency and the lives of those living on fixed income contracts? Or without promoting taxpayer revolts of its own? Where is it going to get the revenues to meet the needs of those hounding it for aid when over the last 39 years, during periods of peace and war, it has spent more than it has received in 32 of the years? Since the end of fiscal 1931 to the end of fiscal 1970, the 32 deficit years have accounted for an aggregate deficit of 340.5 billion dollars. The seven surplus years have accounted for an aggregate surplus of 17.4 billion dollars. Thus, over the last 39 years we have accumulated a total deficit of 323.1 billion dollars!

Surely the federal government cannot turn to some super International agency for help—certainly not the International Monetary Fund. The dollar is supposedly the bedrock of the Fund, so what when the bedrock is seen to be sand? When the Fund was established the United States had gold reserves in abundance, but now these have been greatly reduced, and with our foreign obligations already in excess of our reserves we can hardly turn to foreign capital for additional help of a significant and continuing

sort. Through the financing of our past balance-of-payments deficits we have already used up the possibility that once existed here.

FINANCIALLY BANKRUPT

The sheer, unvarnished fact of the matter is that our society as represented by its governmental structure is financially bankrupt! This claim is no longer a prediction of what could happen. Nor does it represent a play on words or a form of scare tactic. It is an honest appraisal of what has happened! We are bankrupt in the very same sense that an individual or institution becomes financially bankrupt: our government at all levels has assumed financial obligations in excess of its financial means to the point that it is now left without normal recourse of its own. In education, social welfare, social security, highway construction, domestic programs in general, interest on debt, foreign aid and military preparedness we have spent more on the basis of what we wanted to do or somehow felt compelled to do than on the basis of what we could afford to do—afford, that is, and maintain our accepted standard of living.

We are now faced with two alternatives. We can adopt an austerity program involving a reduced standard of living for an extended period of time until we get our financial house in order, or we can go through a process of bankruptcy by devaluing our currency and in effect legalizing our own defaulting on our debts. The former is the more honorable and in the long run the healthier. The latter is the easier in the short run and therefore the more tempting. But it is highly questionable from an ethical standpoint, for all it does is transfer our burden to our creditors—both our own citizens and our foreign supporters—by repudiating a portion of our indebtedness to them. Such an act would bring us to the low point of financial integrity and make a mockery of our presumed and potential world leadership.

Wake up, America! Wake up from your dream world of escape. How dare you allow yourself to drift into financial bankruptcy when you are acknowledged to be the wealthiest nation in the world? Your rapid ascension in the recent past to acknowledged productive preeminence together with the consequent position of world leadership into which you have been thrust apparently happened too easily. You do not seem to be fully cognizant of how it happened or prepared to accept the responsibilities which it entails. Was it an accident rather than the consequence of a noble design?

GOVERNMENTS DON'T CREATE WEALTH

We of all people should know that there is not now, never has been and never will be a "big daddy" to look after us in the aggregate. Such certainly is not the role of government. Government, after all, is a creation of man; man is not a creation of government.

In matters of public finance, we Americans tend to err in the direction in which we look for increased revenues. We impulsively turn to the next higher level of government. But this is 180 degrees wrong, for no government can create wealth for distribution; it can only collect wealth from the individual citizen for subsequent distribution. Therefore, the financial welfare of any society must inevitably be based upon the financial health and vitality of its individual citizens, not its governments. As was pointed out long ago, the wealth of nations is founded upon one thing and one thing alone and that is the individual productivity of each and every citizen. Anything that inhibits individual productivity necessarily inhibits the growth of the economic welfare of the society as a whole. And any governmental financial pro-

gram which fails to conform to this basic fact of life is doomed to eventual failure.

Our current state of financial bankruptcy has been produced over the years not by our financial profligacy alone but by our inept governmental policies as well, which have had the effect of inhibiting individual productivity. Following the economic crisis of 1929-32 a kind of Maginot-Line psychosis developed. We became defensive in mood and seemed to lose confidence in the principle of individual freedom and initiative. And yet we continued to expect our economy to be as productive and resilient. We demonstrated thereby a complete lack of understanding of the theoretical foundations of our economy. In fact we acted as though we couldn't care less. We hastily resorted to palliatives to treat acute economic ills that manifested themselves, seeming to care little about their chronic effect upon the economic physiology in general. A nation founded upon the highest of philosophical principles started groveling in self-pitying pragmatism. We started to reason in aggregates and easy generalization rather than remain faithful to the rigorous demands of a society committed to an individual freedom, individual differences and individual initiative. Macroeconomics became the godhead of central planning, and the microcosm of the individual citizen became the sacrificial offering, despite all the politically motivated rhetoric to the contrary.

As a natural consequence to that sort of generalized reasoning, public policy became and has continued to the present to be restrictive and defensive in character. It is fashioned on the presupposition of a static economy whose fruits are to be shared equitably rather than a dynamic economy whose fruits are ever multiplying in amount. The attitude has been that of dividing an existing pie rather than preparing a sumptuous fare. Concern has been more with distribution than with production.

SELF-DEFEATING POLICIES

Examples to support this point are numerous. One of the most obvious is the minimum wage law. Even the most elementary student of economics knows that in a dynamic economy based on individual freedom and individual initiative compulsory minimum wages become self-defeating. They either result in unemployment or they contribute over time to higher prices to the point that the real wage as compared to the money wage is no higher than it was at the outset. The only other alternative is to have the economy increasingly managed by central authority to the point that it becomes static in nature, and all wages become isolated from free market forces.

Another example is the intrusion of government into management-labor relations. For a free economy to work, entrenched monopoly must be avoided. Collective bargaining as a countervailing force to concentrated power of owners is therefore desirable, although shared authority in management would be even better. But the government must oppose all entrenched monopoly on an even-handed basis and not buy political favor through legislative discrimination. It profits the individual laborer nothing to be protected from monopolistic exploitation on the part of owners only to have him become subject to the exploitation of monopolistic unions. Similarly, if industrial restraint of trade is bad when practiced by owners, it is just as bad when practiced by labor unions. Our concern must be with the justice accorded each individual citizen, be he owner, employee, consumer. We must not divert our attention from the realities of each situation by resorting to the abstract generalities of

labor, management, capital. These are functions, not real, live people.

That all of the stultifying policies of government over the last forty years born of attitudes of negativism and defensiveness have had their inevitable atrophying effect upon the economy is evidenced by the recent experience of unemployment and inflation continuing to increase simultaneously. Full employment and price stability are conditions which require easy and ready movement of people and capital from job to job. The frictions that have been imposed by legislative restraints have decreased this economic mobility of individuals and capital and thereby made adjustment to changed conditions exceedingly sluggish. It is difficult at best to maintain such mobility in a highly industrialized, specialized economy. But the difficulty is compounded by legislation designed to circumscribe individual initiative and self-reliance. This is why the frantic governmental policies of the thirties were ineffective in overcoming the unemployment produced by the great depression. It took the artificial stimulation of World War II to do so. If we are to deal effectively with factors of immobility, we need to relate to the specialized needs, circumstances and talents of individual citizens, not to abstract categories or classes of citizens.

GROUP CONFLICTS

Another manifestation of our being victimized by a Maginot Line psychosis is the tendency for citizens to identify themselves with adversary roles in relation to one another. The presumed management-labor conflict is one such case, but it is represented in many other ways. When the prevailing concept is that there is a fixed pie to be divided up rather than a feast to be jointly prepared, conflict becomes inevitable. Instead of everyone putting his shoulder to the wheel we all become inclined to put our backs to the wall and our hands to our foe. At the legislative level decisions are made defensively on the basis of what is thought to be politically expedient rather than what is best for the country at large and its citizens in general.

In this sense Spiro Agnew can hardly be censured for the divisiveness of his rhetoric. If he should be, then what contemporary politician should not be? He has simply been carrying out a political tradition which has been greatly exacerbated since the early thirties. As a matter of fact his whole effort is seen as child's play when compared to that of Franklin Roosevelt and Harry Truman and their contemporaries. Here were true professionals in promoting political advantage through social divisiveness. And following their unequaled example we have come over the years to play southerner against northerner, poor against rich, black against white, labor against management, consumer against producer, management against capital, and, more recently, young against old and student against the establishment.

Wake up America! Wake up from your hypnotic stupor into which you were shocked by the traumatic experience of the great depression of the early thirties. Be positive in your thinking, not negative. Be expansive in your outlook, not defensive.

It is not a matter of your returning to the past; it is a matter of your moving forward to the promise of the future which your early experiences gave reason to trust. Let the last forty years be only a temporary respite in your journey—a detour, not a change in direction. Do not forsake your commitment to the ultimate worth of the individual person in a blind reaction to the fallings of some.

SOURCE OF WORLD CONFLICT

The great conflict in the world is not between communism and capitalism. All of the

more developed countries economically are capitalistic, including the communist countries. That is why they are more developed; they rely upon capital formation in place of immediate consumption as a means of multiplying the productive effort of labor. Russia and the other more developed communist countries practice social capitalism; America and the other western democracies practice varying degrees of individual (private) capitalism. The conflict, therefore, is the age-old one of centralized authority versus decentralized authority.

It did not take any great clairvoyance on the part of Paul Goebbels toward the end of World War II to predict that should Germany lose, America would soon be at war with Russia. We have called it a cold war, but there have been occasional hot overtones. Our allying ourselves with the dictatorial, imperialistic nation state of Stalin's Russia to fight the dictatorial, imperialistic nation state of Hitler's Germany was obviously an alliance of convenience. At best it was an ultimate pragmatic act; at worst it was evidence of ideological bankruptcy. The current information leaking out from Russia indicating discrimination and possible persecution of Jews therein provides additional grim support to these views.

The ultimate form of centralized authority is complete and absolute dictatorship in the form of a single person. The ultimate form of decentralized authority is the absence of any law—anarchy. The appropriate form of social organization is somewhere between these two extremes. But it is America's role and destiny in seeking this point to be the advocate of and place its confidence in decentralization of authority. This is why it has violated its heritage and abdicated its responsibility over the last several decades in adopting policies that moved it towards social capitalism and away from its trust in the individual.

IMPORTANCE OF INDIVIDUAL FREEDOM

In our human society of biological and psychological interdependence the concept of individual freedom inevitably represents an opportunity rather than a right. It is the opportunity provided an individual to be responsible for his own self-fulfillment while at the same time accepting voluntarily his social responsibilities. In short, such an individual bears a responsibility to himself, his God and his society. From society's standpoint he bears a public trust and he is accountable to his society when he violates that trust.

This concept of individual freedom points up in stark relief the perverse nature of so much of our governmental regulation over the recent past. Instead of dealing decisively with those individuals who violate their public trust by abusing their freedom, we have passed laws which circumscribe the freedom of all. We are therefore moving more and more to a centralized form of social organization, and an increasing number of our citizens are becoming less self-reliant. In other words, we are destroying the system in our clumsy attempt to deal with those who abuse the system. When we restrict the freedom of all individuals to deal with the abuses of some we violate the principle that a person is innocent until proven guilty. We move from a basic posture of belief in the fundamental worth of the individual person to one of suspicion and doubt.

Such a fundamental attitude of doubt and suspicion, furthermore, poses a grave threat to the continued existence of a democratic form of government. Democratic socialism represents a contradiction of terms. One might just as well refer to decentralized centralization. Democracy in any form presupposes that ultimate wisdom resides with the people: not with the intellectuals, not with

the aristocrats, not with the poor, not with the proletariat, not with the management class, not with the middle class, not with any particular class or group but with the sum total of all individuals for all their individual differences. It places fundamental confidence in the essential common sense and integrity of the individual person. If such confidence is not justified, then democracy simply will not work.

Surely such confidence will be violated by some, but they will represent a distinct minority. And it is far better to be right with the majority and deal with the defections of the minority by individual action than to be wrong against the majority and thereby inhibit human progress.

If equalized sharing of the fruits of the earth is the principal value to which we aspire, then centralization of authority is demanded. But if equalization of opportunity for self-fulfillment on the part of every citizen is our goal, then decentralized authority tending towards optimizing individual freedom and human progress becomes not only desirable but required. Happily, the end and the means correspond.

Wake up, America! Wake up from your giant's sleep and assume the role of dedicated leadership which it is in your power to assume. If you do not promote by example, word and deed among the world nations the principle of decentralized authority, who will? And if no one does, what hope is there for ever realizing a world free of internecine conflict for power?

Cast off forever your defensive mood which leads to negativism within and isolationism abroad. Remember: "We hold these truths to be self evident, that all men—not merely Americans, but all men—are created free and equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness." Ours is in fact a common humanity and a common human destiny. Men of all types are bound together on this single planet with the common need to make the most of its resources and to be faithful to its distinctive mission.

Accept the mantle of leadership in this kind of world not by trying to buy influence or impose your will but by demonstrating your own commitment to democracy and decentralized authority in general. For example, import quotas and tariffs are not in keeping with your underlying principles. But neither are domestic laws which delimit economic freedom and result in restraint of trade internally.

You must realize that you cannot impose your will upon others either by economic or military might without violating the very principle upon which democracy resides: belief in the dignity and ultimate worth of the individual person—each individual person, every individual person, even the other individual person.

Yours may well be a divine destiny, America, so be faithful to it. Do not slumber while the world cries out for direction. Do not leave the future of mankind to those who have least respect for individual man.

Wake up, America! Wake up!

PRISON CONDITIONS—CRUEL AND UNUSUAL PUNISHMENT?

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. MIKVA. Mr. Speaker, the intolerable conditions which prevail in jails

and prisons around the country cannot be permitted to continue. For too many years we have fooled ourselves into believing that if we locked people up we could forget about them and the problem they pose. What we have never quite faced up to is the fact that most of them will someday be released from the hell-holes we call correctional institutions. They come out more bitter, more disturbed, more antisocial, and more skilled in crime, than when they went in.

It is not for humanitarian reasons alone that we must reform our corrections system. It is for our own safety. Clearly our present and past correctional practices have proven miserable failures.

One disturbing indication of how desperate the need for prison reform has become is the recent success of several convicted criminals in challenging the constitutionality of their incarceration on the grounds of cruel and unusual punishment. It is one thing to punish a man for a crime by depriving him of his freedom. It is another to send him to a place where he is subject to filth, disease, homosexual assault, and even murder.

In at least two recent cases, courts have refused to send convicted men to prisons where conditions were shown to be so detestable as to amount to cruel and unusual punishment. I am inserting copies of the decisions in those two cases, along with a Harvard Law Review article on the subject and a recent article from the Washington Post:

[From the Harvard Law Review, December 1970]

RECENT CASES

Constitutional Law—CRUEL AND UNUSUAL PUNISHMENT—ARKANSAS STATE PENITENTIARY SYSTEM VIOLATES THE EIGHTH AMENDMENT.—*Holt v. Sarver*, 309 F. Supp. 562 (E.D. Ark. 1970).

In 1967 while prohibiting the extradition of an escaped Arkansas prisoner, an Oregon court declared:

"Arkansas conducts at her two penal institutions, Cummins and Tucker, a system of barbarity, cruelty, torture, bestiality, corruption, terror, and animal viciousness that reeks of Dachau and Auschwitz. . . . Arkansas debases the base. . . . [and] apparently is convinced that fleshly sin of men forfeits all rights of prisoners to any consideration and respect of humanity.

"Arkansas prisons are institutions of terror, horror, and despicable evil."

Two years thereafter inmates at these prisons brought a class action in federal district court¹ alleging that imprisonment in the Arkansas Penitentiary System for men, consisting of two prison farms, was cruel and unusual punishment. Prisoners at the farms are required to do grueling manual labor. Because the state provides minimal support for the system, there are only a handful of paid, "free world" employees; inmate trustees assume a large role in the day-to-day administration of the prison, including ninety percent of the inmate contact work. Most of the armed guards are themselves inmates, including some of the system's most hardened and brutal convicts. They frequently abuse their positions, and the power of prison authorities to control such abuse is minimal. Convicts not in isolation sleep in large barracks.

Since no adequate night-time guards are provided, stabbings and sexual assaults are common occurrences there. Liquor and drugs flow freely to favored inmates. The isolation cells are overcrowded and unsanitary; the food is distasteful at best; and the medical facilities are inadequate. Often an inmate who has not curried favor with the trustees is unable to get any medical care regardless of his condition. Efforts at rehabilitation are nowhere to be found. *Held*, confinement in the presently existing prison system violates the eighth amendment ban against cruel and unusual punishment:² if the state is going to run a prison farm system, "it is going to have to be a system that is countenanced by the Constitution."³ While granting no individual relief, the court ordered the prison authorities to submit a plan for bringing the system within constitutional standards. The court specified certain minimum steps to be taken, such as stripping the trustees of their inordinate power, and retained jurisdiction to guarantee that needed reforms were implemented by 1971.⁴

Until the early part of this century, the ban on "cruel and unusual punishment" had been interpreted to apply only to outrageous and barbarous practices.⁵ While the twentieth century has witnessed some expanded applications of the amendment,⁶ no clear doctrine has been formulated, and the Court has relied upon such imprecise measures⁷ as the protection of "the dignity of man,"⁸ and "the evolving standards of decency that mark the progress of a maturing society."⁹ Despite the enormous subjective content of such notions, it is clearly accepted that the amendment prohibits a hard core of inhuman treatment.¹⁰

Nevertheless, in cases concerning the implementation of a prison sentence, courts in the past have shown extreme reluctance to interfere on eighth amendment grounds. The courts adopted generally a "hands off" policy in dealing with internal prison matters,¹¹ a policy which found its justification in the unchallenged belief that judicial scrutiny of the decisions of prison officials would undermine the authority of those officials and would destroy the discipline they had established.¹²

Such an approach is antagonistic to affording prisoners protection of their basic constitutional rights. Courts have traditionally been the institutions which protect individuals from unconstitutional action by government and its officials. Such protection is totally lost if the courts fail to effectively review administrative decisions made within prisons, since the low political visibility of persons places virtually absolute power in the hands of prison personnel.¹³ Because the actions complained of are frequently committed by guards and are not within the cognizance of higher prison officials, judicial deference to administrative officials on grounds of "expertise" seems badly misplaced.¹⁴ Consistent with these reasons a number of recent cases have held that a prisoner may seek federal court relief for allegedly cruel and unusual punishment meted out in prisons.¹⁵

Rejection of the "hands off" doctrine should enable courts to take a long, hard look at the prison conditions for which the state must be accountable. Although the cases have not provided any clear perspectives on how a court should view a prisoner's suit alleging a violation of the eighth amendment, it may be illuminating for a court to approach the case as if it were reviewing a legislatively or judicially imposed sentence which expressly provided for the complained-of conditions.¹⁶ If plaintiffs can persuade the court that the legislature could not constitutionally impose such a sentence—for example, a sentence of five years confinement in a

barracks where each month a prisoner faces a fifty percent risk of being sexually assaulted—a constitutional claim should be recognized. Where general prison conditions are attacked, defenses which are based upon the need for discipline and security should not be allowed if legislatures cannot constitutionally impose a sentence that includes such conditions, prison officials should be prohibited from acting in a way that allows such a sentence to be imposed in fact.

Holt is seminal in its approach to remedying violations of the constitutional rights of prison inmates. Although prior cases have considered the constitutionality of the treatment of a particular inmate¹⁷ or the operation of a specific practice,¹⁸ *Holt* is the first case in which an entire prison system faces possible abolition on constitutional grounds.¹⁹ Such application of the eighth amendment to a class of prisoners, subject to a range of conditions, signals the need for reevaluation of eighth amendment doctrine in a class context.

Central to a finding that conditions and practices in an entire prison system are unconstitutional is the concept that subjecting inmates to the risk of inhuman treatment, as well as to the treatment, itself, may be cruel and unusual.²⁰ Not every prisoner in Arkansas has been stabbed, sexually assaulted, or abused by trusty guards. Yet all prisoners must live in daily fear of such treatment, for an inmate may be abused regardless of how cooperative and inoffensive he is.²¹ Living under such conditions and experiencing that kind of relentless fear are essentially dehumanizing.²² Such a prison experience destroys the dignity of the individual and often results in his rejection "of every basic tenet of a civilized society."²³ In *Holt* the fear was intensified by the frequency of the abuses and by the inherent danger to life and psychological integrity they generated. The result is more than a merely uncomfortable or unhappy prison life. On the contrary, the result can instructively be compared with maiming—a punishment clearly banned by the eighth amendment²⁴—since inmates are likely to have many or all of their human qualities destroyed while incarcerated. If the essence of the eighth amendment ban is protection of the individual against the inhumanity of man,²⁵ the Arkansas system could not stand.

Constitutional determination in cases making systemic attacks on prison systems should in no way turn on the issue of whether the alleged abuses occurred at the hands of fellow inmates rather than those who wear some cloak of state authority because of their status as guards. The state should not escape constitutional responsibility on the basis of an argument—one which might well be made in other states where all personnel are "free world" and are discharging their duties properly—that the correctional system has no obligation to remedy inmate abuse.²⁶ The important factor is whether the conditions which the state establishes or acquiesces in permit such treatment to occur. In *Holt* the barracks system, which housed dangerous convicts together without the separation of bars, and the trusty guard system, which gave some highly unreliable inmates absolute power over their fellows, are examples of specific state decisions which clearly exacerbated the risk of strong inmates preying on the weak.

Even if the fear concept of the eighth amendment and a broad notion of the state's protective duty are accepted, many difficulties remain in applying a *Holt*-type analysis to other prisons, less egregious than those in Arkansas.²⁷ Some prisons may have decent housing, food, and sanitation. Although it is safe to assume that few large correctional institutions are totally free of outrageous in-

Footnotes at end of article.

cidents, the risks of abuse may simply not be high enough to generate a fear of constitutional dimension among the inmate population. Nevertheless, certain conditions in otherwise constitutionally acceptable prisons might conceivably be challenged as to their independent validity under the eighth amendment. Such conditions would include those which affected only a relatively minor part of all inmates' lives, and those which substantially affected a class smaller than the entire prison population—for example, if only half the Arkansas prisoners had been forced to live in barracks with dangerously inadequate protection. In such cases a declaration that the entire prison system is unconstitutional would be improper. Rather the court should order changes in those portions or practices of the prison which create an impermissibly high risk of cruelly abusive treatment.

Holt declared the Arkansas system unconstitutional because of the cumulative effect of its deplorable conditions, and refused to declare that any single condition would have invalidated the entire system.²⁰ One particular condition which the court did not see as having independent constitutional significance may be in evidence at many other prisons throughout the country—the absence of any meaningful rehabilitation program.²⁰

To hold that an absence of rehabilitation efforts constitutes cruel and unusual punishment would be to read a particular theory of criminal punishment into the Constitution. Yet present recidivism rates make it seem highly doubtful that a state should be free to experiment with a penal program that offers no rehabilitation whatsoever. Imprisonment in an environment practically guaranteed to make the prisoner less useful to himself and society hardly seems humane or functional, though it occurs all too frequently. On the other hand, prison officials are given a finite and often meager amount of resources with which to operate, and public pressures may lean strongly toward tight security at the expense of social improvement.²¹ Given the legitimate state interest in restraint of those validly convicted and sentenced for crime, and the wide gaps in knowledge of what constitutes a worthwhile rehabilitation scheme, a seemingly weak rehabilitation effort should not invalidate a prison system per se.²² It should, however, be weighted heavily in any cumulative analysis of prison conditions in a class suit under the eighth amendment.

The bold stride forward made by Holt v. Sarver should be applauded, for it places the burden upon the state to correct fundamental deficiencies in the system, rather than merely providing *post facto* relief for a single aggrieved prisoner. Perhaps the most distressing quality of American prisons is the isolation of inmates from higher prison authorities.²³ This results in guards assuming extraordinary power over inmates. Moreover, where inadequate protection is provided for prisoners, other inmates are likely to assume such power.²⁴ Court orders which are directed toward the treatment of a particular prisoner generally provide little pressure to correct the conditions which facilitate such abuse.²⁵ Quite the opposite results from an order directed toward the fundamental conditions themselves.²⁶ Hopefully, the Arkansas example will push state legislatures and correction officials toward reform of other cruelly inadequate prison systems. If such reform is not forthcoming, courts in other states may be compelled to order systemic reconstruction as a matter of constitutional law.

FOOTNOTES

¹ Stephens v. Dixon, Habeas Corpus No. L-3112 (Baker County Ore. Cir., Ct., May 31, 1967) (unreported).

² The action was brought under 18 U.S.C. § 1983 (1964) which provides a civil action to redress deprivation of constitutional rights where the actions complained of occurred under color of state law.

³ U.S. CONST. amend. VIII: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted."

⁴ 309 F. Supp. at 385. The court also held that racial segregation within the prison was unconstitutional, following Lee v. Washington, 390 U.S. 333 (1968), and that the mandatory uncompensated work of the inmates was not prohibited by the thirteenth amendment.

⁵ See note 36 *infra* for an indication of the progress made in Arkansas since Holt.

⁶ See Granucci, "Nor Cruel and Unusual Punishment Inflicted: The Original Meaning," 57 CALIF. L. REV. 839, 839-44 (1969); Note, *Revival of the Eighth Amendment: Development of Cruel-Punishment Doctrine by the Supreme Court*, 16 STAN. L. REV. 996, 997-1003 (1964). See generally Goldberg & Dershowitz, *Declaring the Death Penalty Unconstitutional*, 83 HARV. L. REV. 1773 (1970).

⁷ See, e.g., Robinson v. California, 370 U.S. 660 (1962), in which the Court offered the most expansive view of the eighth amendment to date in holding that imprisonment for narcotics addiction was unconstitutional.

An additional strand of eighth amendment principle was begun in Weems v. United States, 217 U.S. 349 (1910), where the Court held that the eighth amendment prohibits punishments which are excessively severe in relation to the crime for which they are imposed. Since that time, however, few cases have voided punishments under this rationale. See Packer, *Making the Punishment Fit the Crime*, 77 HARV. L. REV. 1971, 1074 (1964).

⁸ See Note, *supra* note 6, at 998.

⁹ Trop v. Dulles, 356 U.S. 86, 100 (1958) (penalty of denationalization for wartime Army deserter violates eighth amendment).

¹⁰ *Id.* at 101.

¹¹ *Id.*

¹² E.g., Banning v. Looney, 213 F.2d 771 (10th Cir.), *cert. denied*, 348 U.S. 859 (1954); see Wright v. McMann, 387 F.2d 519-522-23 (2d Cir. 1967). See generally Jacob, *Prison Discipline and Inmate Rights*, 5 HARV. CIV. RIGHTS-CIV. LIB. L. REV. 227-228 (1970); Note, *Constitutional Rights of Prisoners: The Developing Law*, 110 U. PA. L. REV. 985, 985-87 (1962); Note, *Beyond the Ken of the Courts: A Critique of Judicial Refusal to Review the Complaints of Convicts*, 72 YALE L.J. 506, 506-09 (1963).

¹³ Note, *Beyond the Ken*, *supra* note 12, at 508-09. An additional reason for judicial non-interference was the belief, laid to rest in Robinson v. California, 370 U.S. 660 (1962), that the eighth amendment did not apply to the states.

¹⁴ Hirschkop & Millemann, *The Unconstitutionality of Prison Life*, 55 VA. L. REV. 795, 812-13, 836-37 (1969).

¹⁵ See *id.* at 828-29, 835-39.

¹⁶ E.g., Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968) (use of strap for whipping unconstitutional); Wright v. McMann, 387 F.2d 519 (2d Cir. 1967) (debasement conditions in "strip cell" unconstitutional).

This development was facilitated by the expansive reading of 42 U.S.C. § 1983 (1964) given in Monroe v. Pape, 365 U.S. 167 (1961), which held that the actions of police officers mistreating suspects while being searched were "under color of law" and thus actionable even though the officers were acting in excess of their authority. Section 1983 was expressly applied to suits by inmates in Cooper v. Pate, 378 U.S. 546 (1964) (per curiam). Prisoners have also been aided by a loosening of the doctrinal limitations on habeas corpus to permit its use in cases other than those in

which complete release was sought. Coffin v. Reichard, 143 F.2d 443 (8th Cir. 1944), *cert. denied*, 325 U.S. 887 (1945); see Jacob, *supra* note 12, at 250-55; *Developments in the Law—Federal Habeas Corpus*, 83 HARV. L. REV. 1038, 1079-87 (1970). Additionally, the availability of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 1402(b), 1504, 2110, 2401(b), 2402, 2411-12, 2671-80 (1964), as amended (Supp. IV, 1969), to prisoners for redress of physical injuries has increased judicial awareness of conditions, at least in federal prisons. See, e.g., United States v. Muniz, 374 U.S. 150 (1973).

¹⁷ Hirschkop & Millemann, *supra* note 14, at 834-35; cf. Johnson v. Avery, 393 U.S. 483, 487 (1969).

¹⁸ E.g., Sostre v. Rockefeller, 309 F. Supp. 611 (S.D.N.Y. 1969) (preliminary injunction ordering release from solitary confinement); Hancock v. Avery, 301 F. Supp. 786 (M.D. Tenn. 1969) (relief from shocking conditions in solitary confinement units).

¹⁹ E.g., Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968) (use of straps for beating); Board of Managers of Ark. Tr. Sch. for Boys v. George, 377 F. 2d 228 (8th Cir.), *cert. denied*, 389 U.S. 845 (1967) (racial segregation).

²⁰ 309 F. Supp. at 365, 382. Cf. *Ex Parte Pickens*, 101 F. Supp. 285 (D. Alas. 1951) (federal prison in Alaska would have been declared cruel and unusual but for court's reluctance to challenge Congress to appropriate additional funds). The cases most nearly analogous to Holt are those in which extradition was prohibited on the ground that returning an inmate to the state prison farm from which he had escaped would constitute cruel and unusual punishment. E.g., Johnson v. Dye, 175 F.2d 250 (3d Cir.), *rev'd per curiam*, 338 U.S. 864 (1949) (Georgia), *noted in* 59 YALE L. J. 800 (1950); Harper v. Wall, 85 F. Supp. 783 (D. N.J. 1949) (Alabama), Stephens v. Dixon, Habeas Corpus No. L-3112 (Baker County Ore. Cir. Ct., May 31, 1967) (unreported) Arkansas).

Of course, the risk of total abolition—resulting in freeing of prisoners—appears minimal. Rather, the court will issue orders, under pain of contempt, aimed at specific prison practices. Shut-down of the Arkansas prison farms remains only a distant, though thinly-veiled, threat.

²¹ 309 F. Supp. at 373.

²² *Id.* at 381.

²³ Cf., e.g., E. COHEN, HUMAN BEHAVIOR IN THE CONCENTRATION CAMP 115-31, 168-84 (Braaksma tr. 1953).

²⁴ Letter from Phillip Hirschkop to Commission on Violence, Aug. 22, 1968, in REPORT OF THE TASK FORCE ON LAW AND LAW ENFORCEMENT TO THE NAT'L COMM'N ON THE CAUSES AND PREVENTION OF VIOLENCE, LAW AND ORDER RECONSIDERED 579 (1969) [hereinafter cited as REPORT]. See also R. Clark, *When Punishment is a Crime*, PLAYBOY, NOV. 1970, at 100.

²⁵ Wilkerson v. Utah, 99 U.S. 130, 135 (1878) (dictum).

²⁶ See Trop v. Dulles, 356 U.S. 86, 100 (1958); Note, *supra* note 6, at 999-1000.

²⁷ But cf. Williams v. Field, 416 F. 2d 483 (9th Cir. 1969) (guard not liable under § 1983 for ignoring report of threat by inmate against another which later ripened into an assault). Even the Williams court, however, suggested in dicta that the case might indeed be different if there had been a showing of a pattern of non-protection. *Id.* at 485.

²⁸ While the Arkansas system is particularly bad, generally speaking American prisons are "abysmal graveyards." Teeters, *State of Prisons in the United States: 1870-1970*, 33 FED. PROBATION, Dec. 1969, at 18, 19; see REPORT, *supra* note 24, at 576-85. Indeed, examination may reveal that most prison prac-

tices are unconstitutional. See generally Hirschkop & Millemann, *supra* note 14.

²⁹ 300 F. Supp. at 373.

³⁰ See R. Clark, *When Punishment is a Crime*, PLAYBOY, Nov. 1970, at 100.

³¹ *Id.* at 100., 102.

³² *But cf.* 48 TEXAS L. REV. 1198., 1204-05 (1970) (under eighth amendment, restraint and retribution may no longer be the only goals of prison confinement; good faith effort at rehabilitation also required).

³³ See, e.g., Landman v. Peyton, 370 F.2d 135, 139-41 (4th Cir. 1966), *cert. denied*, 385 U.S. 881 (1966), 388 U.S. 920 (1967), 392 U.S. 939 (1968).

³⁴ Hirschkop & Millemann, *supra* note 14, at 828-29, 835-39.

³⁵ A rare exception is the decree of Judge Motley in *Sostre v. Rockefeller*, 312 F. Supp. 863 (S.D.N.Y. 1970), which, in addition to orders relating to the solitary confinement of petitioners, directs the state officials to afford inmates procedural due process in a variety of contexts where power was formerly exercised arbitrarily.

³⁶ Empirical evidence of this can be seen by comparing the minimal results of the previous cases complaining of unconstitutional treatment in the Arkansas prisons, see *Courtney v. Bishop*, 409 F.2d 1185 (8th Cir. 1969), *cert. denied*, 396 U.S. 915 (1970); *Jackson v. Bishop*, 404 F.2d 571 (8th Cir. 1968), *rev'g in part*, 268 F. Supp. 804 (E.D. Ark. 1967); *Holt v. Sarver*, 300 F. Supp. 825 (E.D. Ark. 1969); *Talley v. Stephens*, 247 F. Supp. 683 (E. D. Ark. 1965), with the results of *Holt* itself, which have been noteworthy. Several additional free world persons have been employed to supervise the isolation units, the kitchen, the laundry, and the dispensary. The power of the trusty guards has been greatly reduced. Substantial moneys have been obtained from the state and federal governments, along with additional funds from private organizations, to hire and train personnel, mechanize the farm operations, and provide additional supplies to the inmates. Searches and shakedowns for dangerous weapons are frequently conducted, resulting in a significantly decreased incidence of physical assaults, especially in the barracks. All living quarters and work details have been fully desegregated. See Respondent's Report of Progress, July 10, 1970, *Holt v. Sarver*, 309 F. Supp. 362 (E.D. Ark. 1970).

Recent events at the prisons, however, have made it clear that not all inmates are satisfied with the progress made thus far. Early in November, 1970, several inmates at Cummins seized four guards as hostages. For the return of the guards, the inmates demanded, *inter alia*, substantial improvements in the "hole," the Cummins isolation unit. Though the guards were eventually released unharmed, all bargains made with the kidnapers were kept secret. N.Y. Times, Nov. 3, 1970, at 20, col. 3 (city ed.).

PETITION

Lawrence J. HOLT et al., Petitioners, v. Robert SARVER, Commissioner of Corrections, State of Arkansas; John Haley, Payton Kolb, Marshall Rush, W. L. Currie, and William Lytle, Individually and in their capabilities as Members of the Board of Corrections of the State of Arkansas, Respondents.

Travis Eugene FIELDS, Petitioner, v. Robert SARVER, Commissioner of Corrections, et al., Respondents.

George W. OVERTON, Petitioner, v. Robert SARVER, Commissioner of Corrections, et al., Respondents.

Stanley W. BROOKS et al., Petitioners v. Robert SARVER, Commissioner of Corrections, et al., Respondents.

Jack Allen BARBER, Petitioner, v. Robert SARVER, Commissioner of Corrections, et al., Jerry DENHAM, Petitioner, v. Robert SAR-

VER, Commissioner of Corrections, et al., Respondents.

Carlton J. CARNEY et al., Petitioners v. Robert SARVER, Commissioner of Corrections, et al., Respondents.

Thomas Mitchell HILDERBRANDT, Petitioner, v. Robert SARVER, Commissioner of Corrections, et al., Respondents.

Nos. PB-69-C-24, 25, 29, 71, 75, 76, 80 and 91. United States District Court, E. D. Arkansas, Pine Bluff Division. Feb. 18, 1970.

Action by state prisoners to have declared unconstitutional conditions and practices in state prison system. The District Court, Henley, Chief Judge, held, *inter alia*, that conditions and practices in Arkansas penitentiary system, including trusty system whereby trusties ran prison, open barracks system, conditions in isolation cells, and absence of meaningful rehabilitation program, were such that confinement of persons in system amounted to cruel and unusual punishment prohibited by Eighth and Fourteenth Amendments.

Order in accordance with opinion.

1. Courts—284

Federal district court had jurisdiction of civil rights action brought by state prisoners for declaratory judgment with respect to violations of prisoners' constitutional rights by prison officials. U.S.C.A.Const. Amends. 8, 13, 14; 28 U.S.C.A. § 1343(3); 42 U.S.C.A. § 1983.

2. Constitutional Law—83(2)

Forced uncompensated labor of state convicts did not violate Thirteenth Amendment. U.S.C.A.Const. Amend. 13.

3. Constitutional Law—270

Conditions and practices in Arkansas penitentiary system, including trusty system whereby trusties ran prison, open barracks system, conditions in isolation cells, and absence of meaningful rehabilitation program, were such that confinement of persons in system amounted to "cruel and unusual punishment" prohibited by Eighth and fourteenth Amendments. U.S.C.A.Const. Amends. 8, 14.

See publication Words and Phrases for other judicial constructions and definitions.

4. Prisons—4

To extent that unconstitutional racial discrimination was being practiced in state prison system, such discrimination was to be eliminated. U.S.C.A.Const. Amend. 14.

5. Constitutional Law—47

In state prisoners' civil rights action, federal court was limited to question of whether or not constitutional rights of inmates were being invaded and with whether penitentiary itself was unconstitutional, and court was not judicially concerned with questions which in last analysis were addressed to legislative and administrative judgment.

6. Prisons—12

Practice that may be bad from standpoint of penology may not necessarily be forbidden by Federal Constitution, and prison system that would be excellent from point of view of modern administrator may not be required by Constitution.

7. Constitutional Law—83(2)

Purpose of Thirteenth Amendment was to abolish African slavery and practices related or analogous thereto. U.S.C.A.Const. Amend. 13.

8. Constitutional Law—83(2)

Arkansas system of working convicts was not "slavery" in constitutional sense of term. U.S.C.A. Const. Amend. 13. See publication Words and Phrases for other judicial constructions and definitions.

9. Criminal Law—1213

Concept of cruel and unusual punishment is not limited to instances in which particular prison inmate is subjected to punishment directed at him as an individual; confinement itself within given institution may

amount to "cruel and unusual punishment" where confinement is characterized by conditions and practices so bad as to be shocking to the conscience of reasonably civilized people, even though particular inmate may never personally be subject to any disciplinary action. U.S.C.A.Const. Amends. 8, 14.

10. Prisons—12

Confinement in otherwise unexceptional penal institution is not unconstitutional simply because institution does not operate school, or provide vocational training or other rehabilitative facilities and services, but absence of affirmative program of training and rehabilitation may have constitutional significance where in absence of such program conditions and practices exist which actually militate against reform and rehabilitation.

11. Criminal Law—1213

Term "cruel and unusual punishment" cannot be defined with specificity; it is flexible and tends to broaden as society tends to pay more regard to human decency and dignity and becomes, or likes to think that it becomes, more humane.

12. Criminal Law—1213

Generally speaking, punishment that amounts to torture, when it is grossly excessive in proportion to offense for which it is imposed, or that is inherently unfair, or that is unnecessarily degrading, or that is shocking or disgusting to people of reasonable sensitivity is a "cruel and unusual punishment"; and punishment that is not inherently cruel and unusual may become so by reason of manner in which it is inflicted.

13. Constitutional Law—223

Fourteenth Amendment prohibits racial discrimination within discrimination within prisons, and prohibition extends to racial segregation of inmates. U.S.C.A.Const. Amend. 14.

14. Prisons—4

Elimination of trusty system under which trusties had unsupervised power over other inmates was essential to establishment of prison system meeting constitutional standards. U.S.C.A.Const. Amends. 8, 14.

15. Prisons—4

Obligation of prison officials to eliminate existing unconstitutionalities did not depend upon what legislature might do or upon what officials might actually be able to accomplish; if state was to operate penitentiary system, it was required to have system countenanced by Federal Constitution.

Jack Holt, Jr., Philip Kaplan, Little Rock, Ark., for petitioners.

Don Langston and Mike Wilson, Asst. Attys. Gen., State of Arkansas, for respondents.

MEMORANDUM OPINION

Henley, Chief Judge.

These eight class actions have been brought by inmates of the Cummins Farm Unit of the Arkansas State Penitentiary System and the Tucker Intermediate Reformatory which is a part of that System against the members of the Arkansas State Board of Corrections and the State Commissioner of Corrections who administer the system. Plaintiffs contend on behalf of themselves and on behalf of other inmates and on behalf of other persons who may in the future be confined at Cummins or at Tucker that the forced, uncompensated farm labor exacted from Arkansas convicts for the benefit of the State is violative of the Thirteenth Amendment to the Constitution of the United States. They contend further that conditions and practices within the System are such that confinement there amounts to a cruel and unusual punishment proscribed by the Eighth Amendment to the Constitution of the United States, as carried forward into the Fourteenth Amendment. And they contend still further that unconstitutional racial segregation is being practiced within the System in violation of the Fourteenth Amendment. Federal

jurisdiction is invoked under the provisions of 28 U.S.C.A. § 1343(3) and 42 U.S.C.A. § 1983.

It appearing to the Court that constitutional questions raised by the petitions submitted by the complaining inmates per sese were substantial, the Court appointed Messrs. Jack Holt, Jr., and Philip Kaplan of the Little Rock Bar to represent Petitioners without charge. Messrs. Holt and Kaplan accepted the appointments and have done yeoman service on behalf of their clients. The Court wishes to thank them for their efforts.

Petitioners' complaints are well summarized in Paragraph 20 of the Consolidated Amendment and Substituted Complaint which is as follows:

"20. The actions of defendants have deprived members of the plaintiff class of rights, privileges and immunities secured to them by the due process and equal protection clauses of the Fourteenth Amendment to the Constitution of the United States, including (a) the right not to be imprisoned without meaningful rehabilitative opportunities, (b) the right to be free from cruel and unusual punishment, (c) the right to be free from arbitrary and capricious denial of rehabilitation opportunities, (d) the right to minimal due process safeguards in decisions determining fundamental liberties, (e) the right to be fed, housed, and clothed so as not to be subjected to loss of health or life, (f) the right to unhampered access to counsel and the courts, (g) the right to be free from the abuses of fellow prisoners in all aspects of daily life, (h) the right to be free from racial segregation, (i) the right to be free from forced labor, and (j) the right to be free from the brutality of being guarded by fellow inmates."

The prayer is for a declaratory judgment to the effect that Respondents' acts, policies, and practices violate Thirteenth and Fourteenth Amendment rights and for appropriate permanent injunctive relief.

(1) Shortly before the cases, hereinafter called collectively at times simply "the case" or "this case," were tried. Respondents, represented by Messrs. Don Langston and Mike Wilson of the Office of the Arkansas Attorney General, moved to dismiss the petitions on the ground that the case was nothing more than an effort to coerce the Arkansas Legislature into appropriating more money for the System, and that the Court was without jurisdiction to entertain such an action. The Court did not and does not so characterize the case, and the motion was denied. The Court is satisfied that it has jurisdiction under the federal statutes heretofore cited, and so finds.

On the merits, Respondents do not contend that they are operating a "good" prison or a "modern" prison. With commendable candor they concede that many of the conditions existing at the Penitentiary are bad. However, they deny that they are operating an unconstitutional prison or are engaging in unconstitutional practices. They say that they are doing the best they can with extremely limited funds and personnel. They point, justly, to the fact that over the past several years a number of significant improvements have been made within the System and they say that more are in the offing.

This case, unlike earlier cases to be mentioned which have involved specific practices and abuses alleged to have been practiced upon Arkansas convicts, amounts to an attack on the System itself. As far as the Court is aware, this is the first time that convicts have attacked an entire penitentiary system in any court, either State or federal.

The cases were consolidated for purposes of trial and were tried to the Court without a jury for almost an entire week. Much testimony was taken and a substantial body of documentary evidence was introduced. The Court had the benefit of the expert testimony of a recognized authority on prisons and their administration, Mr. James V. Ben-

nett who for many years was Director of the Federal Bureau of Prisons. The Court had indirectly the benefit of the views of Mr. Austin McCormick of New York City, another recognized penologist, who is Executive Director of the Osborne Association, Inc., and who served as Chief Consultant to the Penitentiary Study Commission created by the Arkansas Legislature in 1967. (Act 22 of 1967, approved January 31, 1967.) The views of Mr. McCormick are set forth in the formal report of the Commission submitted on January 1, 1968, a copy of which report was introduced in evidence. There has also been made available to the Court a copy of a report in letter form from Dr. Charles M. Friel, Director of Research, Institute of Contemporary Corrections and the Behavioral Sciences, Sam Houston State University, Huntsville, Texas, to the Arkansas Commission on Crime and Law Enforcement. That report is dated January 29, 1970, which date was the third day of the trial of this case. While the report was not formally introduced in evidence, it will be made part of the record, and the Court feels at liberty to consider it.

Apart from the foregoing, the Court heard the testimony of inmates and free world employees of the Penitentiary System; the Court also saw a motion picture film depicting certain prison conditions and has examined a number of photographs and other documentary material.

This Memorandum incorporates the Court's findings of fact and conclusions of law. In view of the serious nature of the case, in view of the fact that in a sense the real Respondents are not limited to those formally before the Court but include the Governor of Arkansas, the Arkansas Legislature, and ultimately the people of the State as a whole, the issues presented have been given the most careful consideration of which the Court has felt itself capable. The questions presented are grave and will be discussed fully. The Court deems it well, however, to state in advance of discussion its ultimate findings and conclusions on the constitutional issues presented.

[2] 1. The Court rejects the contention of the Petitioners that the forced, uncompensated labor of Arkansas convicts violates the Thirteenth Amendment.

[3] 2. The Court sustains the claim that conditions and practices in the Penitentiary System are such that confinement of persons therein amounts to a cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments.

[4] 3. The Court sustains the claim that to the extent that unconstitutional racial discrimination is being practiced in the System it must be eliminated.

Having so stated its findings and conclusions, the Court will proceed to discuss them and thereafter will pass to a consideration of the relief to be awarded.

I. INTRODUCTION

The Arkansas State Penitentiary System consists of the 16,000 acre Cummins Farm located in Lincoln County; the Tucker Intermediate Reformatory located on a 4,500 acre farm in Jefferson County; and the small Women's Reformatory located on the Cummins Farm.¹

The inmate population at Cummins now consists of somewhat less than 1,000 persons; about 325 persons most of whom are under 21 years of age are confined at Tucker. Prior to the passage of Act 377 of 1969 the Tucker Intermediate Reformatory was known simply as the Tucker Farm Unit of the Arkansas State Penitentiary. It is a much smaller in-

stitution than Cummins and its problems and those of its inmates are not nearly as severe as those existing at Cummins. For that reason discussion will be directed chiefly at Cummins, and references to the "Penitentiary" will in general be references to Cummins. Specific mention of Tucker will be made where such mention appears necessary or desirable.

The report of the Penitentiary Study Commission to which reference has been made contains as its second section a historical account of the Arkansas penal system prepared originally at some unspecified time by John L. Ferguson, State Historian, and covering the period from 1838 to 1933.

Arkansas was admitted to the Union in 1836. In 1838 the Legislature authorized the construction of a "Jail and Penitentiary," and in 1840 such an institution was constructed in the City of Little Rock. It was a jail type structure located on the present site of the Arkansas State Capitol. When it was decided to build the Capitol on its present site, the Penitentiary was moved to another location in the southwestern part of the City and became known as the Penitentiary Walls.

In 1902 the State purchased the Lincoln County lands that became Cummins Farm; some years later the smaller Tucker Farm was acquired. In 1933, due at least in part to financial stringencies imposed by the Depression, the Walls were abandoned as far as prison use was concerned, and the entire penitentiary operation was transferred to the farms. While Cummins has customarily been the headquarters of the Penitentiary System, the electric chair for executions was installed at Tucker and the cells for condemned men were located at Tucker.

Tucker was designed primarily for the confinement of young white convicts and for the confinement of both whites and Negroes awaiting execution. Negro convicts, other than those condemned to die, were confined at Cummins, and Cummins was also used as a place of confinement for more hardened white convicts.

Prior to the Civil War Arkansas convicts were released to private employers and were frequently mistreated seriously by the lessees. There was strong public opposition to the system for both humanitarian and economic reasons and it was abolished in 1913. Since that time Arkansas convicts have been required to work for the State, and their work has consisted largely of agricultural and other manual labor for which they are paid nothing either actually or constructively.

At both Cummins and Tucker the inmate population is divided into three categories. At the bottom of the list are ordinary laboring convicts known as "rankers." At the top of the list are privileged inmates known as "trusties." Between those two categories is a third class of convicts known as "dop pops;" how they came to be so called is not clear.

As indicated, most of the inmates at Tucker are young men who are not, in general, a particularly vicious lot, although there are exceptions. The Cummins population is extremely varied. Some are run-of-the-mill non-violent criminals; others are extremely violent and dangerous; many are incorrigibles; some are properly classified as either sociopathic or psychopathic, if not psychotic. A few of them have to be kept in isolation cells for 24 hours a day to protect them from other inmates or to protect other inmates from them.

Certain characteristics of the Arkansas prison system serve to distinguish it from most other penal institutions in this country. First, it has very few paid employees; armed trustees guard rank and file inmates and trustees perform other tasks usually and more properly performed by civilian or "free world" personnel. Second, convicts not in isolation are confined when not working, and are required to sleep at night in open dormitory type barracks in which rows of beds

¹ All of the Petitioners in this case are men. However, the Court heard some evidence about the Women's Reformatory. That institution houses about 35 inmates; not all of them are felons; some are simply chronic alcoholics.

are arranged side by side; there are large numbers of men in each barracks. Third, there is no meaningful program of rehabilitation whatever at Cummins; while there is a promising and helpful program at Tucker, it is still minimal.

Prior to about 1965 the people of Arkansas as a whole knew little or nothing about their penal system although there were sporadic and sensational "exposes" from time to time about alleged conditions at the farms.

Those "exposes" created little, if any, lasting impressions on the Arkansas public. As of that time it is probably fair to say that many otherwise well informed Arkansas people viewed the Penitentiary as a self-sustaining even profit-making institution, operated by a few strong willed men who were able to make the convicts behave themselves and work; while it was recognized that the life of the convicts was probably hard, that was as it should be; they had been sent to the Penitentiary to be punished and were not entitled to lead a "country club" existence. Reports of whippings might cause passing concern which was easily allayed by the thought that the convicts who were whipped deserved to be whipped, and that a man who went down to the Penitentiary and behaved himself and did his work would be treated fairly and would get along fairly well.

That popular impression of the Penitentiary was not accurate in former years, and to the extent that it is still present it is not accurate today, as will be seen presently. However, the myth tends to be preserved by glowing reports of members of conducted tours of the farms who are shown in daylight hours what their conductors want them to see, who talk to selected convicts, and who are fed a good meal accompanied by the assurance that they are eating "just what the inmates eat."

In 1961 the Supreme Court of the United States handed down its landmark decision in the case of *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492, holding that old section 1979 of the Revised Statutes, derived from section 1 of the "Ku Klux Act" of 1871, and which became 42 U.S.C.A. § 1983, gave to individual citizens a viable remedy in the federal courts for deprivations of federally protected rights by persons acting under color of law.²

By 1965 Arkansas convicts were becoming more articulate about the conditions under which they lived than in years past and were having more success in bringing their complaints to the attention of free world authorities, including the federal courts sitting in this State.

In that year litigation about Penitentiary conditions began in this Court and has continued here and in the Court of Appeals ever since. The litigation has up to this time produced three published opinions of the District Court and two opinions of the Court of Appeals. Arranged chronologically, those opinions are: *Talley v. Stephens*, E.D.Ark., 247 F.Supp. 683, opinion by this writer; *Jackson v. Bishop*, E.D.Ark., 268 F.Supp. 804, joint opinion of Judges Gordon E. Young and Oren Harris, reversed in part, 8 Cir., 404 F.2d 571; *Courtney v. Bishop*, 8 Cir., 409 F.2d 1185; *Holt v. Sarver*, E.D.Ark., 300 F.Supp. 825, opinion by this writer and hereinafter called *Holt I*.³

In all of those cases, except *Courtney*, it

² While *Monroe v. Pape* involved police officers who had unlawfully searched a private dwelling, its applicability to convicts and their keepers was obvious.

³ *Holt I* was actually three cases which were consolidated for purposes of trial and were tried in 1969. Those cases were never actually terminated, and they are presently before the Court along with five additional cases which the Court permitted to be commenced and prosecuted.

was found that unconstitutional practices were being carried on at the Penitentiary, and injunctive relief was granted. The final result of the Talley and Jackson cases was that corporal punishment of inmates, practiced for years at the farms, was outlawed along with the use of such devices of torture as the "Tucker Telephone" and the "teeter board." In *Holt I* this Court held that the State owed a constitutional duty to inmates at Cummins to use ordinary care for their safety, and that the State had failed and was failing to discharge that duty; the Court also found that due to overcrowding confinement in the Cummins isolation cells was unconstitutional.

The decree entered in *Holt I* in the summer of 1969 brought about some improvements in conditions at Cummins, notably what appears to be an elimination of gross overcrowding in the isolation cells. However, continuing complaints from inmates of both Cummins and Tucker and disturbing information that financial difficulties might have caused a retrogression to former conditions to set in prompted the Court not to approve the report of the Commissioner filed in *Holt I* and to give further consideration to overall conditions at both institutions.

Aside from the litigation just outlined, there have been significant recent developments at the farms. In the late summer of 1966 serious trouble with inmates broke out that led to a full investigation of conditions at both farms by the Arkansas State Police and by the Federal Bureau of Investigation. That investigation plus an additional investigation brought about by another violent episode at Cummins in October 1968 produced certain prosecutions in the Circuit Court of Jefferson County, Arkansas, and in this Court.⁴

In 1968 a number of prisoners at Cummins went on a sit down strike and refused to disperse. They were fired upon with shotguns loaded with birdshot by a number of free world people and trusty guards. Some inmates were wounded, one seriously. Fortunately, no one was killed.

The abortion of the State court prosecutions and the 1968 episode just described caused the United States Department of Justice to ask the Court to call the federal Grand Jury for the Eastern District of Arkansas into special session in the summer of 1969. That was done, and a number of indictments were returned against Penitentiary employees and former employees and against a number of former inmates charging violations of 18 U.S.C.A. § 242. The Court conducted a number of jury trials which with one exception resulted in verdicts of not guilty, although the evidence in all of the cases was ample to convict. In one case the jury was not able to agree. As to that case the defendant ultimately pleaded nolo contendere, and another plea of nolo contendere was entered by another defendant.

When the Legislature convened in January 1967 it promptly created the Penitentiary Study Commission. The Emergency Clause included in Act 22 of 1967 creating the Commission and directing it to make a detailed

⁴ Following the 1966 investigation certain former employees at the Tucker Farm were charged in the Circuit Court of Jefferson County, Arkansas, with having violated Ark. Stats. § 46-158 which made it a felony for any Penitentiary employee to inflict a punishment on a convict in excess of the punishment prescribed by the then Penitentiary Board. The Circuit Court held that the Arkansas statute was violative of the Arkansas Constitution in that it involved an invalid delegation of legislative power to the Board. The informations were dismissed by the Circuit Court, and the Supreme Court of Arkansas affirmed. *State v. Bruton*, 246 Ark. 288, 437 S.W.2d 795.

study of the farms recited that widespread publicity about the Penitentiary had "raised serious questions in the minds of public officials and the general public regarding the facilities, practices, and disciplinary procedures at the State Penitentiary and that it is necessary that a thorough study and evaluation of the penal system in Arkansas be made as soon as possible."

The Commission's study was detailed, and its report was sharply critical of many aspects of the prison system; numerous reforms were recommended. Responding to the report, the Legislature in special session in early 1968 adopted Act 50 of that year, a sweeping statute dealing with the prison system and which recognized that training and rehabilitation should be essential objectives of the farms. That Act, among other things, created the Department of Corrections which took the place of the old Penitentiary Board.

The legislation adopted in 1967 and 1968 and Act 377 of 1969 establishing the Tucker Intermediate Reformatory are forward looking; but at least as yet they have not had any significant impact on the distinctive characteristics of the Arkansas penal system mentioned heretofore.

Returning now to this case, the testimony of Director Bennett, the report of the Study Commission, and the 1969 report of Dr. Friel to the Commission on Crime and Law Enforcement, are all to the effect that the Arkansas Penitentiary System is substandard and outmoded when measured by accepted penological standards, and that improvements are needed in many areas. Commissioner Sarver himself has come forward with sweeping recommendations for radical improvements to be made over a period of about ten years.

[5, 6] The Court, however, is limited in its inquiry to the question of whether or not the constitutional rights of inmates are being invaded and with whether the Penitentiary itself is unconstitutional. The Court is not judicially concerned with questions which in the last analysis are addressed to legislative and administrative judgment. A practice that may be bad from the standpoint of penology may not necessarily be forbidden by the Constitution. And a prison system that would be excellent from the point of view of a modern prison administrator may not be required by the provisions of the Constitution with which the Court is concerned.

II. THE THIRTEENTH AMENDMENT CLAIM

The Court takes up first the Thirteenth Amendment contention of Petitioners. Some facts relevant to that claim have been stated already; other facts to be stated are relevant not only to the Thirteenth Amendment claim but also to Petitioners' claims based on the Fourteenth Amendment.

The Thirteenth Amendment, adopted immediately after the Civil War, provides explicitly that:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

[7] The purpose of the Amendment was, of course, to abolish African slavery and practices related or analogous thereto. It will be observed that the Thirteenth Amendment, unlike the Fourteenth and certain other Amendments, is more than a prohibition upon the States. The Thirteenth Amendment abolishes slavery and involuntary servitude, except as punishment for crime, everywhere in the United States, its Territories, and possessions.

The Thirteenth Amendment claim with which the Court is concerned relates primarily to the requirement that Arkansas convicts work for long hours without pay in the fields on the farms for the financial

benefit of the State. Not all rank and file Arkansas convicts are required to perform labor of that type, but substantial numbers of them are. As in other contexts, the principal problem is at Cummins. That is true because the farming operation now being conducted at Tucker is limited to the production of food for inmate consumption. Tucker farmlands not used for that purpose have been leased to private operators.

Cummins Farm is located on fertile land well adapted to producing just about any kind of crop that can be grown in Arkansas. The principal crops produced on the farm are cotton, soybeans, rice, vegetables, fruits, and berries. Other substantial farm operations include livestock, dairying, and poultry production.

According to the report of the Study Commission, there were 9,070 acres of land in cultivation at Cummins as of December 15, 1967. As of the same date the Farm had 2,070 cattle, 800 hogs, 40 horses, 160 mules, and 1,600 poultry.

Again according to the Commission, during 1967 60 percent of the cultivated acreage at Cummins was devoted to crops raised for sale on the market; 30 percent to crops that supported the livestock and poultry; and 10 percent to garden vegetables and other crops for the feeding of civilian personnel and inmates.

The Commission's report reflects that with respect to the fiscal year ending June 30, 1966, the Penitentiary, both farms apparently, derived an income of \$1,415,419.43 from the sale of crops, including field crops, vegetables, fruit, and pecans; the corresponding figure for the year ending June 30, 1967, was \$1,242,131.38. Sales of farm products other than crops amounted to \$213,561.22 for fiscal 66 and to \$131,806.13 for fiscal '67.

Total receipts of the Penitentiary from all sources for fiscal '66 was \$1,763,487.09 and total expenditures came to \$1,473,497.70. Corresponding figures for fiscal '67 were \$1,566,712.76 and \$1,785,570.33.

The December 15, 1967 inventory of equipment at Cummins, appearing at page 6.09 of the Commission's report, indicates that there has been substantial mechanization of the Farm's operation. However, the evidence reflects that much of the work is still done by hand, and the fact that in 1967 the Farm owned 160 mules indicates that a good deal of power utilized at the Farm is "mule power."

In 1967 the Farm had a cotton allotment of 962 acres worked largely by hand, and the production of fruits and vegetables involves a great deal of what is commonly called "stooped labor."

Men assigned to the field are required to work long hours six days a week, except for a few holidays, if weather permits. They are worked regardless of heat and summers can be very hot at Cummins; in the winter they are not required to work when the temperature is below freezing, but they are required to work in merely bad or wet weather regardless of the season of the year. The men are not supplied by the State with particularly warm clothing for winter work, nor are they furnished any bad weather gear. There is evidence that at times men have been sent to the fields without shoes or with inadequate shoes. The field work is arduous and is particularly onerous in the case of men who have had no previous experience in chopping and picking cotton or in harvesting vegetables, fruits, and berries. What skills they may acquire in connection with their field work are of very little if any value to them when they return to the free world.

Naturally, the inmates do not like to work in the fields. Prior to the decision of the Court of Appeals in *Jackson*, supra, most of them could be forced to do so by applications of the strap. Now there is no sanction, except confinement in isolation, to compel the

men to work, and many of them are willing to undergo solitary confinement in order to avoid field work.

Rankers assigned to work in the fields do so in groups known as "long lines." The numbers of men in long lines may vary considerably. Theoretically, each long line is under the supervision of a free world employee known as a field warden. Actually, the rankers are under the immediate and direct supervision of trustees known as "long line riders" and inmate "pushers." As his name implies, the long line rider is a mounted man who rides back and forth among the working men. Since he is in very close proximity to the rankers and is somewhat vulnerable to attack from them, he ordinarily does not carry a firearm, although he may do so on occasions. The real guarding of the rankers in the field is done by other trustees armed either with high powered rifles and known as "high powers," or with shotguns and known, logically, as "shotguns."

According to the Study Commission's report, a long line at Cummins on a typical date might be made up of, say, 56 rankers, nine trusty guards, and a lone line rider. The perimeter of the plot in which the rankers are working is occupied by guards armed with rifles; guards armed with shotguns work in closer proximity to the rankers.

If a ranker tries to escape, the trustees are instructed to fire one warning shot into the air; if the ranker persists in his effort to get away, the trustees fire at him to "stop" him; it makes no difference whether he is killed or not. Whether a ranker is trying to escape is at times subject to question, and the question is answered summarily by the guards. Thus, a ranker who unwittingly strays across an imaginary deadline may be fired upon. In addition to running the risk of being shot by an over-zealous guard or by one with merely poor judgment there is always the possibility that a guard will deliberately murder an inmate on the pretense that he was trying to escape.

As stated, the men are paid nothing for their work. If an inmate wants to earn money legitimately in his spare time while in the Penitentiary, there are only two ways in which he can do it. The inmates as a class are permitted to have an Inmate Welfare Fund which operates a commissary type store and which also operates a blood bank. Profits from the store and the blood bank inure to the Fund which, parenthetically, appears as of this moment to have more money available to it than Respondents have available to them to run the Penitentiary. A very limited number of inmates are employed in the store and are paid small monthly salaries. Other inmates can sell their blood once a week at the blood bank and receive \$5 per visit. The inmates refer to selling their blood as "bleeding at the blood bank." However, not all inmates are permitted to "bleed" and, hence, cannot earn the \$5; for example, the bank will not accept blood from an inmate with a morbid condition of the liver.

What small comforts and luxuries the inmates have legitimately are not furnished by the State but by the Welfare Fund, and it is the Fund, not the State, that gives a departing inmate the nominal sum of \$25 to see him on his way.

Director Bennett testified that inmates of federal prisons and of many State prisons can earn legitimate although usually very low wages while confined. He thinks that such wage payments are desirable for several reasons; they give a man an incentive to work; they improve his morale; they enable him to be of some assistance to his dependents; and they perhaps enable him to build up a small stake for himself against the day on which he is to be released from prison. Mr. Bennett conceded, however, that there are still some States, like Arkansas, that pay their convicts nothing.

The picture of working conditions at Cummins that has been painted is not attractive, and the system would not be called humane by modern standards. But, the question for decision at this moment is whether the system is prohibited by the Thirteenth Amendment.

[8] The Arkansas system of working convicts is not "slavery" in the constitutional sense of the term. The State does not claim to own the bodies of its prisoners. The situation does involve "servitude," and there is no doubt whatever that the "servitude" is "involuntary."

But, it is equally clear that this servitude has been imposed as punishment for crimes whereof the inmates have been duly convicted. Conceding that the work required is hard and tedious, that it is performed under harsh conditions, that the State requires it to produce income for the State and that the system serves little other purpose, if any, the Court is not persuaded that the system violates the Thirteenth Amendment.

According to Director Bennett, the idea that prisons and prisoners ought to support themselves is as old as American penology. He referred to the fact that the convict-leasing system came into existence at a very early stage as the States found that it was more profitable to lease their convicts than to work them themselves. And he pointed out that one of the best descriptions of the leasing system is to be found in Margaret Mitchell's Civil War novel, "Gone With The Wind."

When Congress submitted the Thirteenth Amendment to the States, it must have been aware of generally accepted convict labor policies and practices, and the court is persuaded that the Amendment's exception manifested a Congressional intent not to reach such policies and practices.

Heflin v. Sanford, 5 Cir., 142 F.2d 798, is instructive on this phase of the case although it did not involve convict labor. *Heflin*, a conscientious objector, was ordered to report for work of national importance during World War II; his compensation would have been but nominal. He refused to report and was sent to the penitentiary for violating the Selective Service Act. On habeas corpus he contended that to require him to do work of national importance with little or no pay amounted to prohibited slavery and involuntary servitude. His contention was rejected. The Court pointed out that there is a difference between "involuntary servitude" and "uncompensated service," and that the Thirteenth Amendment prohibits the one, except as punishment for crime, but does not prohibit the other.

III. FOURTEENTH AMENDMENT CLAIM—CRUEL AND UNUSUAL PUNISHMENT

The Eighth Amendment to the Constitution of the United States prohibits the infliction of "cruel and unusual punishments." Originally a restriction on the federal government, it has been held that the Eighth Amendment has been carried forward into the Fourteenth Amendment, *Robinson v. California*, 370 U.S. 660, 82 S.Ct. 1417, 8 L.Ed.2d 758, and it was on the basis of the Eighth Amendment that relief was granted in *Talley, Jackson*, and *Holt I*, all supra.

An individual convict may, or course, be subjected to a cruel and unusual punishment actually inflicted on him personally, as by his being beaten with the Penitentiary strap, or by being shocked electrically by the Tucker Telephone, or by being compelled to stand upon the "teeter board" for long periods of time, or by other means of punishment or torture.

[9] It appears to the Court, however, that the concept of "cruel and unusual punishment" is not limited to instances in which a particular inmate is subjected to a punishment directed at him as an individual. In the Court's estimation confinement itself

within a given institution may amount to cruel and unusual punishment prohibited by the Constitution where the confinement is characterized by conditions and practices so bad as to be shocking to the conscience of reasonably civilized people even though a particular inmate may never personally be subject to any disciplinary action. To put it another way, while confinement, even at hard labor and without compensation, is not considered to be necessarily a cruel and unusual punishment it may be so in certain circumstances and by reason of the conditions of the confinement. That is certainly the law in the case of prisoners confined in isolation, *Courtney v. Bishop*, supra, *Holt I*, supra, and cases there cited; and the Court sees no reason why it is not the law in cases of prisoners confined "in population," as it is called.

In the instant case Petitioners contend that overall conditions in the Arkansas penal system, including but not limited to those relating to inmate safety, may be so bad that it amounts to an unconstitutional cruel and unusual punishment to expose men to those conditions, regardless of how those conditions may operate fortuitously on particular individuals. Is that contention sustained by the evidence?

The distinguishing aspects of Arkansas penitentiary life must be considered together. One cannot consider separately a trusty system, a system in which men are confined together in large numbers in open barracks, bad conditions in the isolation cells, or an absence of a meaningful program of rehabilitation. All of those things exist in combination; each affects the other; and taken together they have a cumulative impact on the inmates regardless of their status. That should be borne in mind as one reads the following descriptions of the trusty system, the barracks systems, the isolation cells, and other aspects of prison life.

Again, these descriptions are based primarily on conditions at Cummins. They are based on a large volume of testimony much of which was really a repetition of what the Court heard when it tried *Holt I*.

The trusty system

No one questions the propriety or desirability of according trusty status to deserving convicts, and perhaps all prisoners do. But the trusty system as it exists in Arkansas is *sui generis*. The trusties run the prison. They not only guard other inmates; they also perform many administrative tasks normally performed by free world people, and their authority over other convicts of lesser rank is great. Commissioner Sarver testified without contradiction that more than 90 percent of prison functions relating to inmates are performed by trusties. The few free world people are only nominally in command of the situation at Cummins, and the trusties could take it over in a moment. Perhaps the reason they do not do so is that they do not want to spoil a good thing.

The extent of Arkansas' reliance on trusties is apparent when it is realized that there are only 35 free world employees at Cummins in ostensible charge of slightly less than 1,000 men. Of those 35 only eight are available for guard duty, and only two of them are on duty at night.

The use of trusty guards is universally condemned by penologists, and the system is now in use only in Arkansas, Louisiana, and Mississippi. According to Director Bennett, the reliance that Louisiana places upon trusty guards is much less than that which exists in Arkansas. He did not testify with respect to Mississippi. The reasons for penological disapproval of the use of trusty guards are that it creates an unhealthy prison climate and atmosphere; it breeds fear and hatred between the guards, on the one hand, and those guarded, on the other hand; it tends to be brutal and to endanger the lives

of inmates who live and work "under the guns" of other convicts; and it leads to other abuses.

In this connection it may be observed that some inmates of the Penitentiary have refused to accept trusty guard status due to their feeling that it is "wrong" for one convict to guard another and to their fear of what might happen to them should they ever be demoted to the ranks. And Mr. Bennett testified that when he was head of the Bureau of Prisons, it was frequently necessary to take strong protective measures with respect to inmates of federal prisons who had formerly been trusty guards in Arkansas.

Apart from the use of trusties as guards, they can be given too much authority in other areas of prison life. When that is done, various abuses come into existence. When all is said and done, the fact remains that a trusty is a convict, and many trusties will on occasions act like felons and thieves. They will take bribes, they will engage in extortion, they will smuggle contraband, and they will connive at violations of prison rules. Opportunity for abuse is particularly present where, as in Arkansas, trusties have access to prison records pertaining to themselves and to other inmates. A trusty with such access can remove damaging material, such as a detainer, from an inmate's file; he can insert improper material; or he can impart to other inmates confidential information that ought not to be imparted. The undesirability of having prison telephone communications with the outside world in the control of trusties, as it is in Arkansas, is too obvious to require description.

This does not mean that trusties should never be given responsible jobs. One of the chief functions of rehabilitation is to teach convicts to assume and discharge responsibilities. But, it does mean that the areas of trusty responsibility should be limited, and that the trusties, both individually and as a body, should be under the full control and adequate supervision of free world people.

The danger of excessive reliance on trusties was discussed fully in the report of the Study Commission, and one of the recommendations of the Commission was that the system be retained "insofar as it conforms to the type found in the better American state and federal prisons," but that "trusties no longer be given duties, responsibilities or authority that should be given only to civilian employees who can be held legally responsible."

As the Court's description of the trusty system in Arkansas proceeds, it will be seen, to the extent that it has not become apparent already, that just about every abuse which the system is capable of producing has been produced and is being practiced in this State.

An inmate gets to be a trusty in Arkansas by promotion from the ranks or from "do pop" status. While promotions and demotions are formally made by committees of free world personnel, as a practical matter such actions are usually based uncritically on initial recommendations of trusties. In the case of a field worker, the recommendation is usually made by a long line rider.

Actually, few, if any, objective criteria are used in selecting trusties; that a man is a bad man, or a dangerous man, or that he has a bad criminal record is by no means a disqualification; on the contrary, it may be a recommendation. In the case of a trusty guard probably the principal criterion of promotion is his willingness to prevent escapes and support the free world people vis a vis the general inmate population, shooting to kill if necessary to achieve those objectives. A trusty is not expected to take any steps to protect an inmate from violence at the hands of another inmate, and the trusties do not do so.

In a very real sense trusty guards have the power of life and death over other inmates. Some guards are doubtless men of some judgment and humanity; others are not. It is within the power of a trusty guard to murder another inmate with practical impunity, and the danger that such will be done is always clear and present. Very recently a gate guard killed another inmate "carelessly." One wonders. And there is evidence that recently a guard on night duty fired a shotgun into a crowded barracks because the inmates would not turn off their television set. In any event, the rankers live in deadly fear of the guards, and entertain deadly hatred for them, and their feelings are reciprocated fully.

The Study Commission recommended that the guard system be phased out as soon as possible, starting with the trusties guarding field workers. The Court thinks that that is a good recommendation, but the trusty guard system itself, bad as it is, does not give the Court as much trouble as do other facets of the overall trusty system.

By virtue of their positions of authority and the functions they perform trusties can make or break rankers and "do pops." They can make prison life tolerable or they can make it unbearably hard. They can and do sell favors, easy jobs, and coveted positions; they can and do extort money from inmates on any and all pretexts. They operate rackets within the prison, involving among other things the forcing of inmates to buy from them things like coffee at exorbitant prices. They lend money to rankers and then use force or threats of force to collect the debts.

Controlling the slaughter house, the kitchen, and the prison stores, trusties steal food and other commodities from the institution and then sell them to other inmates. An inmate can eat well at the Penitentiary if he can pay for what he gets; if he cannot pay, he eats as regular issue what the trusties have seen fit to leave.

Trusties have rather broad privileges about leaving the farms. Coming back they bring with them weapons, liquor, and drugs which they sell to less privileged inmates. As might be expected liquor is much in demand, and its price is high. A pint of taxpaid whiskey sells for \$10, much more than twice its free world price.

When a new inmate arrives at the Penitentiary, about the first person to interview him is a trusty who frequently starts out to relieve him by threats or promises of what money and property he may possess.

An enterprising trusty who makes the most of his opportunities can do quite well for himself. Some do so well that they do not want to leave the institution. While it can hardly be said that the trusty system in Arkansas is a "free" enterprise system, it is certainly a capitalistic system with some of the worst features commonly attributed to "Mafia" techniques in organized crime.

One of the worst features of the system is that the trusties form a living barrier between ordinary inmates and institutional facilities and services that are available and to which an inmate ought to be able to have access as a matter of course. If a ranker can pay or is on good terms with the trusties, he can get what he needs when he needs it; he can get to the infirmary when the doctor is there; he can get prescribed medications. If he cannot pay or does not get along with the trusties, the case is far otherwise.

Additionally, inmate access to free world personnel too often depends on trusty good will, whim, or caprice. This Court has long been convinced that many of the complaints that it receives from inmates stem from a simple lack of communication between the complainants and civilian personnel, the lack being due to trusty interference or indifference.

Not only can the trusties prevent a ranker

from getting into contact with a civilian employee; they can and frequently do bring unmerited discipline down on the head of a ranker by "writing him up" for unsatisfactory work or for refusal to work; their reports are frequently, if not usually, taken at face value by the employees to whom they are made.

In fairness to the trustees it should perhaps be said that their roses are not without thorns. Just as a trusty can make or break a ranker, so can he be broken or demoted by a superior trusty or by free world personnel. And if he is demoted to the ranks, he is at the tender mercy of those whom he may have persecuted or exploited, and it may become necessary to put him in isolation for his own protection.

Before leaving its description of the trusty system, the Court will say that it has not overlooked the fact that many of the abuses practiced by trustees could also be practiced by free world personnel, but the Court thinks that free world people, carefully selected and properly paid, would be far less likely to commit such abuses than are the felons now holding positions of authority.

Life in the barracks

The report of the Study Commission reflects that there are eight barracks at Cummins and three at Tucker. Only five of the barracks at Cummins appear to be in use at the present time perhaps due to the fact that the population of Cummins is lower than it has been in years past. White trustees occupy one barracks; Negro trustees occupy another barracks; white rankers have a barracks of their own; and Negro rankers have a barracks of their own. At the present time "do pops" at Cummins have their own barracks; the record does not disclose whether there are any Negro "do pops." The Commission's report indicates that when "do pops" are not sleeping in their own barracks, they are housed with rankers.

A barracks is nothing more than a large dormitory surrounded by bars; the barracks are separated from each other by wide hallways, and the complex of hallways is referred to as the "yard." At the present time the barracks house more than 100 men each assigned without regard to anything but rank and race. The inhabitants of a given barracks have free access to each other at all times. Only two free world people are on duty in the yard at night. Inmate "floor walkers" are stationed inside the barracks proper for the purpose of keeping order and reporting disturbances. In their barracks the trustees are not armed except with their own knives which they continually keep at hand; however, there are probably one or more armed trustees in picket posts within the barracks building.

In *Holt I* the Court discussed life in the Cummins barracks in some detail; it was said (pp. 830-831 of 300 F.Supp.):

"Prisoners who are not confined in the isolation unit sleep in open barracks. There are two barracks for trustees and two for 'dopops' and rankers. Those barracks amount to enclosed dormitories in which the inmates sleep on cots arranged in rows. At night there are one or more free world guards on duty outside the barracks proper, but they are not actually inside the sleeping area. Those areas are supposedly patrolled by inmate 'floorwalkers' whose duty it is to report disturbances to the guards.

"Since the inmates sleep together in the barracks, an inmate has ready access to any other inmate sleeping in the same barracks. Many of the inmates have weapons of one sort or another, and the evidence indicates that in spite of efforts to do so it is impossible from a practical standpoint to prevent inmates from having small weapons such as knives or scissors in their possession.

"At times deadly feuds arise between particular inmates, and if one of them can catch

his enemy asleep it is easy to crawl over and stab him. Inmates who commit such assaults are known as 'crawlers' and 'creepers,' and other inmates live in fear of them. The Court finds that the 'floorwalkers' are ineffective in preventing such assaults; they are either afraid to call the guards or, in instances, may be in league with the assailants.

"The undisputed evidence is to the effect that within the last 18 months there have been 17 stabbings at Cummins, all but one of them taking place in the barracks, and four of them producing fatal results. At least two of the petitioners now in isolation have been assailants in stabbing incidents and others have been the victims of such incidents.

"Respondent and his subordinates deplore the situation just described but insist that until the maximum security unit can be put into use there is nothing that they can do about it. Respondent testified that when he was the head of a penitentiary in another State convicts there slept in individual cells and there were 170 paid guards; he also testified that the incidence of stabbings at Cummins was no higher than that at the other institution he had headed. He conceded, however, that more free world guards at Cummins might ameliorate the situation somewhat.

"The Court recognizes, of course, that assaults, fights, stabbings, and killings may and do occur in penal institutions that are unquestionably well equipped, well staffed, and well managed. It occurs to the Court, however, that such incidents in such institutions take place in spite of all reasonable precautions taken by prison authorities. At Cummins there are no precautions worthy of the name, and the 'creepers' and 'crawlers' take deadly advantage of that fact.

"The Court is of the view that if the State of Arkansas chooses to confine penitentiary inmates in barracks with other inmates, they ought at least to be able to fall asleep at night without fear of having their throats cut before morning, and that the State has failed to discharge a constitutional duty in failing to take steps to enable them to do so."

Conditions in those barracks have not changed significantly since *Holt I* was decided, except that there has been a decline in the rate of stabbings. There is, however, something more to be said about the barracks in the light of the evidence produced in this case.

The Court heard much testimony about homosexuality in the barracks and elsewhere at Cummins. Homosexuality probably is practiced in all prisons in the United States, and there is a great deal of it practiced at Cummins, some consensual, a great deal non-consensual. An inmate who is physically attractive to other men may be, and frequently is, raped in the barracks by other inmates. No one comes to his assistance; the floor walkers do not interfere; the trustees look on with indifference or satisfaction; the two free world people on duty appear to be helpless.

Inmates who are passively homosexual are called "punks." There are varieties of "punks," including the "pressure punks" who will engage in homosexual acts if more or less pressure is put upon them to induce or compel them to do so.

In an effort to protect young men from sexual assaults, they are generally assigned to the two rows of cots nearest the front bars of the barracks, which portion of the barracks is called "punk row." It appears, however, that if would-be assailants really want a young man, his being assigned to the "row" is no real protection to him.

To the extent that consensual homosexual acts take place in the barracks, they are not carried out in any kind of privacy but in the full sight and hearing of all of the other inmates.

Sexual assaults, fights, and stabbings in the barracks put some inmates in such fear that it is not unusual for them to come to the front of the barracks and cling to the bars all night. That practice, which is of doubtful value is called "coming to the bars" or "grabbing the bars." Clearly, a man who has clung to the bars all night is in poor condition to work the next day.

Conditions in the barracks are worsened by the prevalent consumption of liquor and beer and by the use of drugs. It is not uncommon for many, if not all, of the inmates of a particular barracks to become intoxicated by drugs and alcohol all at the same time. The resulting commotion, violence, and confusion are quite imaginable. The free world people cannot control the situation; the trustees will not and are not supposed to; and the floor walkers frequently participate in the orgies.

All of this is not to say that a barracks system of confinement properly regulated and limited may not have a place in a well run penal institution. If barracks assignments are confined to small groups of men, properly classified and selected and subject to adequate control, the barracks system is not objectionable and in certain respects may be preferable to confinement in individual cells. It is obvious, however, that the Cummins barracks do not satisfy those conditions.

The isolation cells

The isolation cells at Cummins, located in a building set apart to itself and surrounded by a fence, were considered by the Court in *Holt I*. They were found to be overcrowded, filthy, and unsanitary. Pursuant to the Court's order in that case, the overcrowding seems to have been ameliorated; the other conditions still exist.

The Study Commission's report refers to the existence of 12 isolation cells and the construction of 28 more. After the Commission's report was filed, the Legislature authorized the construction of a maximum security unit at Cummins which will be in operation, hopefully, in 1971. After that authorization was given, construction of the additional isolation cells was halted. While there are 12 cells in the isolation unit, one of them has been fitted up as a shower room so that actually there are only 11 cells for the confinement of prisoners.

The isolation unit is guarded by trustees, and free world people seldom come around it. That situation is a source of constant trouble. The trustees threaten and harass the prisoners, and the prisoners probably reciprocate in kind. The isolation diet is carelessly served to the inmates of the cells and at times is permitted to become cold and wet.

The cells are occupied by prisoners who have been confined there for disciplinary reasons or for "protective custody." The isolation inmates who are in "protective custody" are some of the most incorrigible and dangerous prisoners in the Penitentiary. They are sociopaths with no constructive motivation whatever. They damage and destroy fixtures in the cells to the extent of their ability to do so; they set fire to their bedding and to their clothing. They take no interest in the conditions of the cells except to complain about them. They refuse to obey at times the lawful orders of free world people, and obedience has to be compelled by force exerted by free world people and trusty guards; the inmates resist violently and then complain about their "ill treatment."

As the Court understands it, the isolation cells at Tucker are located in the main building of the institution. Some of them are, or at least have been from time to time, occupied by Cummins inmates sent to Tucker for protective custody. The condition of the Tucker isolation cells is about the same

as that of the Cummins cells, except that the Tucker cells are inexcusably infested by rats, a problem that does not seem to be particularly troublesome at Cummins.

In view of the fact that the isolation cells are no longer grossly overcrowded, and in view of the fact that most of the conditions existing therein are due to the conduct of the inmates themselves, the cells do not give the Court as serious a constitutional problem as do other aspects of Penitentiary life.

Lack of a rehabilitation program

In Act 50 of 1968 the Legislature recognized the important place of training and rehabilitation in the Arkansas penal program and directed the Department of Corrections to initiate and prosecute such a program. A program has been initiated at Tucker and is doing much good. Nothing has been done at Cummins.

While inmates newly arrived at the Penitentiary are given intelligence and aptitude tests disseminated by the Vocational Rehabilitation Service, the results of the tests are of little official interest. No regard is paid to the tests and their results in assigning prisoners to barracks or to work. As far as the inmates are concerned, the tests are of no benefit whatever.

A large proportion, perhaps a majority, of the inmates of the Penitentiary are ignorant and unskilled. Many are illiterate. The contribution of ignorance and lack of skills and specialization to crime today is well known. If a man who is ignorant and unskilled when he goes into prison can come out with some education and some usable skill, he has an improved chance of staying out of prison in the future. If he comes out as ignorant and unskilled as he goes in, recidivism on his part is almost inevitable.

Since it costs money to confine convicts, more than many taxpayers realize, it would seem to be in the enlightened self-interest of all States to try to rehabilitate their convicts, as the Arkansas Legislature and Respondents have recognized. But, does the Constitution require a program of rehabilitation, or forbid the operation of a prison without such a program?

Many penologists hold today that the primary purpose of prisons is rehabilitation of convicts and their restoration to society as useful citizens; those penologists hold that other aims of penal confinement, while perhaps legitimate, are of secondary importance. That has not always been the prevailing view of what penitentiaries are for, if, indeed, it is today. In years past many people have felt, and many still feel, that a criminal is sent to the penitentiary to be punished for his crimes and to protect the public from his further depredations. Under that view, while there is no objection to rehabilitation, it is not given any priority.

[10] This Court knows that a sociological theory or idea may ripen into constitutional law; many such theories and ideas have done so. But, this Court is not prepared to say that such a ripening has occurred as yet as far as rehabilitation of convicts is concerned. Given an otherwise unexceptional penal institution, the Court is not willing to hold that confinement in it is unconstitutional simply the institution does not operate a school, or provide vocational training, or other rehabilitative facilities and services which many institutions now offer.

That, however, is not quite the end of the matter. The absence of an affirmative program of training and rehabilitation may have constitutional significance where in the absence of such a program conditions and practices exist which actually militate against reform and rehabilitation. That is the situation that exists in Arkansas today, completely at Cummins and to a lesser degree at Tucker.

It can be said safely that except in a very,

very few and unusual cases confinement in the Arkansas State Penitentiary today is the opposite of beneficial. As a generality it may be stated that few individuals come out of it better men for their experience; most come out as bad as they went in, or worse.

Living as he must under the conditions that have been described, with no legitimate rewards or incentives, in fear and apprehension, in degrading surroundings, and with no help from the State, an Arkansas convict will hardly be able to reform himself, and his experience in the Penitentiary is apt to do nothing but instill in him a deep or deeper hatred for and alienation from the society that put him there. And the failure of the State to help him become a good citizen will be compounded by the ever present willingness of his fellow inmates to train him to be a worse criminal.

Thus, the absence of rehabilitation services and facilities of which Petitioners complain remains a factor in the overall constitutional equation before the Court.

Other prison conditions

Like the absence of a meaningful rehabilitation program, there are other aspects of prison life which in and of themselves do not rise to constitutional dignity but which aggravate the more serious prison defects and deficiencies. The Court will mention some of those aspects briefly.

Medical and dental facilities leave much to be desired. It is not so much that the facilities and services themselves are particularly inadequate for institutions like Cummins and Tucker; rather, it is their unavailability to an inmate when needed that creates the problem. That is largely the fault of the trusty system. If an inmate needs to see the doctor or the dentist, that need is not filled if he is not permitted to go to the infirmary; and it does him no good to go to the infirmary if the doctor is not there when he arrives. Nor does prescribed medication do him any good if it is withheld by a trusty. Making due allowance for malingering, and the Court is sure that there is much of it, there is a great deal of room for improvement in this area of prison life.

Sanitary conditions in the kitchen at Cummins are deplorable according to the testimony of Respondents' own medical witness. Again, that is due largely to the fact that trusties are in charge of the kitchen and do not care whether it is kept clean or not.

The evidence is to the effect that the State supplies its convicts with nothing but the bare necessities of life; no niceties are supplied. Granted, that the State may not be required constitutionally to make it possible for a convict to live comfortably, its failure to do so certainly operates to lower inmate morale. A man who gets only one toothbrush and one tube of toothpaste, who is supplied with no towels, and with insufficient socks and underclothing, and who is required to sleep night after night on filthy bedding is certainly not stimulated to take any pride in himself or to try to be a good inmate of the Penitentiary to say nothing of being a good citizen in the free world when he is released.

It now becomes necessary for the Court to consider in combination the aspects of the Penitentiary System which it has endeavored to describe separately, and to determine whether the situation as a whole is such that confinement in the Arkansas Penitentiary constitutes a cruel and unusual punishment within the prohibition of the Constitution.

In *Jackson v. Bishop*, supra, 404 F.2d 571, the Court discussed the concept of "cruel and unusual punishment" in some detail; and in the recent criminal cases that have been mentioned this Court undertook to define the term to trial juries.

[11, 12] The term cannot be defined with specificity. It is flexible and tends to broaden

as society tends to pay more regard to human decency and dignity and becomes, or likes to think that it becomes, more humane. Generally speaking, a punishment that amounts to torture, or that is grossly excessive in proportion to the offense for which it is imposed, or that is inherently unfair, or that is unnecessarily degrading, or that is shocking or disgusting to people of reasonable sensitivity is a "cruel and unusual" punishment. And a punishment that is not inherently cruel and unusual may become so by reason of the manner in which it is inflicted.

Assume that a person accused of an ordinary felony in Arkansas, say grand larceny, pleads not guilty and stands trial before a jury. The jury finds him guilty, and under Arkansas law may fix his punishment at imprisonment in the Penitentiary for any number of years not less than one nor more than 21. The Circuit Judge accepts the verdict and acting more or less ministerially imposes sentence in accordance with the verdict of the jury.

The convicted person receives his sentence of course; but, he receives much more than that. By his sentence he is subjected to the conditions that have been described; conditions about which the trial jury probably knew little, if anything, and about which the sentencing judge may have been equally ignorant.

For the ordinary convict a sentence to the Arkansas Penitentiary today amounts to a banishment from civilized society to a dark and evil world completely alien to the free world, a world that is administered by criminals under unwritten rules and customs completely foreign to free world culture.

After long and careful consideration the Court has come to the conclusion that the Fourteenth Amendment prohibits confinement under the conditions that have been described and that the Arkansas Penitentiary System as it exists today, particularly at Cummins, is unconstitutional.

Such confinement is inherently dangerous. A convict, however cooperative and inoffensive he may be, has no assurance whatever that he will not be killed, seriously injured, or sexually abused. Under the present system the State cannot protect him.

Apart from physical danger, confinement in the Penitentiary involves living under degrading and disgusting conditions. This Court has no patience with those who still say, even when they ought to know better, that to change those conditions will convert the prison into a country club; the Court has not heard any of those people volunteer to spend a few days and nights at either Tucker or Cummins incognito.

The peril and the degradation to which Arkansas convicts are subjected daily are aggravated by the fact that the treatment which a convict may expect to receive depends not at all upon the gravity of his offense or the length of his term. In point of fact, a man sentenced to life imprisonment for first degree murder and who has a long criminal record may expect to fare better than a country boy with no serious record who is sentenced to a term of two years for stealing a pig.

It is one thing for the State to send a man to the Penitentiary as a punishment for crime. It is another thing for the State to delegate the governance of him to other convicts, and to do nothing meaningful for his safety, well being, and possible rehabilitation. It is one thing for the State not to pay a convict for his labor; it is something else to subject him to a situation in which he has to sell his blood to obtain money to pay for his own safety, or for adequate food, or for access to needed medical attention.

However constitutionally tolerable the Arkansas system may have been in former years, it simply will not do today as the Twentieth Century goes into its eighth decade.

IV. THE FOURTEENTH AMENDMENT—
RACIAL SEGREGATION

[13] The Fourteenth Amendment prohibits the racial discrimination within prisons, and the prohibition extends to the racial segregation of inmates. Board of Managers of the Arkansas Training School for Boys at Wrightsville v. George, 8 Cir., 377 F.2d 228, 232; cf. Cooper v. Pate, 378 U.S. 546, 84 S.Ct. 1733, 12 L.Ed.2d 1030, and Lee v. Tahash, 8 Cir., 352 F.2d 970.

As to Tucker the Court finds that that facility is essentially integrated, and that no substantial desegregation problem exists there. With respect to Cummins, certain aspects of prison life have been integrated, and Respondents recognize their duty to eliminate all vestiges of racial segregation, including separate barracks for white and Negro inmates, both rankers and trustees.

Respondents contend, however, and the Court agrees, that to order immediate desegregation of the barracks would create disciplinary problems that Respondents are not able to solve at the moment and would tend to make the already bad situation at the Penitentiary substantially worse than it is.

It must be remembered that we are not dealing here with school children. We are not dealing with free world housing; we are not dealing with theatres, restaurants, or hotels. We are dealing with criminals, many of whom are violent, and we are dealing with a situation in which the civilian personnel at the Penitentiary are not in control of the institution.

In such circumstances, while the inmates at Cummins are going to have to be integrated, the Court thinks that the process should be part of the overall transition of the Penitentiary from an unconstitutional to a constitutional institution, which transition will be discussed in the following and final section of this opinion.

V. THE RELIEF TO BE GRANTED

As has been seen, Petitioners seek both declaratory and injunctive relief. They also seek relief for themselves as individuals and for other convicts similarly situated. Two aspects of those prayers give the Court little or no trouble.

As far as the individual claims of the individual Petitioners are concerned, including the individual complaints of inmates now in isolation, the Court does not consider that any of the Petitioners has made a case for specific individual relief.⁵ However, all of the Petitioners are subject to the overall situation which renders the Penitentiary unconstitutional and all are entitled to class relief with respect to that situation.

As to the claim for declaratory relief, the Court will declare that to the extent indicated heretofore confinement in the Arkansas Penitentiary System under existing conditions amounts to a cruel and unusual punishment constitutionally prohibited. While the situation at Tucker is much better than that which exists at Cummins, the fact remains that Tucker inmates, like those at Cummins, are subject to the trusty system, including the trusty guard system, and are also confined in large numbers in open barracks. That the situation at Tucker is

⁵ One of the Petitioners, James E. Jackson, a Negro inmate of the isolation unit at Cummins wrote the Court in advance of trial expressing the view that the Court was biased, prejudiced and corrupt, and that the Court is a racist. Jackson repeated his statements when called to the witness stand. While the Court is not sensible of any feelings of bias or prejudice in the case and is not aware of anything that would justify a charge of racism or corruption, the Court nevertheless disqualified itself in open court as far as Jackson's individual claim is concerned. He is free to litigate that claim further before some other Judge if he cares to do so.

less severe than that at Cummins seems to the Court to be more significant from the standpoint of the injunctive relief to be ordered than from the standpoint of declaratory relief.

The Court will also declare that racial discrimination in the Penitentiary System, including racial segregation of inmates, is a violation of the Equal Protection Clause of the Fourteenth Amendment and must be eliminated.

That brings the Court to the question of injunctive relief, and it will take occasion to repeat here what was said in *Holt I* when the Court reached the point in that opinion which it has now reached in this opinion (p. 833 of 300 F. Supp.):

"The task of the Court in devising a remedy in this case is both difficult and delicate.

"Subject to constitutional limitations, Arkansas is a sovereign State. It has a right to make and enforce criminal laws, to imprison persons convicted of serious crimes, and to maintain order and discipline in its prisons. This Court has no intention of entering a decree herein that will disrupt the Penitentiary or leave Respondent and his subordinates helpless to deal with dangerous and unruly convicts.

"The Court has recognized heretofore the financial handicaps under which the Penitentiary system is laboring, and the Court knows that Respondent cannot make bricks without straw."

Respondents will be ordered to make a prompt and reasonable start toward eliminating the conditions that have caused the Court to condemn the System and to prosecute their efforts with all reasonable diligence to completion as soon as possible. The lives, safety, and health of human beings, to say nothing of their dignity, are at stake. The start must be prompt, and the prosecution must be vigorous. The handwriting is on the wall, and it ought not to require a Daniel to read it. Unless conditions at the Penitentiary farms are brought up to a level of constitutional tolerability, the farms can no longer be used for the confinement of convicts.

The questions that trouble the Court at this juncture are: What must be done within the immediate future, and how long should Respondents be allowed to achieve their ultimate objective? In approaching those questions certain things should be kept in mind.

First, over the past several years conditions at the Penitentiary have ameliorated somewhat, due in part, but by no means entirely, to the decrees of this Court in the earlier stages of the overall litigation. The alleviation began in the mid-sixties when Dan D. Stephens became Superintendent of the Penitentiary, and it has continued under his successors. While the Penitentiary is still a bad place, an unconstitutional place in the Court's eyes, it is in some respects a better place than it was several years ago.

Second, the legislation adopted in 1967, 1968, and 1969, the report of the Study Commission, and the report to the Commission on Crime and Law Enforcement, indicate that the Arkansas State government is more interested than ever before in the prison system and is aware of the fact that the system is deficient. That increasing awareness of the problem is evidenced not only by the items just mentioned but also by increased appropriations for the Penitentiary over the past several years.

Third, notice may be taken of the fact that the Governor of Arkansas has issued his call for the Legislature to meet in special session on March 2 of the current year. Legislation for the benefit of the Penitentiary is included among the numerous items on the agenda, although the specific nature of the legislation to be sought has not yet been spelled out, and the scope of it may depend to some extent on the provisions of the Court's decree in this case.

It is obvious that money will be required to meet the constitutional deficiencies of the institution, and there is no reason to believe that, subject to the overall financial needs and requirements of the State, the Legislature will be unwilling to appropriate necessary funds.

Finally, if Respondents had unlimited funds at their disposal tomorrow, they could not solve their constitutional problem overnight. Obviously, free world people are going to have to be recruited and employed, and that is going to take some time. In this connection it should be emphasized that to replace trustees with venal, corrupt, sadistic, and underpaid civilian employees would be but to substitute another form of tyranny for that which now exists. Thus, Respondents are going to have to be allowed some reasonable period of transition within which to achieve their objective, but that period is going to have to be measured in months, not years.

The Court thinks in this context, as it has thought in other contexts, that Respondents should be given an opportunity to come forward with a plan to eliminate existing unconstitutionality, to state what they plan to do, and how long they plan to take to do it. The Court also thinks, however, that it should now proceed to lay down some guidelines for Respondents and should mention what it now considers will probably be minimum requirements if persons are going to continue to be confined in the Penitentiary.

[14] This Court rejects out of hand any approach that would phase out the trusty guard system as such while leaving intact other aspects of the overall trusty system even more objectionable than the guard system itself. All of the trustees are going to have to be brought under control; and trustees, whether guards or not, are going to have to be stripped of their authority over the lives and living conditions of other convicts. Responsibilities that ought to be discharged by free world people may no longer be delegated to trustees whether in the office, in the infirmary, the kitchen, or the fields. Trustees must not have it in their power to bring about promotions or demotions of other inmates and must not be allowed to stand as obstacles to reasonable access of ordinary inmates to civilian employees. The right of a man to talk to the Superintendent or the Assistant Superintendent, or to go to the infirmary when necessary, or receive necessary treatment or medication, must not be permitted to depend on the whim of one or more trustees. It should be taken out of the power of trustees to steal prison food for resale, and it should go without saying that trustees ought not to have access to addictive or stimulating drugs in the prison pharmacy.

The Court thinks that when the trustees as a class are deprived of their authority over inmates, they will largely lose the power of extortion and other undesirable powers which they now possess. This does not mean that trustees may not be assigned responsible jobs, but they must be "jobs," not "offices of profit," and they must be performed under adequate supervision.

While the Court is not prepared at this juncture affirmatively to order the elimination of the trusty guard system or a commencement of a general phase out of the system, the system is going to have to be overhauled. The tower guards and picket guards give the Court no particular problem; the gate guards and the field guards do.

As to the gate guards, it seems evident to the Court that without the connivance of such guards the widespread smuggling of contraband into the prison which is now practiced would be impossible or at least would be made much more difficult. Additionally, gate guards have opportunities for extortion and corruption that other guards

do not possess. The gate guards should be replaced by free world personnel as soon as possible.

The system of field guards and the system of using trusty long line riders and inmate pushers go hand in hand, and the combination of the two is one of the things that makes the field guard system so dangerous to rankers. Field guards are much less likely to fire on a ranker or on a group of rankers in the immediate presence of a civilian long line supervisor than they are in a situation where the rankers are actually being worked by other inmates. It appears to the Court that the answer, however unpalatable it may be, is to eliminate the positions of long line rider and inmate pusher and to put each long line under the immediate charge of one or more free world people.

The barracks system of confinement has got to be changed, and the change cannot wait on the completion of the maximum security unit that has been mentioned. The barracks are going to have to be made smaller by subdividing existing barracks or otherwise, and more discrimination, other than racial, is going to have to be practiced in assigning men to barracks. It may be necessary to proceed with the construction of more isolation cells at Cummins to take care of men who simply should not be assigned to barracks.

Apart from the foregoing Respondents are going to have to do more than they have done in the past about keeping order in the barracks at night and about protecting inmates from violent assaults of whatever kind.

As to the isolation cells, while the plight of the inmates is largely of their own doing, they are suffering seriously from neglect. Free world people may no longer leave those inmates to the mercies of trusty guards; additionally, the Court thinks that the method of serving them their food must be changed so as to make sure that it gets to them in more sanitary and palatable condition. In that connection the report to the Commission on Crime and Law Enforcement points out, among other things, that the people in isolation have "no decent or Christian" way in which to eat their food. The report suggests that prisoners in isolation be taken from the cells to the main dining hall to eat either before or after other inmates have been served. That recommendation should be within the power of Respondents to follow without substantial expense and without danger to any inmates.

If Respondents will move in good faith and with diligence in the areas of prison life just discussed, namely, the trusty system, the barracks system, inmate safety, and the isolation cells, the Court thinks that subsidiary problems will tend to take care of themselves. It will be a mistake to order too much at this time; but, in the areas just mentioned Respondents will be required to move. And, of course, the remaining vestiges of racial segregation must be eliminated.

The Court will not be dogmatic about time just now. If there are things that Respondents can do now with available funds and personnel, they will be expected to do them now. If necessary steps cost money, and they will, Respondents must move as rapidly as funds become available. The opening of the new maximum security unit in 1971 should be set as at least a tentative target date for the completion of the removal of unconstitutional conditions and practices. The schedule on which Respondents will be required to move may be shortened or lengthened as circumstances and developments may dictate.

At the moment Respondents will be ordered to submit to the Court and to counsel for Petitioners not later than April 1 of this year a report and plan showing what, if anything, they have done up to that time to meet the requirements of the Court, what they plan to do, and when they plan to do it.

If the initial report is approved, the Court

may require additional reports from time to time and may require specific information in certain areas. If the initial report is not approved, it will then become necessary for the Court to consider what specific steps it will take to implement its declarations of the unconstitutionality of the existing system.

[15] Let there be no mistake in the matter; the obligation of the Respondents to eliminate existing unconstitutionality does not depend upon what the Legislature may do, or upon what the Governor may do, or, indeed, upon what Respondents may actually be able to accomplish. If Arkansas is going to operate a Penitentiary System, it is going to have to be a system that is countenanced by the Constitution of the United States.

A decree in accordance with the foregoing will be entered.

[In the U.S. District Court, Northern District of California, No. 70-1911]

DANNY BRENNEMAN, ET AL., PLAINTIFFS, VERSUS FRANK I. MADIGAN, ET AL., DEFENDANTS.

(Before: Hon. Alfonso J. Zirpoll, Judge.)

The CLERK. Civil Case No. 70-1911, Brenne-man vs. Madigan, motion to clarify preliminary injunction.

Counsel will please state their appearances for the record.

MR. BERG. Richard Berg for the plaintiffs. MR. FENNONE. Thomas J. Fennone, Deputy County Counsel.

MR. BOOTY. Kelvin Booty, Deputy County Counsel.

MR. FENNONE. For defendants, Your Honor. The CLERK. Thank you, Counsel.

The COURT. All right, gentlemen. This matter is on for hearing on motions for summary judgment and preliminary injunction?

MR. BERG. Yes, Your Honor.

The COURT. The motion for summary judgment relates to the mailing privileges?

MR. BERG. Yes, Your Honor.

The COURT. And to telephone privileges. Is that all?

MR. BERG. Yes, Your Honor. But we have agreed before this hearing, Your Honor, that both counsel for the plaintiffs and defendants are willing to submit this case for final judgment on the basis of the record that the Court has right now.

The COURT. For everything?

MR. BERG. Yes.

MR. FENNONE. Yes, that's true, Your Honor.

The COURT. You gentlemen know that I spent three and a half hours at Santa Rita yesterday morning?

MR. FENNONE. Yes.

MR. BOOTY. Yes, Your Honor.

MR. BERG. I didn't know that.

The COURT. Well, you have a pretty deplorable condition and situation there. I don't know what the answer is, necessarily. I will say that the Sheriff in this case, with commendable candor, has conceded that many of the conditions existing at Santa Rita are bad. In fact, in May of this year he stated that Santa Rita was obsolete when it was acquired by the County in 1947. He apparently has limited funds, limited personnel, and he may be doing the best that he can to rush a facility that is outstandingly bad.

He has made some improvements and plans have been submitted for further improvements, but the fact remains that no amount of money expended for the improvements, no administrative changes, will reach the root of the evil, Greystone itself.

As I indicated, I spent three and a half hours there yesterday going over the facilities at Santa Rita, and most of the time was centered on Greystone; and I have come to the inescapable conclusion that Greystone should be razed to the ground. Confinement in cells at Greystone, under the almost unbelievable conditions which prevail there, offends elemental concepts of de-

centy and is of such shocking and debasing character as to constitute cruel and unusual punishment for man or beast.

Even more shocking is the fact that in East Greystone, and subject to cruel and unusual punishment, are persons who are awaiting trial, who have yet to be found guilty, and who are presumed under the law to be innocent of wrongdoing. The Constitution prohibits the treatment of pretrial detainees in such fashion. In fact, the Constitution prohibits such treatment even as to those guilty of heinous felonies.

It may well be that those confined at Greystone present serious security risks, as they undoubtedly do, because they are unable to make bail, and it's generally those cases wherein the ball is high that the greatest security risk exists. Yet men confined in San Quentin, and those who were confined in Alcatraz, with which this Court had many years of experience, present and presented security risks equally as great. Yet San Quentin is, and Alcatraz was, by comparison to Greystone a paradise. Regardless of the security risks as to detainees at Greystone, the Constitution decrees that they shall not be subject to cruel and unusual punishment.

Now, this condition cannot be corrected by the respondent, Sheriff Madigan. It must be corrected by the people of Alameda County. And I should like to know what the County proposes to do. And I am talking about what the County proposes to do immediately, so as not to subject those persons who are awaiting trial to confinement in Santa Rita.

I think I ought to quote from *Holt v. Sarver*—you can just do a little transposing yourself here later—and here's the answer to the question.

"Let there be no mistake in the matter,— And I am talking about the Arkansas situation.

"—the obligation of the respondents to eliminate existing unconstitutionality does not depend upon what the legislature may do—"

And here this might very well be the Board of Supervisors.

"—or upon what the Governor may do, or indeed upon what respondent may actually be able to accomplish. If Arkansas is going to operate a penitentiary system—"

If Alameda County is going to operate a County jail system . . .

"—it is going to have to be a system that is countenanced by the Constitution of the United States."

That's the heart of it. My disposition would be to continue further hearings in this matter for a period of 30 days, to ascertain what appropriate corrective measures the County will take and to report back to the Court. And the appropriate measures will have to be some measures which will permit the transfer and confinement of detainees awaiting trial to some place other than Greystone; and the place to which they will be confined, and the conditions of confinement, shall be consistent with their status as unconvicted persons. They shall not be subject to confinement conditions which preclude them from the maximum freedom of motion that persons under confinement should have within a facility consistent with the security risks involved.

Now, the Court in making these observations is mindful of the fact that it is admitted that these pretrial detainees are confined to these cells for periods of 24 hours, that is to say, from the time they go in until they are tried and under detention; and that means 24 hours a day in a cell with the exception of two days a week, during which two days they are released for two hours into a day room that is completely inadequate to house the number of people placed in it, that lacks facilities for them to even sit down.

The cells are of such character as would presumably drive any person insane. The in-

mates are required to eat in these cells. With the exception of the two days in which they are released for two hours into this day room.

The conditions for visitors are completely intolerable. They are admitted by the men who are running the institution to be intolerable. The Captain of the Guards admitted that the visiting conditions are intolerable, and there were similar concessions as to other conditions there.

As I indicated before, you can't expect the Sheriff to provide adequate facilities unless you give him the facilities—and the money—and the personnel—to do it.

So I am continuing this entire hearing for 30 days to see what happens. If necessary, I may have to enjoy further confinement of anyone in Greystone.

I don't think the problem is quite as difficult in some respects as everyone envisions. Certainly a good high fence which would enclose everyone might do the job without the necessity of putting people in individual cells in the fashion in which they are placed there, and under the circumstances under which they are forced to live hour after hour, 24 hours a day.

Now, I am not going to enter any order now. As far as the mailing privileges are concerned, I would suggest that you take immediate measures to adjust and correct the mailing privileges. There's no limitation on the mailing privileges of a citizen who is unconvicted of crime. He has the right, except to the degree that detention may limit him—he has all the rights that any other citizen has. And that means to correspond at will with whomever he pleases, and to receive mail from whomever he pleases. This is subject to the right not of censor but of opening the mail to ascertain the contents thereof.

Now, I think if you will look at the last order which was issued by Judge Wollenberg pertaining to San Mateo County, you will get a pretty good idea of what the obligations of any county jail are with respect to mail. As I have indicated before, as far as private citizens are concerned, the jailer can see what goes into the envelope and require that it be sealed before him and inspect it to see that it's going to the person presumably that it's addressed to. He doesn't have the right to censor it. And when the mail comes in, he doesn't have the right to excise anything from it, unless it happens to be contraband or discloses some plan of escape or other form of unlawful conduct.

Now, I don't know what to say, Counsel. I know that you gentlemen are up against it; you are doing the best you can with what you have got to work with. But I am just going to continue the whole matter for 30 days.

THE CLERK. Let's make it 1:30 p.m., April the 14th, Your Honor.

THE COURT. All right.

MR. BERG. Your Honor, do you need anything in addition from plaintiffs?

THE COURT. No, I would think for the benefit of the County and the Board you had better get a transcript.

MR. BOOTY. Yes, Your Honor.

THE COURT. All right.

MR. FENNONE. We intend to. Thank you.

MR. BERG. Thank you.

[From the Washington Post, June 14, 1971]
MOUNDVILLE PRISON: CRUEL AND UNUSUAL—MURDERS AND HOMOSEXUALITY BESET "MEDIEVAL" WEST VIRGINIA PRISON

(By Bernard D. Nossiter)

MOUNDVILLE, W. VA.—Inside the grim fortress-like state penitentiary here last week, a slight young man stood with chains around his waist and wrists. He was John Bogges, 22, charged with fatally stabbing another inmate over the homosexual favors of a third.

The striking feature of this scene, however, was its banality. There have been six murders

inside the 25-foot, crenellated walls of this ancient prison in the last five years; it is estimated, moreover, that more than half of the 629 inmates have paired off as "studs" and "punks," playing male and female homosexual roles.

"We've got husbands and wives here," an old guard chuckles, "but no sons and daughters."

Ira M. Coiner, a grizzled, 66-year-old man who worked his way up from a \$90-a-month job as guard to warden, acknowledges "there's no way on earth you can guarantee" the safety of any inmate in this institution.

The only solution he has found for those who come to him in fear is to place them in darkened cells, screened off from this strange world by a close-mesh, steel wall.

Warden Coiner and his staff of about 180 control only the perimeter, the outer edge of the penitentiary. Inside, governance is exercised by a few inmate leaders and their satellites, struggling among themselves for power, for dominance of the nightly gaming tables, homemade whiskey, drugs and the procuring and protection of fresh, young prisoners for homosexual use. That, in substance, is the testimony of W. Thomas Gall, the earnest and troubled prosecuting attorney of Marshall County in which the Moundville prison lies.

A visitor walking through the two major cell blocks, South Hall and New Wall, at mid-morning last week could count about 50 idle prisoners. They stood in dirty hallways or lay on cots in steel-barred five-by-seven-foot cells that reach up in four tiers to a dimly lit ceiling.

The lack of activity was also unsurprising. Moundville, the state's "maximum security" prison, has only the barest suggestion of a program to retrain men for productive lives.

It boasts a psychiatrist but he is Cuban and does not speak English. At this point, the vocational rehabilitation program consists of one active course. It trains auto mechanics and numbers fewer than 30 students.

The stigma of human degradation clings to the walls here like the all-pervasive odor of sweat and urine. Even the more modern New Wall section, completed 12 years ago, is spattered with paint, cigarette butts and peeling plaster. Windows are cracked and streaked with dirt.

South Hall has been accumulating grime since it was built in 1866.

It is these conditions that led Prosecutor Gall to testify:

"I won't now as a policy of my office ask the court to sentence a man to the penitentiary unless I consider him a complete loss, an irrevocable loss to society . . . a throwaway. . . . And if he goes to the penitentiary . . . what we are doing to that man is, in my opinion, infinitely worse than anything he could ever have done to society. . . . Frankly, I would personally rather be dead than to be incarcerated in that place. . . . This is a medieval thing we are running here. . . . It is a terrible thing to do to a human being."

Testimony of this stripe last month persuaded George R. Triplett, circuit court judge in Elkins, to take on extraordinary measure to call West Virginia's attention to Moundville.

Judge Triplett, 35 and a husky former college fullback, set aside the 10-year sentence he had been forced by law to impose on a youth convicted of holding up a gas station for \$108. The judge decreed that confinement at Moundville would constitute the "cruel and unusual punishment" prohibited by the Eighth Amendment to the U.S. constitution.

"Where rehabilitation is a clearly understood objective of confinement," Triplett held, "it would seem entirely proper for the judiciary to accept at least part of the responsibility for carrying out that purpose. For, if

prison officials engage in action which makes rehabilitation impossible, judicial sentencing is pointless . . . a court which imposes terms of imprisonment without being concerned with what kind of treatment the defendant is likely to receive is comparable to a physician who prescribes not knowing the consequences of the drug. Courts should have an interest in the welfare as well as the rehabilitation of defendants whom they commit to penal institutions. This concern should not end at the date of sentencing."

Two days after the judge ended his hearing, Moundville's latest murder took place.

The penitentiary here appears to be an archetype of the institution that makes modern penologists shudder.

Pay for the staff is low; guards begin at \$435 a month. Only men unable to find work at anything else and a handful of moonlighting college students can be found to fill most posts.

About half of the staff never finished the eighth grade and several are illiterate.

Although every job except Warden Coiner's is now covered by civil service regulations, one aide readily acknowledged that the only requirement is the ability to "walk in off the street and still be breathing." The last annual report showed 38 vacancies and currently about ten positions are unfilled.

Indifference, rather than brutality, is the most common characteristic of the custodial staff. Roger Ray Pingley, the 22-year-old whose sentence Judge Triplett set aside, has told what happened to him in his second week at Moundville. He was taking a shower when "I was attacked for sexual reasons" by two men. "There was a guard that walked by but he didn't act like he seen anything . . . a man looking at the shower and seeing three men struggling and two men on top of one, he definitely knew something was going on."

Until recently, at least, brutal treatment of inmates by authorities was not entirely unknown. One former guard told Judge Triplett's court of an inmate who had broken a prison rule in 1968 and was placed nude in the "hole" or punishment cell for 53 days. For some of this time, the inmate's hands were stretched above his head and handcuffed to the bars. He stood this way for 23 hours out of 24; the handcuffs were removed only for brief periods to restore circulation to his limbs.

Warden Coiner says that this form of punishment, "the stretchout," has not been used at Moundville in 25 years. But he was off on a Florida vacation during Judge Triplett's hearing in April and, as of last Thursday, still had read neither the transcript nor the opinion.

The warden did acknowledge that the "cage," another set of cells enclosed with wire mesh, still contains no cots or blankets and men lie on bare, concrete floors.

The cage cells are used for prisoners awaiting an informal prison "trial" for violating the institution's rules.

CAGED NUDE

"It's not going to hurt a man for a few hours," Coiner said. But he admitted that men have been confined in the cage for as long as two days and witnesses before Judge Triplett said that the stay there has been even longer.

The warden is defensive about Moundville. He said that the practice of stripping men in the cage was abandoned three or four years ago and that it had been in vogue only "because they'd take clothes and hang themselves."

Young first offenders here are thrown in indiscriminately with hardened, veteran repeaters. Statistics are loosely gathered at Moundville. Neither the warden nor anyone else knows precisely the rate of recidivism, although Coiner estimates it at more than 60 per cent. On May 1, last year, some 110 in-

mates, about one in six, were between 18 and 21.

Like everyone concerned with Moundsville, Colner deprecates this practice and wishes the state could afford a separate institution for first offenders.

Inmate control of Moundsville was brutally illustrated a year ago. A prisoner, David Painter, applied to Judge Triplett in fear for his life. His plea was publicized and, two days before a hearing was set, Painter too, was murdered.

According to Prosecutor Gall, the motive was harshly simple. Rival gangs were struggling for pre-eminence inside the walls and Painter "was killed, so far as we could determine, merely as an object lesson to the other inmates that, in effect, 'when we say jump, you jump' . . . It wasn't because they actually thought he ratted."

Gall continued: "The poor fellow that killed him was as much a victim, in the sense that he was so hopped up on whatever drugs he had in him, that he hardly knew what he was doing."

Inmates kill each other as a favor for inmate leaders, Gall said. "Probably an awful lot of people are killed over there for less than twenty dollars."

But perhaps the most frequent motive for assault or murder lies in the homosexuality created by the enforced separation of men from women. This, of course, is hardly unique at Moundsville. It is simply that the opportunity for violence there is so great.

One young inmate has told of coming to Moundsville at 18. Outside, he had led a heterosexual life and inside, for two years, avoided any sexual contact with his fellows. But loneliness broke him down; he became friendly with another youth, courted him with cigarettes paid from gambling winnings and the two now solace each other.

A former guard testified:

"They get insanely jealous . . . just like men and women on the street. A man can lose his life pretty easy in there if he makes a pass at the wrong one. If another inmate is in love with that inmate and sees it happen, he can lose his life over it."

MONEY SOUGHT

Inside Moundsville's main entrance is an exhibit of the instruments of death. Framed on a wall is a display of several dozen knives fashioned by inmates from scraps of metal stolen from prison factories, the barber and elsewhere.

Warden Colner is no penologist. He has a high school education. But he is sensitive to the pressures of the abnormal prison life and is interested in the conjugal visiting experiments at other institutions. His own view is that a better approach might lie in permitting well-behaved inmates monthly visits home for several days.

At bottom, Moundsville reflects the yawning indifference of citizens in the "free world" community. If Moundsville is to change, millions of dollars are needed for new institutions and new staff.

Gall, the Marshall County prosecutor, said in his office, "The trouble here reflects the general apathy and neglect on the part of society—a view that good people stay out of prison, so how can bad people complain when they are locked up with other bad people?"

"Our people in West Virginia are good people. But we have too many demands for too few resources. Schools, highways, these will come first. There is no pressure group to get more money for prisons."

J. Donald Clark, West Virginia's Commissioner of Public Institutions, asked the Legislature this spring for an extra \$1.5 million to renovate Moundsville; he got nothing. Gov. Arch Moore, a Republican, asked the Democratic-controlled lawmakers for a more modest \$200,000 and was also turned down. Some of the legislators want to tear down the place entirely; others would do nothing. Meanwhile, very little happens.

But there are a few faint signs that the prison reformers, the Galls and the Triplett, are beginning to make some impression.

Governor Moore is so sensitive about Moundsville that he has forbidden newsmen to tour the cell blocks. (This reporter evaded the ban.)

In six months, Warden Colner will close off the old South Hall and transfer its 280 inmates to the brighter, more modern New Wall sector. He is pressing for funds to tear down a kitchen and hospital that he readily admits cannot be kept clean.

A new and well-regarded director of rehabilitation, Richard Northcraft, has just been assigned to Moundsville. Classrooms are being built and equipment has been arriving for courses in several skills—carpet laying, sheet metal working, television and air conditioning repair among others. Since West Virginia, like other states, now has a supply of jobless teachers, it is likely that instructors can be found—if money is appropriated to pay them.

CASE PRESSED

Ironically, Pingley, the man whose appeal turned the spotlight on the penitentiary, has benefitted hardly at all from his successful plea.

At the request of the state attorney general, Judge Triplett has stayed the execution of his judgment until the West Virginia Supreme Court rules on an appeal from it. The losing side there is expected to carry the case further, to the United States Supreme Court. Meanwhile, Pingley languishes in the Randolph County jail at Elkins.

At least his life appears to be in no danger. But once again he is penned up in a small cell and has for exercise only a walk in grimy corridors.

With a record of assaults and disorderly conduct behind him, almost all while drunk, Pingley is seen by those most familiar with his case as needing care as an alcoholic. But he gets no more treatment in the county jail than he could get in Moundsville.

"When this started, I was excited that people would take notice," he told me the other day. "But it seems like people don't care. I'm disgusted."

Judge Triplett has chosen shock treatment to awaken West Virginians to the plight of convicts and the dangers that public indifference pose to public safety. If his judgment is upheld, Pingley and others will be freed, probably to be placed under the limited supervision provided by probation officers.

The question then becomes whether this result and the testimony that led to it will bring about the very change in public opinion that wipes out the Moundsvilles.

NATIONAL COURT SYSTEM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. RARICK. Mr. Speaker, on June 4 and again on June 14, I called to the attention of our colleagues that machinery was in operation to nationalize the State courts in our Nation.

Today's paper carries the announcement that "the Nation's lower courts have established a National Center for State Courts." The new State court organization is quite naturally patterned after the Federal conference on the Judiciary and is to establish temporary headquarters in Washington.

U.S. Chief Justice Burger has reportedly said that the aim of the new

National State Court Center would be to promote and support research, studies, education, training, and activities for State courts. This control by uniformity and centralization is said to be "for the purpose of improving the administration of justice in the State courts."

News releases are already referring to the State courts of our land as "lower courts." Apparently this describes the intended inevitable goal of the program; that is, to rank State courts as inferior to Federal courts even though there is little or no similarity in their varied jurisdictions, procedures, and substantive laws.

We are reminded of Vyshinski, who before becoming a Soviet diplomat, wrote the official commentaries on the Soviet constitutional system. He states openly that the judicial process is one of the instruments of political struggle, first for the success, then for the defense, of the Socialist revolution.

The action by judges of our State courts in accepting Federal funds and organizing themselves into a national lobbying group will inevitably destroy the State court systems and reduce it to another controlled agency of the Federal Government.

I include a newsclipping in the RECORD at this point:

[From the Washington Daily News, June 16, 1971]

NIXON, BURGER URGES HEADED: STATE COURTS FORM FORUM

(By Richard Starnes)

Responding to urgent pleas from President Nixon and Chief Justice Warren Burger, the nation's lower courts have established a National Center for State Courts to bring about reform of dangerously bogged down state and local courts.

NCSC, which came into being yesterday, is patterned after the federal Conference on the Judiciary. Ultimately it will be governed by a 12-member board of directors drawn from state appellate and trial courts. It was organized by six state jurists headed by Chief Justice James Holden of the Vermont Supreme Court.

Organization of NCSC was urged at a conference on the state judiciary at Williamsburg, Va., last March when Chief Justice Burger warned that the nation's criminal justice system was suffering from "deferred maintenance" and that most of those who commit crimes "are not detected, arrested and brought to trial."

Justice Burger endorsed President Nixon's proposal for a center for state courts, saying it "is desperately needed and long overdue."

At the Supreme Court yesterday the chief justice congratulated members of the NCSC incorporating committee for the dispatch with which the center had been founded. He hailed it as "a significant step forward in our efforts to improve the administration of justice."

Justice Burger said it would be the aim of NCSC "to improve the administration of justice in the state courts, to promote and support research, studies, education, training and activities for such courts, and to assist, but not to supplant, the activities of organizations functioning in the field of judicial administration."

BASED IN DISTRICT

Temporary headquarters of the center will be in Washington. But Justice Holden indicated its permanent base would be elsewhere. Associate Justice Paul Reardon of the Supreme Judicial Court of Massachusetts will

serve as acting director until a permanent director is appointed.

In a communication to the newly formed organization, President Nixon pledged his "full cooperation" and said NCSC would make an "important contribution . . . in facilitating research by the state courts into problems of procedure, administration and training, as well as the service it will surely render as a clearing house for the exchange of information about state court problems and reforms . . ."

Among the members of the NCSC organizing committee was Chief Justice Robert Clark of the Texas Supreme Court.

NATIONAL ENVIRONMENTAL POLICY ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DINGELL. Mr. Speaker, in view of the great public interest in the National Environmental Policy Act and the activities of the Council on Environmental Quality, I include the text of the June 1971 issue of the Council's publication, "102 Monitor," at this point in the CONGRESSIONAL RECORD:

REPORTED JUDICIAL DECISIONS INVOLVING THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (P.L. 91-190, 83 STAT. 852, 42 U.S.C. §§ 4321-47) THROUGH APRIL 30, 1971¹

U.S. SUPREME COURT

Citizens to Preserve Overton Park vs. Volpe, 39 U.S.L.W. 4287 (1971). In a suit to review the Secretary of Transportation's approval under Section 4(f) of the Department of Transportation Act of a highway through a public park, the Court cited NEPA as an example of recent "legislation designed to curb the accelerating destruction of our country's natural beauty."

Ohio vs. Wyandotte Chemicals Corp., 39 U.S.L.W. 4323 (1971) (Douglas, J., dissenting). The Court denied Ohio's motion for leave to file an original suit against chemical companies that were allegedly polluting Lake Erie with mercury. The Court said that the suit, which was based on a public nuisance theory, should have been brought in a State court. The dissenter, arguing that the Supreme Court should hear the case, cited NEPA as one of several Federal laws impinging on questions of water pollution.

San Antonio Conservation Society vs. Texas Highway Dept., 39 U.S.L.W. 3269 (1970) (Black, Douglas, JJ., joined by Brennan, J., dissenting from denial of cert.). The dissenting Justices stated that NEPA does apply to Federally funded State highway projects, and that the Supreme Court should have taken for review, prior to decision in Court of Appeals, this dispute concerning a highway project for which an environmental statement under Section 102(2)(C) was not prepared. The case also involved Section 4(f) of the Department of Transportation Act.

2606.84 Acres vs. United States, 39 U.S.L.W. 3453 (1971) (Douglas, J., dissenting from denial of cert.). A landowner challenged the taking of his land for a Corps of Engi-

neers project on the ground that the project had been expanded so radically since its authorization by Congress that a new authorization was required. The Fifth Circuit rejected this claim, and the Supreme Court denied certiorari. The dissenting Justice argued that the case warranted review partially to determine whether the Corps had complied with NEPA with respect to future development of the land.

U.S. COURTS OF APPEALS

Thermal Ecology Must Be Preserved vs. AEC, 2 ERC 1405 (7th Cir. 1970). The court upheld a district court's denial of an order restraining AEC hearings on a permit application for a nuclear power plant near South Haven, Michigan. Citizen groups claimed the hearings were illegal under NEPA because the AEC was refusing to consider the dangers of thermal pollution or of cumulative radiation. However, the court said that this question could be raised only on review of a final AEC order.

West Virginia Highlands Conservancy vs. Island Creek Coal Co., 2 ERC 1422 (4th Cir. 1971). The court upheld the standing of a citizen group under NEPA and the Wilderness Act to challenge the Forest Service's permission of private timber cutting and road construction in Monongahela National Forest. The citizen group charged that an environmental impact statement should have been prepared under Section 102(2)(C) of NEPA, and that the area was protected by the Wilderness Act until studied for wilderness character. Without deciding these claims, the court found them sufficiently strong to justify a preliminary injunction pending further proceedings in the district court.

Zabel v. Tabb, 430 F. 2d 199 (5th Cir. 1970), cert. denied, 39 U.S.L.W. 3360 (No. 955, Feb. 22, 1971). The court held that the Army Corps of Engineers has authority to deny a dredge-and-fill permit under 33 U.S.C. 403 on ecological grounds, basing its holding in part on NEPA.

U.S. DISTRICT COURTS

Brooks v. Volpe, 2 ERC 1004 (W.D. Wash. 1970). The court refused an injunction against construction of an interstate highway segment for which an environmental statement under section 102(2)(C) had not been prepared. Because the highway location had been approved in 1967, the court said that to require a statement would be an impermissible "retroactive" application of NEPA. The court's brief opinion does not indicate the exact state of progress on the project as of January 1, 1970.

Bucklein v. Volpe, 2 ERC 1082 (N.D. Calif. 1970). The court refused an injunction against disbursement of Federal emergency funds for a road relocation project for which the NEPA procedures had not been followed. The court found that the local government had given "ample consideration" to environmental factors before applying for the funds, and also stated that NEPA is simply a declaration of congressional policy creating no "court-enforceable duties."

Coastal Petroleum Co. v. Secretary of the Army, 1 ERC 1475 (S.D. Fla. 1970). The court held on the basis of the District Court ruling (later reversed) in *Zabel v. Tabb*, that the Corps of Engineers has no authority to deny a permit under 33 U.S.C. 403 on other than navigational grounds. However, the court refused to order the Corps to grant a permit for limestone mining in Lake Okeechobee because of environmental danger and because other remedies were available to protect the applicant's financial interests. NEPA was discussed in supplemental briefs after trial, but the court found it "not to be applicable."

Daly v. Volpe, 2 ERC 1506 (W.D. Wash. 1971). Local residents sought an injunction against construction of an interstate highway segment near North Bend, Washington, asserting that the Department of Transpor-

tation had not complied with the requirements of NEPA. The segment, on which planning and hearings had begun before enactment of NEPA, was approved on November 30, 1970. At that time a draft environmental statement had been prepared, but agency comments were not received or a final statement prepared until after the approval. The court held that the Department of Transportation had substantially complied with NEPA in approving the segment, since the plans had been coordinated with many groups before approval, and agency procedures for formal circulation of draft environmental statements were still being developed.

Delaware v. Pennsylvania New York Central Transp. Co., 1 ELR 20106 (D. Del. 1971). The court granted standing to a State and private persons to challenge the Corps of Engineers' issuance of permits to Penn Central for a dike and fill operation along the foreshore of the Delaware River. Plaintiffs allege, *inter alia*, that the Corps violated NEPA by giving inadequate consideration to the environmental effects of the operation. However, consideration of plaintiffs' claims will be delayed pending Penn Central's bankruptcy proceedings in another Federal court.

Dorothy Thomas Foundation v. Hardin, 1 ERC 1679 (W.D. N. Car. 1970). The court denied a preliminary injunction against timber-cutting in a National Forest, finding that plaintiffs had not proven that the Federal defendants had failed to consider the factors required by NEPA and the Multiple Use and Sustained Yield Act.

Elliot v. Volpe, 2 ERC 1498 (D. Mass. 1971). Plaintiffs sued to halt construction of interstate highway segments through Somerville, Massachusetts, asserting that the Department of Transportation had not complied with the requirements of NEPA. The court denied an injunction, on the ground that the planning and location of the segments had been completed and approved in 1966, and substantial construction had taken place before the enactment of NEPA. The court concluded that it would be an unwarranted "retroactive" application of NEPA to require a total halt in construction while the NEPA procedures were followed for the remaining action on the segments.

Ely v. Velde, 2 ERC 1185 (E.D. Va. 1971). In a suit by neighboring property owners to contest a Federal grant to a State for construction of a prison facility, the court held that NEPA did not require the Federal granting agency to consider the environmental impact of the facility. The court stated that the Safe Streets Act of 1968 imposed a mandatory duty to award the funds, which was not modified by enactment of the "discretionary" provisions of NEPA in 1970.

Environmental Defense Fund, Inc. v. Corps of Engineers, 2 ERC 1173 (D. D.C. 1971). The court granted a preliminary injunction at the behest of conservationists against further construction of the Cross-Florida Barge Canal. Although the Canal was authorized and partially constructed prior to January 1, 1970, the court held that NEPA applied to the remaining portion of the project and required that further construction be delayed until compliance with NEPA.

Environmental Defense Fund, Inc. v. Hardin, 2 ERC 1424 (D. D.C. 1971). The court ruled that the Department of Agriculture's fire ant control program, involving dissemination of the pesticide Mirex, was a major action requiring an environmental statement under section 102(2)(C) of NEPA. However, it refused a preliminary injunction against the program, on the ground that the Department had performed adequate studies of the program's environmental effects and had prepared an environmental statement discussing those effects in sufficient detail to satisfy all procedural requirements of section 102(2)(C).

Environmental Defense Fund, Inc. v. Corps

¹The citations given are to the Federal Reporter (Second Series) and the Federal Supplement, where available. In other instances, citations are given to the United States Law Week (U.S.L.W.) or the Environmental Reporter (ERC) both published by the Bureau of National Affairs, or to the Environmental Law Reporter (ELR) published by the Environmental Law Institute.

of Engineers, 2 ERC 1260 (E.D. Ark. 1971). Plaintiff environmental groups sued to enjoin further construction of the Gillham Dam, on which the Corps had prepared an environmental statement under section 102 (2) (C). The court upheld plaintiffs' standing and held that NEPA was applicable even though the project was partially constructed prior to January 1, 1970. On the merits, the court rejected plaintiffs' argument that section 101 creates an enforceable duty not to undertake environmentally damaging projects. However, it found the environmental statement legally inadequate and enjoined further construction until the Corps has complied with sections 102(2) (A), (B), (C), (D) of NEPA.

Investment Syndicates, Inc. v. Richmond, 1 ERC 1713 (D. Oreg. 1970). A landowner sued to enjoin construction of a power line across his land on the basis of the failure of Bonneville Power Administration to prepare an environmental statement under section 102(2) (C). The court held that a statement was not required, noting that the project had been approved and funded and nearly half of the necessary easements purchased before January 1, 1970, and that evidence of the proposed right-of-way was visible on plaintiff's land when he purchased it.

Lever Bros. Co. v. FTC.—F. Supp.—(D. Me. 1971). Detergent manufacturers sought an injunction forbidding the FTC to hold hearings on a proposed rule to require special labeling of detergents, including a pollution warning on detergents containing phosphorus. The manufacturers claimed that the hearings were illegal because the FTC had not prepared an environmental impact statement under NEPA on the proposed rule. The district court denied an injunction on the ground that the legality of the FTC's procedures could be reviewed only on review of the final adoption of a rule. The manufacturers then moved in the First Circuit Court of Appeals for an injunction pending appeal, which was denied by a single judge on the ground that as long as an environmental statement will be released prior to adoption of a rule, the manufacturers will not suffer sufficient hardship to justify court review prior to such adoption. The full court of appeals has not yet ruled on the appeal.

Lloyd Harbor Study Group, Inc. v. Seaborg, 2 ERC 1380 (E.D. N.Y. 1971). A citizen group sought a court order under NEPA requiring the AEC to consider nonradiological environmental effects in its hearings on a permit application for a nuclear power plant in Shoreham, Long Island. The AEC had refused to receive evidence of such effects. The court dismissed the suit on the ground that this refusal could be reviewed only by a Court of Appeals after entry of a final AEC order.

National Helium Corp. v. Morton, 2 ERC 1372 (D. Kan. 1971). The court held that the Secretary of the Interior's cancellation of contracts for Federal purchase of helium constituted "major actions" requiring environmental impact statements under section 102(2) (C) of NEPA, and that the contractor had standing to seek compliance with the requirement. The court issued a preliminary injunction against termination of the contracts until the Secretary complied with NEPA.

Pennsylvania Environmental Council v. Bartlett, 315 F. Supp. 238 (M.D. Pa. 1970). The court held that a conservation group had standing to challenge the Secretary of Transportation's approval of a State secondary highway relocation project, but that NEPA did not apply to a project for which planning and the award of a contract preceded January 1, 1970. In dictum, the court also expressed doubt that NEPA requires the Secretary to study the environmental impact of State secondary highway projects before approving them.

Sierra Club v. Hardin, 2 ERC 1385 (D.

Alaska 1971). The court upheld the standing of conservation groups to challenge the Forest Service's sale of timber in Tongass National Forest as violative of NEPA and other statutes. However, the court found that the Forest Service's reliance on the report of a panel of conservationists complied with NEPA "to the fullest extent possible" in view of the advanced stage of the transaction at the time of NEPA's passage. It found the claims under other statutes to be barred by laches.

Sierra Club v. Laird, 1 ELR 20085 (D. Ariz. 1970). Plaintiff conservation groups sued to enjoin the Corps of Engineers from proceeding with a channel-clearing project on the Gila River, which had been authorized prior to January 1, 1970. The Court granted a preliminary injunction on the basis of the Corps' failure to comply with section 102(2) (C), Executive Order 11514, and paragraph 11 of CEQ's Interim Guidelines.

State Committee to Stop Sanguine v. Laird, 317 F. Supp. 665 (W.D. Wis. 1970). In a suit by conservationists to enjoin the operation of a signal-system test facility for noncompliance with section 102(2) (E) (requiring, *inter alia*, that Federal agencies support international environmental initiatives), the court refused an injunction because of plaintiffs' failure to make specific allegations of noncompliance.

Texas Committee v. United States, 1 ERC 1303 (W.D. Tex.), dismissed as moot.—F. 2d—(5th Cir. 1970). The court granted a preliminary injunction to prevent Farmers Home Administration from financing a golf-course project that allegedly threatened important wildlife habitat. The project had been approved, but not commenced, before January 1, 1970. The basis for the injunction was that FHA had not considered the environmental impact as required by NEPA. The case was dismissed as moot when the golf course was located elsewhere.

Wilderness Society v. Hickel, 1 ERC 1335 (D. D.C. 1970). In a suit by conservation groups, the court enjoined the issuance by the Secretary of Interior of a permit for a road across Federal lands on the basis, among others, of the Secretary's failure to prepare a statement under section 102(2) (C) discussing the environmental impact of both the road and the related Trans-Alaska Pipeline.

NEW SOURCE FOR ENVIRONMENTAL IMPACT STATEMENT

Beginning July 1, it will be possible to order the draft and final impact statements prepared by any federal agency from a single source: the National Technical Information Service of the Department of Commerce. Each statement will be assigned an order number that will appear in the 102 Monitor (at the end of the summary of each statement) and also in the NTIS semi-monthly Announcement Series No. 68, "Environmental Pollution and Control." (An annual subscription costs \$5.00 and can be ordered from the NTIS, U.S. Department of Commerce, Springfield, Virginia 22151.)

Final statements will be available in microfiche as well as paper copy. A paper copy of any statement can be obtained by writing NTIS at the above address and enclosing \$3.00 and the order number. A microfiche costs \$0.95. (Paper copies of documents that are over 300 pages are \$6.00. These rare instances will be noted in the 102 Monitor.)

NTIS is also offering a special "package" in which the subscriber receives all statements in microfiche for \$0.35 per statement.

Statements will still be available for public scrutiny in the document rooms of the various agencies. Some agencies may still wish to provide copies of the statements directly to the public.

Yet another possible source of statements is from the Environmental Law Institute, 1346 Connecticut Ave. N.W., Washington,

D.C. 20036. Envelopes bearing orders should be marked "Document Service." The Institute charges \$0.10 per page. To order a document it is necessary to know the number of pages, and to enclose the correct amount of money. The number of pages in each statement is listed in the *Environmental Law Reporter*, available from the Institute for \$50.00 per year. It is not necessary to be a subscriber to take advantage of this service. Give the date and title when ordering statements.

On the following pages are environmental impact statements received by the Council from May 1 through May 31, 1971.

(NOTE.—At the head of the listing of statements received from each agency is the name of an individual who can answer questions regarding those statements.)

ATOMIC ENERGY COMMISSION

Contact: For Non-Regulatory Matters—Joseph J. DiNunno, Director, Office of Environmental Affairs, Washington, D.C., 20545 (202) 973-6391; For Regulatory Matters: Christopher L. Henderson, Assistant Director for Regulation, Washington, D.C., 20545 (202) 973-7531.

Draft

Title, description, and date

Underground Nuclear Test Programs for FY 1972, Nevada Test Site. Page 39 of statement which was inadvertently omitted from copies sent to CEQ on April 15, April 28.

Comments from DOT, May 7.

Comments from USDA, May 7.

Comments from Commerce, May 19.

Comments from HEW, May 20.

Radioactive Waste Repository: Lyons, Kansas, May 3.

Comments on draft (11/30/70) from the EPA. PB-198 869-D.

Rocky Flats Plutonium Recovery Facility: Colorado, May 18.

Comments on draft (4/28, PB-198 762-D) by DOT.

Comments from USDA, May 25.

Comments from Coast Guard and HEW, May 26.

Nuclear Rocket Development Station: Nevada, May 19.

Comments on draft (1/15) by Governor of Utah and HEW.

Los Alamos Scientific Laboratory Plutonium, May 20.

Facility: New Mexico. Comments on draft (4/22, PB-198 710-D) by HEW.

Comments from USDA, May 25.

Maine Yankee Atomic Power Station. Comments on draft (4/13) by Commerce, May 20.

Final

Title, description, and date

Proposed issuance of an operating license to the Consumers Power Co. for the Palisades Plant: Van Buren County, Michigan. Principal impact would be release of low-level radioactivity and discharge of large quantities of heated condenser cooling water to Lake Michigan. (Applicant hopes to install cooling tower within 42 months, and a better radioactive waste system after a year and a half.) May 6.

Application by the Wisconsin Electric Power Co. and the Wisconsin-Michigan Power Co. for authorization to operate the Point Beach Nuclear Plant, Unit No. 2: on shore of Lake Michigan, 30 miles southeast of Green Bay, Wisconsin. Statement applies to Unit 1 as well. Some plankton and small fish may be injured by entrainment with the cooling water. The radioactive dose to people is expected to be under 0.1 mrem per year. Water will be returned to Lake Michigan about 19° to 31.5° warmer. Docket No. 50-301. May 14.

DELAWARE RIVER BASIN COMMISSION

Contact: W. Brinton Whitehall, Secretary, P.O. Box 360, Trenton, New Jersey, 08603, (609) 883-9500.

Draft

Title, description, and date

Kittatinny Mountain pumped storage electric generating facility: Warren County, *New Jersey*. Applicants are Jersey Central Power & Light Co., New Jersey Power & Light Co., Public Service Electric and Gas Co. Project would be located at the Tocks Island Dam on the Delaware River. Most of the facilities will be underground. The Tocks Island Upper Reservoir would be above ground, and would occupy about 185 acres, atop the mountain (now swampy, partly forested). May 11.

DEPARTMENT OF AGRICULTURE

Contact: Dr. T. C. Byerly, Office of the Secretary, Washington, D.C., 20250, (202) 388-7803.

Agricultural Research Service

Draft

Title, description, and date

Rangeland Grasshopper control program utilizing Malathion: *Great Plains and Mountain States*. Some beneficial insects including bees are adversely affected. May 6.

Forest Service

Draft

Title, description, and date

Pennsylvania—Forest Service cooperative gypsy moth suppression project, 1971. Treatment of 20,000 acres in northeastern part of state with carbaryl (Sevin). Carbaryl is toxic to bees, a suspected teratogen, toxic to crabs, shrimp, molluscs, aquatic insects, May 13.

New York—Forest Service cooperative gypsy moth suppression project, 1971. Treatment of 350,000 acres of woodlands with carbaryl (Sevin). Treatment to begin in late May, May 3.

New Jersey—Forest Service cooperative gypsy moth suppression project, 1971. Spraying of 100,000 acres of woodlands with carbaryl (Sevin). Bergen, Monmouth, Morris, Passaic, Sussex and Warren Counties, May 3.

Council Bluff Reservoir project: Clark National Forest, Iron County, *Missouri*. A free-flowing stream would be turned into a reservoir. 175 acres of timber will be cleared. Timber, and other debris, not sold will be burned. 440 acres of upland game habitat will be inundated. Purpose: recreation, May 19.

Final

Management Direction for the Bitterroot National Forest: *Montana and Idaho*. Statement discusses the proposed changes to be implemented in the management direction of the Bitterroot National Forest. The changes are based on the recommendations submitted by the Regional Forest Service Task Force. The impact of implementing these recommendations is discussed. The views of others are summarized including the University of Montana Committee Report. A draft was transmitted on June 18, 1970. In the Monitor Vol. 1, No. 1 on page 23, it mistakenly was listed as a final. PB 198 905-F, May 7.

Using insecticide Zectran for suppressing outbreaks of spruce budworm and Jack-pine budworm. Involves negotiating a contract with Dow Chemical Company for a supply of Zectran to treat small blocks totalling from 100,000 to 250,000 acres of infested area annually. Zectran is highly toxic to spruce budworm and Jack-pine budworm. Birds, bees and freshwater shrimp also show a high degree of susceptibility. Zectran is suspected of being tumorigenic. Other chemical and biological agents considered as alternatives. PB-198 907-F, May 7.

New York Department of Environmental Conservation—Forest Service cooperative gypsy moth suppression project, 1971. Plans to treat 290,000 acres of woodlands by spraying with carbaryl (Sevin). Insecticide is toxic to other insects—bees, shrimps, crabs, molluscs, etc., May 12.

Pennsylvania Department of Agriculture—Forest Service cooperative gypsy moth sup-

pression project, 1971. Project may begin in mid-May. 20,000 wooded acres will be treated with carbaryl (Sevin) in northeastern *Pennsylvania*, May 13.

New Jersey Department of Agriculture—Forest Service cooperative gypsy moth suppression project, 1971. Plans to spray 55,000 wooded acres with carbaryl (Sevin), May 13.

New Jersey Bureau of Forestry—Forest Service cooperative gypsy moth suppression project, 1971. Spraying of 25,000 wooded acres with carbaryl (Sevin), May 13.

Castaic-Haskell power transmission line. Issuance of a prelicense special use permit (to allow construction prior to issuance of FPC license) for right-of-way through Angeles National Forest. Length of line: 11.3 miles (3.3 miles through national forest). Purpose: to complete 2 of 4 circuits by July 1971 to enable water delivery through the Castaic Power Plant to Southern California water agencies. *California*, May 21.

Soil Conservation Service

Draft

Work plan for the Bacon Creek Watershed: Woodbury and Plymouth Counties, *Iowa*. Involves conservation cropping systems; level terraces, waterways and contour farming; pasture renovation, tree planting, etc. Also involves 31 grade stabilization structures, 5 dams, one multi-purpose reservoir, etc., April 30.

Work Plan for Eighteen Mile Creek Watershed: *South Carolina*. Involves accelerating application of conservation measures on 1,100 acres, construction of 2 dams, one multi-purpose reservoir, etc. About 3 miles of stream fishing would be eliminated, and 22 acres of cropland, pasture and woodland would be inundated. Purpose: flood control and to reduce sediment delivery into Hartwell Reservoir; to stabilize 650 acres of eroding land; water supply for Liberty, etc., May 7.

Proposed work plan for the Guadalupe Watershed: Maricopa County, *Arizona*. Includes plans for a dam, the Guadalupe Diversion and an outlet pipeline. About 42.9 acres of native vegetation will be destroyed, May 17.

Tekamah-Mud Watershed project, *Nebraska*. Consists of a multi-purpose reservoir with storage capacity for recreation, floodwater and sediment; 4 combination floodwater retarding-grade stabilization structures; and 10 grade stabilization structures. Will inundate 8 miles of intermittently flowing streams. Purpose: to reduce erosion and land destruction, etc., May 24.

Final

Soperton Channel improvement (flood prevention project): *Georgia*, 3,120 feet of channel enlargement, 7 drop structures, etc. Purpose: protect residential and commercial property. A resource conservation and development project. No draft statement received, May 4.

MacAdoo Road-Fill Dam, Sunflower RC&D Project (flood control): Barber and Pratt Counties, *Kansas*. On Elm Creek (a tributary of Medicine Lodge River). Involves construction of a dam, etc. A resource conservation and development project. No draft statement received, May 4.

Pence Springs flood prevention project, Mountain Dominion RC&D project: *West Virginia*. Consists of a 1,600 foot flood protection dike to be constructed around the plant. Purpose: flood protection for the Pence Springs Industrial Plant (a nonprofit organization). No draft statement received, May 10.

Verde Lane flood protection project, Panhandle RC&D project: *Nebraska*. One dam and a 990 foot diversion. Purpose: protect Sidney from floods. No draft statement received, May 10.

Newell Road flood prevention project, Threshold to Maine RC&D project: *Maine*. Consists of 1,500 feet of outlet channel im-

provement and storm drainage system in town of Yarmouth. No draft statement received, May 10.

DEPARTMENT OF COMMERCE

Contact: Dr. Sydney T. Galler, Deputy Assistant Secretary for Environmental Affairs, Washington, D.C. 20230 (202) 967-4335.

Final

Title, description, and date

Legislation: proposed use of surplus Liberty ships to create artificial reefs. *Comments* by DOI on draft that arrived after the final (4/16) had been received. The draft was not available to the public as this statement concerns legislation, May 14.

DEPARTMENT OF DEFENSE, DEPARTMENT OF ARMY

Corps of Engineers

Contact: Francis X. Kelly, Assistant for Conservation Liaison, Public Affairs Office, Office, Chief of Engineers, 1000 Independence Avenue, S.W., Washington, D.C. 20314 (202) 693-6329.

Draft

Title, description, and date

Stuart Gulch Dam (flood control project): *Idaho*. Located on this tributary of the Boise River just north of Boise. 194 acres of land will be required. PB-198 722-D. April 23.

Local flood protection project: Wellsville, *New York*. Rectification of deficiencies in existing completed project. Involves widening and deepening parts of the Genesee River and Dyke Creek, constructing several low levees and dikes, etc. PB-198 734-D. April 23.

Cottonwood Creek Dam: Cottonwood Creek, *Idaho*. Construction of earth and rockfill structure 117 feet high. Purpose: flood protection to eastern section of Boise. PB-198 724-D. April 23.

Clear Creek, *Texas*, flood control project. Enlargement and rectification of natural stream channel. Would result in an improved channel length of about 31 miles. Purpose: protection of rapidly urbanizing areas. PB-198 725-D. April 23.

Spring Creek Channel improvement flood protection project: Springdale, *Arkansas*. Straightening and enlargement of 9,000 feet. PB-198 744-D. April 26.

Cayuga Island flood protection project: Niagara Falls, *New York*. Involves water-proofing sanitary sewer manholes, building ½ mile of embankment levee on the north (Little River) side of Cayuga Island, filling in low areas on easterly and southerly sides, etc. PB-198 745-D. April 26.

Choctaw Bayou and Tributaries flood control project: *Louisiana*. Enlargement and/or clearing and snagging of over 35 miles of channel. Will have negative impact on fish and wildlife resources. Purpose: increase productivity and amount of agricultural lands. PB-198 843-D. April 29.

Gulf Intracoastal Waterway navigation project: *Texas*. Jettied entrance channel 12 feet deep 100 feet wide, from Gulf shore to the GIWW and a turning basin. Disposition of excavated materials and construction of recreation facilities in the public use area will eliminate some natural habitat for small animals and birds. PB-198 849-D. April 30.

Navigation project Cedar Bayou: *Texas*. Channel 100 feet deep, 100 feet wide from Houston Ship Channel to a point on Cedar Bayou 11 miles above its mouth. About 5.5 acres of marsh would be lost. PB-198 855-D. April 30.

Scappoose Drainage District: Columbia County, *Oregon*. Work consists of 170,000 cubic yards of canal excavation, 65,000 cubic yards of interior levee embankment from canal excavation, etc. Purpose: protect agricultural land. PB-198 847-D. April 30.

Gulf Intracoastal Waterway, Chocolate Bayou, navigation project: *Texas*. Deepening and widening to 12 feet by 125 feet and constructing an additional 5 miles of channel, a turn-

ing basin, and a barrier to prevent salt water intrusion. Purpose: help economy of area. PB-198 872-D. May 3.

Gulf Intracoastal Waterway navigation project, Texas section. Includes enlargement of main channel to 16' x 150' from Sabine River to Houston Ship Channel including realignment of part of the channel, etc. Will be loss of low lying land that is presently a fish and wildlife habitat. PB-198 927-D. May 3.

Navigation project at Atlantic Harbor of Refuge: Carteret County, North Carolina. Involves dredging channels 7 feet deep, 50-70 feet wide and a small marsh will be turned into a basin. Dredged material will be used to construct a breakwater. PB-198 870-D. May 3.

Waimano Stream, Oahu, Hawaii. Construction of 3,200 feet of concrete channel. Purpose: flood control. PB-198 882-D. May 4.

Cranesnest River snagging and clearing project: Dickenson County, Virginia. Involves about 4,000 feet. River is valued for its bass fishing. Purpose: flood control. PB-198 884-D. May 4.

Portsmouth State Park, Ohio, small craft harbor project. Proposed harbor adjacent to Ohio River will provide facilities for 232 recreation craft. PB-198 883-D. May 4.

West Tennessee Tributaries (Obion and Forked Deer Rivers). Comments on draft (2/3/71) after final (3/31/71) received. May 4.

Great Falls flood control project: Sun River, Montana. Involves about 8 miles of levees, 3 1/2 miles of interceptor ditches, channel rectification and appurtenant work, etc. Channel rectification will cause formation of 2 oxbows. Levee construction will reduce tree cover along Sun River. PB-198 918-D. May 6.

Gas House Cover small craft harbor project: San Francisco Marina, California. Construction of 117 foot concrete pile breakwater is recommended. Purpose: prevent wave action damage to boats and facilities. PB-198 974-D. May 7.

New Hope Lake project: North Carolina. Involves construction of an earth dam. Lake behind dam will have a surface area of 14,800 acres. About 22 miles of free-flowing stream will also be inundated. Purpose: flood protection, water supply, water quality control; etc. PB-198 999-D. May 11.

Port Jefferson Harbor navigation project: New York. Involves hydraulic dredging of a channel from deep water in the Long Island Sound to the head of the harbor, and a turning basin. Purpose: to allow larger vessels to carry in petroleum, etc. May 12.

Trexter Lake: Pennsylvania. Construction of earth and rockfill embankment on Jordan Creek and lake with surface area of 1,220 acres (it would extend 8.6 miles upstream). A 5-foot reservoir fluctuation will occur frequently, exposing areas of barren shoreline. Purpose: water supply, flood control, recreation. May 17.

Lincoln Lake project: Illinois. Involves construction of a dam on the Embarras River. Requires 29,600 acres of land for construction of which 6,600 will be inundated. May contribute to the extinction of the Harlequin Darter, a member of the perch family. Purpose: flood control, water supply, water quality, general recreation and fishery enhancement. PB-198 998-D. May 18.

Drum Inlet navigation project: North Carolina. Includes dredging an ocean-bar channel 150 feet wide and 9 feet deep below mean low water restoring an existing connecting channel in Core Sound, etc. Purpose: to provide a safe passage through Inlet for commercial-fishing, sport-fishing and recreational vessels. May 21.

Final

Flood protection project: Tyrone, Pennsylvania. Involves construction of levees and walls along north bank of Little Juniata River, drop structure, channelizing 4,790 feet

of Bald Eagle Creek, new levee and wall on west bank of Bald Eagle Creek. Sink Run will be diverted through a tunnel into Schell Run, etc. Purpose: protect commercial, municipal, private buildings. No draft statement received. PB-198 895-F. April 29.

Small flood control project, North Fork, Nolin River: Hodgenville, Kentucky. Clearing and snagging of channel and banks for 3,400 feet. No draft statement received. PB-198 903-F. April 30.

Ridgecrest Wash Channel: Kern County, California. Includes 2,150 lineal feet of unlined channel, and 26,707 lineal feet of diversion dikes. (Channel from 3.5 to 10 feet in height.) Purpose: to protect residential, commercial and public property in Ridgecrest from floods. Will encourage development of this desert area. No draft statement received. PB-198 901-E. April 30.

East Branch, New York, local flood protection project. Construction of an earth levee 5,100 feet long, which may interfere with the view of the river from some of the lower sections of town. No draft statement received. PB-198 899-F. May 3.

East Fork Lake flood control, water supply, water quality control and recreation project: Little Miami River, Ohio. Dam and flood control pool with surface area of 4,600 acres. Would result in inundation of 17 miles of East Fork, including a scenic stretch. (East Fork is considered one of the finest examples of a natural limestone stream in Ohio. Fishing on it is good.) No draft statement received. PB-198 897-F. May 3.

Whitney Lake, Brazos River, Texas. Raising the top of the power pool 13 feet (7,800 additional surface acres). This land presently provides habitat for deer, squirrels, mourning doves, etc. Purpose: to generate more hydroelectric power, provide a larger pool for fishing, waterfowl habitat, recreation. PB-198 910-F. May 3.

Beaver Brook Lake flood control project: New Hampshire. Damsite located 1.5 miles upstream from Keene, New Hampshire. Involves acquisition of 950 acres of land. About 175 acres of forested area, 25 acres of wetland habitat and 2 miles of stream will be inundated. PB-198 902-F. May 6.

Duck Creek Channel flood control project: Garland, Texas. Involves channel realignment and enlargement, construction of concrete walls, modification and extension of 2 railroad bridges and 9 city and county bridges, etc. No draft statement received. PB-198 911-F. May 6.

Catskill Creek navigation project: New York. Plan provides for dredging a 1,800 foot long flared entrance channel to the Hudson River that tapers from a width of 250 feet to 100 feet. Purpose: to allow safe passage of recreational crafts and tugs accompanying tank barges. (Smith Oil Company Terminal located on Creek.) No draft statement received. PB-198 896-F. May 6.

Corpus Christi Ship Channel, Nueces County, Texas, navigation project. Involves deepening the outer bar channel to 47 feet and the remainder of the deep-draft portion of the waterway, including the La Qunita channel and turning basin, to 45 feet; widening a reach of the main channel, etc. Covering submerged vegetation on the fringes of remote spoil areas in Corpus Christi and Redfish Bay and possibly some archeological sites with spoil material cannot be avoided. Purpose: enhancement of low cost marine transportation. PB-198 891-F. May 7.

Brazos Island Harbor, navigation project: Texas. Provides for deep-draft navigation from the Gulf of Mexico through Brazos-Santiago Pass to turning basins at Port Isabel and Brownsville. Project 60% complete. Remaining work consists of widening Brownsville turning basin, etc. PB-199 025-F. May 13.

Buchanan Lake flood control project, Chowchilla River Basin: California. Involves construction of a rockfill dam, a reservoir, and channel enlargement, clearing and levee

construction. Purpose includes irrigation and recreation as well as flood control. No draft statement received. PB-199 023-F. May 17.

Waikiki Beach erosion control project, Oahu, Hawaii (Fort DeRussy Sector). Involves construction of a rubblemound groin along the west side of the existing 350-foot box culvert at the east end of Fort DeRussy Beach. No draft statement received. May 28.

Office of the Assistant Secretary

Draft

New Walter Reed General Hospital: Washington, D.C. Involves replacement of several pre-WWII buildings with a single large structure and the addition of new hospital parking facilities. Discusses heating plant and its releases to the atmosphere; disposal of solid waste, radiological waste, water waste; impact on traffic; architectural design, etc. May 19.

Relocation of the Harry Diamond Laboratories. New site is adjacent to the U.S. Naval Ordnance Laboratory at White Oak, Maryland. Involves use of 137 acres of undeveloped land. Laboratories will do research on antennas, microwave components, radio frequency generators, lasers, radar, nuclear radiation effects, etc. May 19.

New Western Medical Institute of Research (WMIR). Location near Letterman General Hospital at the Presidio San Francisco, California. Discusses problems of heating, incineration of pathological and infectious wastes, holding facilities for animals, etc. May 19.

Final

Disposal of anti-personnel biological and toxin materials and munitions at Pine Bluff Arsenal, Arkansas. Statement describes plans for on-site destruction of liquid agents (stored as frozen pellets), bulk dry materials, bulk stocks of toxins, biological munitions. April 30.

DEPARTMENT OF NAVY

Contact: Charles III, Room 4C713, The Pentagon, Washington, D.C. 20350.

Draft

Title, description, and date

Land acquisition for proposed sewage disposal facility at the Naval Air Station, Le Moore, California. Purpose: to remove high mineral, chemical concentrations from wastes put into Kings River. About 440 acres of what is presently marginal agricultural land would be purchased for evaporation ponds. PB-199 018-D. May 6.

DEPARTMENT OF INTERIOR

Contact: Office of Information, Public Queries, 18th and C Streets, N.W., Washington, D.C. 20240. (202) 343-3172.

Bureau of Reclamation

Draft

Title, description, and date

Cosumnes River Division, Central Valley Project: California. Comments on draft (2/19) by Commerce. April 29.

Comments by Secretary for Resources State of California. May 24.

Pyramid Lake pilot project in cloud seedings: California and Nevada. Comments on draft (2/12) by State of Nevada, National Science Foundation, Truckee-Donner Chamber of Commerce, USDA. PB-198 887-D. May 4.

Lower Teton Division, Teton Basin projects: Idaho. Includes construction of Teton Dam on the Teton River. A 17 mile long reservoir will form. At the dam, a combined power and pumping plant will be constructed. Fishery in the canyon portion of the river is now one of the finest in Idaho and contains a self-sustaining population of cutthroat trout. Dam and reservoir will eliminate summer and winter range utilized by big game animals. Onsite work scheduled to begin in spring of 1971. Purpose: irriga-

tion, power, flood control. PB-198 688-D. May 6.

Manson Unit, Chief Joseph Dam irrigation project: *Washington*. Works include a main pumping plant on Lake Chelan, 8 relief pumping stations, 12 regulating reservoirs, 71 miles of buried pipe. Conversion of grazing and dryland crop acreage to irrigated farmland will reduce winter range for deer, and reduce food for game-birds. May 12.

Crystal Dam and Powerplant, Curecanti Unit, Colorado River storage project. *Comments* on draft (3/11) from Colorado Division of Game, Fish and Parks; Division of Water Resources; Office of State Planning; Corps of Engineers; the EPA; Robert Hassell; USDA; DOI; etc. May 13.

Tualatin project: *Oregon*. Includes construction of Scoggins Dam and Reservoir (1,113 acres of surface area) 26 miles of canals, pumping plants, 53 miles of laterals, etc. About 15 miles of spawning area for Coho salmon will be lost. Purpose: irrigation, municipal and industrial water supply, water quality control, etc. May 24.

Monmouth-Dallas Division, Willamette River Project *Oregon*. *Comments* on draft (4/8) by Assistant Regional Administrator for Metropolitan Planning and Development, HUD. May 24.

Geological survey

Draft

Installation of 2 more drilling and producing platforms on federal oil and gas leases in the Santa Barbara Channel off California's coast. Statement covers Union Oil's Platform "C" and Sun Oil's Platform "Henry." The government has received bonus payments on these leases amounting to \$99,798,032.00. There will be slots for 56 wells on "C" and for 30 wells on "Henry." The major possible adverse effects are pollution from an accidental oil spill, and visual unattractiveness. Platforms would remain for 10 to 50 years. May 7.

Office of Coal Research

Draft

Coal conversion pilot project: Fort Lewis, *Washington*. Plant will remove some sulfur and almost all ash from coal. Product is either liquid or solid. Plant would operate for 2 or 3 years, then, if successful, scaleup to commercial plant size. PB-198 861-D. April 30.

Office of the Secretary

Final

Proposed legislation to provide for cooperation between the federal government and the states with respect to environmental regulation for mining operations and for other purposes. Bill would require all states to undertake a program to regulate surface and underground mining. May 14.

DEPARTMENT OF TRANSPORTATION

Contact: Martin Convisser*, Director, Office of Special Projects, 400 7th Street, S.W., Washington, D.C. 20590, (202) 426-4357.

For the readers convenience we have listed the numerous statements from DOT by State in alphabetical order.

Federal Aviation Administration

Draft

Title, description, and date

Airport project at Grand Canyon, *Arizona*. *Comments* on draft (3/5) by National Park Service. May 4.

Mariposa-Yosemite Airport project, Mariposa, *California*. Involves construction of a runway, taxiway, apron, access road, etc. Purpose: to serve light single engine and twin engine aircraft of the general aviation fleet. Alternative sites are discussed. May 24.

*He will refer you to the correct regional office from which the statement originated.

Airport project, Arapahoe County, *Colorado*: includes land acquisition, taxiway construction, etc. Purpose: provide space for future runway, noise abatement, and to prevent airport encroachment. PB-198 984-D. May 10.

Airport project 1.8 miles south of Buena Vista, *Georgia*. Includes land purchase, runway and taxiway construction, installation of medium intensity lighting, etc. PB-198 982-D. May 10.

Capital Airport project, Springfield, *Illinois*: runway extension and pavement reinforcement. Purpose: accommodation of larger aircraft. May 10.

Airport project at Algona, *Iowa*. Involves runway extensions, lighting, etc. Purpose: to accommodate twin engine aircraft and to make it an all weather airport. May 24.

Airport project at Eureka, *Kansas*. Extending runway and low intensity lighting, etc. Purpose: to serve larger aircraft. PB-198 997-D. May 18.

Airport project at Baton Rouge, *Louisiana*. *Comments* on draft (3/29) by HEW. April 30. Salisbury-Wicomico County Airport and Mifflin County Airport, *Maryland*. *Comments* on draft (3/25) by Commerce. May 20.

Oakland-Pontiac Airport project, *Michigan*. Includes land acquisition, E/W runway and taxiway construction, ramp and runway extension, etc. Will mean increase in noise level for some houses near the north boundary of the airport. May 21.

Sedalia, *Missouri* airport project. Involves land acquisition, construction of new runway, installation of medium intensity lighting, etc. Purpose: to accommodate larger aircraft. Airport will be especially useful during construction of a Safeguard installation nearby. PB-198 876-D. May 4.

Airport project at Tecumseh, *Nebraska*. *Comments* on draft (4/12) from USDA. May 4.

Airport project at Carson City, *Nevada*. Land acquisition, runway, taxiway and lighting extensions. PB-198 671-D. May 4.

Airport project at Little Falls, *New York*. Proposed Herkimer County Airport. Involves land acquisition, 4000 foot asphalt runway, taxiway, obstruction clearing in approach zones, etc. PB-198 960-D. May 12.

Airport project at Charlotte, *North Carolina*. Construction of new N/S runway (includes land acquisition, taxiways, navigational aids, etc.) and extension of another runway. PB-198 669-D. April 30.

Airport project at Cedar City, *Pennsylvania*. Involves construction, lighting, etc. of runway, constructing an access road, parking aprons, taxiway, turnarounds, etc. May 12.

Everett-Stewart Airport project, Union City, *Tennessee*. Includes acquisition of 17 acres, construction of a 100' x 100' extension to runway, runway resurfacing, taxiway construction. Present airport is unable to accommodate the larger corporate and business jet aircraft. May 20.

Airport project at Salt Lake City International Airport, *Utah*. Involves land acquisition, runway and taxiway extension, lighting installation, etc. PB-198 695-D. May 4.

Hayward Municipal Airport, *Wisconsin*, airport project. Involves runway extension and overlay, taxiway construction, relocation of town road, etc. Purpose: allow larger aircraft and business jets to use the facility. PB-198 889-D. May 4.

Final

Truckee-Tahoe Airport project, Truckee, *California*. Includes runway extension, land acquisition, apron floodlighting, taxiway extension, etc. May 26.

William B. Hartsfield Atlanta Airport project, *Georgia*. Involves construction of access roads, cargo apron and first stage improvements of the Flint River Drainage System. May 20.

Jesup-Wayne County Airport project, *Georgia*. Involves land acquisition, runway extension and strengthening, taxiway and apron,

installation of medium intensity lights, etc. May 20.

Iowa Falls Municipal Airport project, Iowa Falls, *Iowa*. Involves land acquisition, construction of NW/SE runway, a taxiway, an apron. Purpose: to accommodate light multi-engine aircraft. May 26.

Colby Municipal Airport project, *Kansas*. Involves runway extension, construction of turnarounds, land acquisition, MIRL extension and installation of VASI-2. Purpose: to permit increased night operations. May 20.

Salisbury-Wicomico County Airport project, Salisbury, *Maryland*. (Phase IV). Extension, marking and lighting of runway 13-31, acquisition of land, construction of taxiway, etc. Purpose: to provide all weather runway and increase the margin of safety. May 20.

Airport project at Hancock, *Michigan*. Reconstruction of Houghton County Airport. Rebuilding and extension of runways, new taxiways, new terminal, hangars, etc. Will enable DC-9's to land safely. May 4.

Cambridge Municipal Airport project, Cambridge, *Minnesota*. Acquisition of land and replacement of a "half sod, half sand" landing strip with hard surface, lights, taxiway, etc. May 7.

Ortonville Municipal Airport, Ortonville, *Minnesota*. Acquisition of 67 acres, construction of NW/SE runway, apron and taxiway, and access road construction, etc. May 26.

Fulton-Itawamba County Airport project, Fulton, *Mississippi*. Includes land acquisition, construction and marking of runway, stub taxiway and apron, etc. Purpose: to accommodate 95% of propeller aircraft under 12,500 pounds. May 20.

Mission Field airport project, Livingston, *Montana*. Construction of NE extension to NE/SW runway, a turnaround, installation of MIRL, acquisition of clear zone. May 26.

Anaconda Airport project, Anaconda, *Montana*. Involves construction of N/S turf runway, land acquisition, etc. May 26.

Broken Bow Municipal Airport project, Broken Bow, *Nebraska*. Involves land acquisition, runway extension, construction of turnaround, etc. Purpose: to accommodate multi-engine aircraft. May 7.

Hastings Municipal Airport project, *Nebraska*. Involves land acquisition and construction and lighting of NE/SW runway, taxiways, etc. May 20.

Martin County Airport project, Williamston, *North Carolina*. Includes runway extension and widening, extension of lighting system, etc. Purpose: to provide a 24-hour all weather landing area for propeller aircraft under 12,500 pounds. May 26.

Minot International Airport project, Minot, *North Dakota*. Extension of runway to 8800 feet, adding high intensity lights, land acquisition. Purpose: to achieve sufficient length and strength for anticipated jet operations. May 26.

Ashtabala County Airport project, Ashtabala, *Ohio*. Includes land acquisition, runway and lighting extension, apron expansion, etc. Purpose: to safely accommodate turbine and jet aircraft using present runway. May 20.

Clarion County Airport project, Clarion, *Pennsylvania*. Construction of a new airport. Involves acquisition of 288 acres for development and clear zones, construction of a runway, stub taxiway, access road, etc. Purpose: to replace Rhea Airport which was closed a year ago. May 4.

Reading Municipal Airport project, Reading, *Pennsylvania*. Involves runway extension and overlay, taxiway construction, etc. Purpose: to accommodate existing business and corporate jets. May 7.

Lawrence Township Municipal Airport project, Clearfield, *Pennsylvania*. Involves land acquisition for airport development, runway and taxiway construction, etc. May 26.

Pickens County Airport project, Pickens, *South Carolina*. Includes land acquisition,

runway extension and widening, MIRL installation, etc. Purpose: to provide a 24-hour landing area capable of accommodating most propeller and business jet aircraft. May 20.

Lancaster County Airport project, *South Carolina*. Involves land acquisition, extension of runway from 2700 to 6000 feet, taxiway construction, MIRL installation, etc. Purpose: 24-hour land area capable of accommodating all propeller and business jet aircraft. May 20.

Gettysburg Municipal Airport project, Gettysburg, *South Dakota*. Involves acquisition of land, surfacing and extending NW-SE runway, apron and taxiway construction, etc. May 26.

Terry County Airport, Brownfield, *Texas*. Land acquisition, runway and apron extension, etc. May 4.

Norfolk Regional Airport project, Norfolk, *Virginia*. Includes land acquisition, runway extension and lighting, taxiway construction, etc. Purpose: to accommodate DC-10s and B-727-200's. May 18.

New Holstein Municipal Airport project, New Holstein, *Wisconsin*. Runway extension and overlay with bituminous paving concrete, etc. Slightly larger planes will be able to use the airport. (Note mistake in Monitor Vol. 1, No. 4, pg. 39—draft transmitted March 29 not April 29.) May 7.

Federal highway administration

Draft

Title, and description, and date

Western bypass of Enterprise, *Alabama*. Construction of 6.64 miles of highway on new location. Project S-319-D. PB-198 765-D. April 28.

Alabama 69: south of Tuscaloosa. Replacement of 4.3 miles on better alignment. Project S-140-E (F-190()). PB-198 859-D. April 28.

I-759 (Gadsden Spur): Etowah County, *Alabama*. Highway construction from I-59 to US-411. Project I-759-7(1). PB-198 851-D. April 30.

US-31: Birmingham, *Alabama*. About 0.7 mile of highway construction between 37th Ave. and 41st Ave. Project FAUP U-UG-56(6). PB-198 875-D. May 4.

Grade separations in downtown Birmingham, *Alabama*. One on 13th St., one on 17th Project T 9802(2). PB-198 888-D. May 4.

I-359 (Tuscaloosa Spur) and widening of 25th and 25th Avenues: Tuscaloosa, *Alabama*. I-359, project will demand .65 acre of Rose-dale Park. Project I-359-3(1) and F-190(). PB-198 685-D. May 5.

8th Avenue: Birmingham, *Alabama*. Upgrading of about a mile. Project S-1756-A. PB-198 925-D. May 6.

Federal Air Secondary Route No. 2317: Dale County, *Alabama*. Construction of steel beam span bridge across the Choctawhatchee River. Project S-2317(101). PB-198 686-D. May 6.

Pinson Valley Parkway (Alabama State Highway 79) Extension: Pinson, *Alabama*. Adding 2 lanes to 2.3 miles of highway. FAP Project F-374(). PB-198 682-D. May 7.

US-431 & Elliot Avenue connection: Attalla, *Alabama*. Construction of 1.21 miles of highway, partly on new location. Project F-208(33). PB-198 683-D. May 7.

Construction of 2.8 miles of highway: Gadsden, *Alabama*. On new location. Fourteen residences must be relocated. Project APL-2850(001). PB-199 011-D. May 14.

Federal Aid Secondary Route No. 62-08: Tallapoosa County, *Alabama*. Replacement of bridge. Project TCP 62-23-71. PB-199 012-D. May 14.

Federal Aid Secondary Route No. 04: Fayette County, *Alabama*. About 7 miles of narrow gravel road will be replaced with a wider, paved facility. Alabama project S-2904(101). PB-199 009-O. May 14.

County Road 27 and 17: replacement/improvement of 7.695 miles of road in Escambia

County, *Alabama*. Alabama projects S-2702 () and S-2711(). Project S-1660-A. PB-199 010-D. May 14.

US-98: proposes three alternate routes from Mobile to Wilmer, *Alabama*, which are open to comment and suggestion. Project F-1727-A. May 21.

Slaughter Road (FAS Route 45-07): construction of a composite steel and reinforced concrete grade separation structure over Southern Railroad, approaches, etc. Madison County, *Alabama*. FAS Project SG-4507. May 24.

Between Tolovana and Livengood, *Alaska*: improving existing highway which has substandard grades and alignment on new location. Alaska project S-0680(17). PB-199 004-D. May 13.

Steese Highway: *Alaska*. Reconstruction of two portions: from Montana Creek to Eagle Summit, and from Eagle Summit to Central. Alaska Projects S-0670(8), S-0670(9). May 18.

Nancy Lake Access Road: construction of a 2-lane road from the Anchorage Fairbanks highway to where it connects with a road in the Nancy Lake Recreation Area (1½ miles). 4(f) determination attached. Willow, *Alaska*. Project S-0581(1). May 19.

Tucson-Oracle Junction-Globe Highway, Oracle West Section: *Arizona*. Construction of 7.81 miles of highway on new location. Will bypass business area of Oracle. Project F-031-1(9). PB-198 845-D.

Oak Street-Hill Street section of Phoenix-Globe Highway (US-60): Globe, *Arizona*. Realignment to eliminate downtown congestion. Project F-022-3-202. PB-198 860-D. April 30.

I-40 (Flagstaff-Holbrook Highway): Navajo County, *Arizona*. Joseph City Interstate section. About 4.07 miles of construction of grade and drain. Project I-40-4(49). PB-198 885-D. May 4.

Airbase Drive between Madison Ave. and Watt Ave. at McClellan AFB, *California*. Construction of overhead highway-railroad separation structure. PB-198 990-D. May 4.

Route 126 Freeway: construction of an ultimate 8-lane freeway on a new alignment between point just west of Piru Creek and Route 14 Freeway. Ventura and Los Angeles Counties, *California*. PB-198 897-D. May 5.

Freeway Route 101: between Elk River and 1.3 miles northeasterly of Eureka Slough in Humboldt County, *California*. Conversion of city streets in Eureka to freeway. PB-198 687-D. May 6.

I-15: along State Routes 71 and 31 in Riverside and San Bernardino Counties between the San Diego County Line and Route 15 at Devore in *California*. Project proposes to determine location for 70 miles of 6-8 lane freeway construction. About 144 living units would be displaced. PB-198 962-D. May 11.

US-395: conversion from 2- to 4-lane highway from 0.5 mile south of the Inyo/Mono County Line to 10 miles north of it. Project will require about 4.1 acres of the Tufa Campground. *California*. PB-198 958-D. May 12.

Route 4 Freeway in Stockton, *California*. Upgrading 0.6 mile to an elevated freeway between Stanislaus St. and Wilson Way. PB-199 008-D. May 14.

State Highway 4: freeway development between Pacheco Boulevard and East Port Chicago Highway. Contra Costa County, *California*. PB-199 003-D. May 14.

Highway Route 227 in San Luis Obispo County: widening, etc. between the community of Edna and High St. in San Luis Obispo, *California*. May 21.

Route 49: construction of a 4-lane controlled access highway from 88 at Martell, *California* to Route 16 at Central House, *California* (a distance of 7.7 miles). May 24.

Colorado State Highway 65: realignment and improvement from .75 mile south of

Mesa, northwesterly for 2.64 miles. Project S 0065(4). May 5.

Colorado State Highway 340 (Grand Junction-West): construction of 2 additional lanes (to make a 4-lane divided facility) beginning 1.2 miles west of the junction of US-50 and S.H. 340, proceeding easterly for approximately 1.2 miles, to 1 block west of US-50 and S.H. 340 junction. Grand Junction, *Colorado*. Project SU 0340(2). May 17.

I-484: Hartford, *Connecticut*. Construction between I-84 and I-91, west of the Capitol building. Project will be tunneled beneath Bushnell Park. Connecticut project I-484-1(2)0. May 19.

I-291: Construction begins between I-91 in Windsor, *Connecticut* and I-86 in Manchester, *Connecticut*. Purpose: to collect and distribute a portion of that traffic that would otherwise be required to use I-86 and I-84 to reach destinations in and around the Greater Hartford area. Project I-291-5(1). May 21.

Route 10: Relocation between I-84 and the Southington-Cheshire Town Line in Southington, *Connecticut*. Length: about 1 mile. Project will require relocating a short section of the Quinnipiac River and a small amount of filling in flood plains. May 21.

S.R. 87 (Stewart Street): Construction of 1.7 miles of 4-lane highway along existing route from junction with S.R. 10 to junction with S.R. 191. Milton, *Florida*. State Job No. 58050-1505.010. PB 198 879-D. May 6.

State Road 50: Lake County, *Florida*. Road to be multi-laned from S.R. 33 in Mascotte to S.R. 33 in Groveland (length of 2.3 miles). One alternate route would go through a natural swamp. Project F-022-2(18). PB-199 019-D. May 11.

I-75E (Tampa Bypass): Hillsborough and Manatee Counties, *Florida*. Project diverges from alignment of proposed I-75 north of the Bradenton-Palmetto area. Merges with it about 3½ miles south of Pasco-Hillsborough County Line. Federal Job No. I-75E-6(31) 435. May 18.

U.S.-441, S.R.-31: Douglas, *Georgia*. Constructing an urban type roadway through the city. *Georgia* projects F-075-1(4) and F-075-2(4). PB-198 730-D. April 22.

Georgia State Route 31 and U.S. 441 and 319: Construction of divided 4-lane roadway from a point northeast of the intersection of I-16 to Dublin (2.31 miles). Project F-042-1(3). PB-198 757-D. April 23.

Chatham County, *Georgia*. Construction of paved all-weather road from Effingham-Chatham County Line on S.R. 30, east and northeast to S.R. 21. Partly on new location. *Georgia* project S-0956(3). PB-198 832-D. April 28.

I-85: Completion of construction between S.R.-219 in Troup County and FAS Route 2016 in Meriwether County. On new location, it will involve 19.7 miles of 4-lane limited access highway. *Georgia* projects I-85-1(40) 20 and I-85-1(33)12. April 28.

S.R.-76: Relocation from S.R.-33 to FAS 1213 (Quitman-Mowen Road) in Brooks County, *Georgia*. *Georgia* project S-0559(3). PB-198 877-D. May 4.

S.R.-111 (Moultrie to Meigs Road): Colquitt County, *Georgia*. The purpose of this 1800 foot project is to remove a narrow bridge and reconstruct an appropriate drainage structure and approaches. Project-0519(4). PB-198 677-D. May 4.

Moultrie-Meigs Road: *Georgia*. Replacement of narrow bridges. Project S-1205(2). PB-198 677-D. May 4.

Lula Lake Road: Walker County, *Georgia*. Road construction through hilly, mountainous country. Project S-1350(1). PB-198 676-D. May 4.

20th Street: Tifton, *Georgia*. About 1.6 miles of road construction, partly on new location. Project SU-1536. PB-198 675-D. May 5.

Secondary Route S-1010(2): Gilmer and

Fannin Counties, Georgia. Project is within boundaries of Chattahoochee National Forest. PB-198 678-D. May 6.

Secondary Route S-2481(2): Gilmer and Fannin Counties, Georgia. Highway construction through scenic mountain and national forest area. PB-198 977-D. May 6.

La Conte to Nashville Road: Cook and Berrien Counties, Georgia. Surfacing, improving present road. Project S-2698. May 7.

U.S. Route 45: Upgrading route to 4-lanes from point near the west entrance of Fort Massac State Park to the Route 24 interchanges 2.2 miles east, Metropolis, Illinois. 4(f) documentation attached because right-of-way goes through Fort Massac State Park and also Fort Massac Girl Scout Park. Project F-53. PB-198 704-D. April 15.

Illinois Route 29 (Pekin Bypass): Realignment around east and south of Pekin, for approximately 10 miles. 4(f) report attached since route goes through part of the proposed John T. McNaughton Park. Illinois Project F-251. PB-198 873-D. May 3.

U.S.-156 and U.S.-283: Hodgeman County, Kansas. Involves several miles of highway construction near Jetmore. Projects 156-42 F-062-1(10) and 283-42 F-021-2(4). PB 198 673-D. May 3.

K-119: Washington County, Kansas. From Greenleaf, 817 miles south to K-9. Project 119-101 S115(14). PB-198 680-D. May 7.

U.S.-36: Brown County, Kansas. Includes 13 miles of grading and surfacing. One proposed route would require 30 acres of Brown County State Lake land. Project (SF) 36-7 F-092-5(8). PB-198 965-D. May 12.

U.S.-283: Graham County, Kansas. Upgrading 0.8 mile in and near Hill City. Project 283-33 F-021-3(7). PB-199 007-D. May 13.

21st Street: Tyler Street to AT&SF Railroad tracks, Topeka, Kansas. Widening to provide for 4 lanes, etc. Project 89-T-4005(1). May 17.

U.S.-50: Harvey County, Kansas. Involves 2.47 miles of construction parallel to 14th St. in Newton. Project is a bypass of U.S.-50. Project 50-40 U-050-4(12). May 20.

Kansas-96: Two construction projects which are a part of the state freeway system, and serve as the final link on K-96 from Hutchinson to Wichita, Kansas. Two alternate routes are under consideration. One would require all new right-of-way. Projects (SF) 96-87 F-044-1(11) and (SF) 96-87 U-044-1(13). May 25.

US-83 Bypass: construction begins 1.5 miles south of Garden City, Kansas at US-83 and extends northeasterly and north for 3.82 miles on new location to a junction with US-156. Project 83-28. F-017-1(23). May 26.

Kentucky 864 (Poplar Level Road): Jefferson County. Widening 3.95 miles. Kentucky Project U 553(2). PB-198 852-D. April 30.

I-24: Paducah, Kentucky. From 1000 ft east of Kentucky Highway 994, southeasterly to 2600 feet east of Kentucky 450. Project is 4.374 miles long and will be a 4-lane road. Project I 24-1(3)8. PB-198 856-D. April 30.

Kentucky Highway 54: Henderson, Kentucky. Involves 2.12 miles of widening, a railroad overpass, etc. Noise and visual appearance may lower property values. Project S214(2). PB-198 963-D. May 12.

Harlan-Cumberland-Whitesburg Road: Kentucky. Involves 8 miles of highway construction on new location. AP 48-8-5L. Kentucky Project APD 140(10). PB-199 013-D. May 14.

I-410: St. Charles Parish, Louisiana. Construction of 10.4 miles of highway across swamp and freshwater marshland, forest, cultivated land. (Highway will be elevated across marshland.) May 7.

Maryland Route 182: from M.R. 97 at Glenmount to Argyle Club Road at Layhill (2.45 miles). Highway construction partly on new alignment. April 30.

Maryland Route 632: proposed location of the Norfolk and Western Railway grade elimination structure: Washington County. Project USG-9613(1). May 3.

I-70N: Baltimore, Maryland. Proposed alignment goes through Leakin Park and Gwynns Falls Park. Concern has been expressed that it would lead to the spread of Dutch Elm disease in the park. May 4.

State Route 129: Wilmington, Massachusetts. Widening 2,500 ft. April 29.

Massachusetts State Route 2A: relocation in Ayer-Shirley. About 1/2 mile of construction is involved, mostly on new location. May 10.

I-94 EB: Jackson County, Michigan. Modernization of existing rest area near Blackman Road west of Jackson. Involves construction of sewerage lagoons. April 28.

Trunk Highway 60: construction of a 4-lane divided highway in Watonwan County, Minnesota. From County Road 102 in Butterfield, east to junction of T.A. 60 and 15 south of Madelia. Project bypasses St. James and Butterfield. A 4(f) is attached as the highway goes through Madelia Game Center. Projects 8308-10 and 8309-12. May 17.

State Route 15: Neshoba and Newton Counties, Mississippi. About 5 miles of highway relocation. New facility will ultimately be 4 lanes. PB-198 867-D. May 3.

State Route 39: Lauderdale County, Mississippi. Relocation of 5.5 miles. Project No SP-025-2(3). May 18.

Route 727 (the Innerbelt): St. Louis County, Missouri. From Page Ave. northerly to Natural Bridge Rd. Missouri project U UG-725-1(3). April 29.

Route 100: St. Louis County, Missouri. Replacement of existing highway from Melrose and Allentown Roads easterly 2.2 miles to Glencoe Rd. Missouri F-100-1(4). PB-198 839-D. April 29.

Route 61: Lewis County, Missouri. Route 24 and 61: Marion County. And Wakonda State Park south to 0.5 mile south of Route 24. Length: 5.4 miles. Construction of additional lanes to provide a dual lane full control access facility for Route 61. Missouri projects F-FG-61-4(10), F-61-4(11), F-24-3(7). PB 199 013-D. May 13.

Route 71 and 71 Alternate: construction of a dual lane limited access facility for 17 miles from the Barton County Line to South of Carthage, Missouri. Projects F-FG-71-2(17) (19). May 24.

I-90: Construction of 8.2 miles of 4-lane, divided highway from 4.9 miles east of St. Regis to Superior, Montana. Part of project is in close proximity to the Sloway Campground. Minor parts of Clark Fork fishery will be isolated from practical utilization. Project I-90-1 (13) 39 Sloway East and West, I-90-1(40) 43 Superior West. PB-198 746-D. April 26.

I-90: from 1.5 miles east of St. Regis, Montana, south and east along existing US-10 for 3.6 miles. Involves widening to 4 lanes. Project L-90-1(13) 35. PB-198 758-D. April 27.

PA Route 22: Roosevelt and Sheridan Counties Montana. Involves 9.669 miles of highway construction. Will incorporate present highway. Alignment crosses the Medicine Lake National Wildlife Refuge. Project F-1193(18). May 17.

Nebraska 131: relocation of 2 miles from US-73-75 and old Nebraska 370, to intersection of old 131 and Harvel Rd. Project S-112(7). May 20.

Highway N-41: Filmore and Saline Counties, Nebraska. On same general alignment as an existing country road. Involves 11 miles of surfacing, a bridge over North Fork Swan Creek, etc. Project S-185(5). May 21.

Scottsbluff-Gering Bridge: Scotts Bluff County, Nebraska. New 2-lane structure for southbound traffic on Nebraska 71 across the

North Platt River. Nebraska project F-520 (5). May 14.

I-80: Cheyenne County, Nebraska. Construction of 8.5 miles of interstate highway from Potter to Brownson. Projects I-80-1(10) and S-921(3). May 3.

Recreation road: construction through Kane Springs Wash and Rainbow Canyon: Lincoln County, Nevada. Total length: 62 miles. First project is 10.8 miles. Purpose: to provide access to areas of scenic beauty and also to encourage usage of the Kershaw Canyon-Ryan State Park, etc. May 11.

Proposed East-West Freeway development between Las Vegas Blvd. (inside Las Vegas) and Russell Rd. (southeast of Las Vegas). Construction will be through a densely populated area. Nevada. May 13.

I-89: Sutton rest area, on southbound lanes in Sutton, New Hampshire. Project I-89-1(106) 25, P-1410. April 30.

New Hampshire Route 102: Seabrook. Improving alignment, etc. of 1.3 miles. S68(3). S-1544. May 4.

US-550: Shiprock to Farmington, New Mexico. About 27 miles of 4-lane highway will be constructed. Alignment will generally parallel existing construction. Projects F-032-1(13), U-032-1(14), F-032-1(15). May 5.

I-40: from junction with US-66 east of Tucumcari to Texas state line, New Mexico. Distance: 13 miles. Three alternate routes are discussed. Project I-040-6(8) 335. May 7.

State Road 32: Improvement from 13.5 miles south of Gallup to Gallup. New Mexico projects S-1300(14) and (15). May 12.

Raton North to I-25: New Mexico. About 0.8 mile of construction on new location. Project U-001-1(6). May 12.

State road 39: north of Roy-North, New Mexico. About 10 miles of construction intended to replace an obsolete section of highway. Will be a 2-lane facility along present alignment. Projects F-044-1(2), F-044-1(3). May 13.

Route 9W, Ravena-Becker's Corners, Dibbs Bridge over railroad: Bethlehem, New York. Consist of reconstruction of bridge and its approaches. N.Y. Project P.I.N. 1163.00. May 18.

S.H. 495: East Schuyler to Deerfield (Dyke Rd. Intersection), New York. Involves 2,600 ft. of reconstruction. N.Y. Project P.I.N. 2114.00. May 19.

City of Rome Arterial: New York. Statement discusses 2 alternate plans. Scheme A would utilize a 3-legged interchange in the Stanwix area. Scheme B features a clover-leaf interchange south of the Barge Canal. Both schemes would involve about 23 miles of expressway and ramp construction. Project P.I.N. 2017.00. May 21.

Route 17J: City of Jamestown East-West Arterial and the reconstruction of Jamestown to Ashtown, S.H. 1380A. Project will displace 145 families and 25 businesses. Generally follows alignment of existing 17J. New York project P.I.N. 5289.00, .01, .02. May 20.

Railroad separation and street connection: Grand Forks, North Dakota. Project begins at the intersection of 6th Ave. South and Washington St. and ends near South 5th and 4th Streets on Demers Ave. Project FG-6-902 (01) 002. May 24.

State Route 257: Delaware County, Ohio. Involves 5.2 miles of highway construction (widening, etc.). Project will require 15 acres of the Columbus Zoo Wildlife Refuge. DEL-SR 257-1.49 (unprogrammed). PB-198 679-D. April 28.

S.R. 674: from S.R. 752 northerly 2 miles to C.R. 89 at Marcy, Ohio. Widening pavement and shoulders, etc. Project PIC-SR-674-5.92(S-1625[23]). PB-198 926-D. April 30.

Licking County Road 311: Heath, Ohio. Involves 1.8 miles of highway construction on new location. Project S-SU-229(2). PB-198 684-D. May 7.

S.R. 7: Bellaire, Ohio. Replacement of existing route with a limited-access, 4-lane facility through the city. Project's length: 3.4 miles and would take 0.2 acre from Bellaire City Park. About 480 families will be displaced. Project BEL-7-14.32 (unprogrammed). PB-198 970-D. May 10.

State Route US-24: construction of a 4-lane divided limited access highway beginning at a point northeast of Waterville and ending .9 mile from I-475. Lucas County, Ohio. Project F-1043(6). PB-199 002-D. May 10.

US-50: improved alignment and grade on new location for 4.16 miles in Vinton County, Ohio. VIN-US-50-4.65 (unprogrammed). PB-198 959-D. May 11.

S.H. 123: Osage County, Oklahoma. Consists of developing a primary state highway on an alignment generally offset and contiguous to existing S.H. 123. From 10 miles north of Barnsdall, northerly for 6.6 miles. Oklahoma Project S-5732. May 20.

Pleasant Valley-Green Timber Road section of the Oregon Coast Highway in Tillamook County, Oregon. Length: 3 miles, some parts on new alignment (most follows US-101). April 29.

Powers Highway, Broadbent Section: relocation of highway approximately 1 mile north and south of Broadbent, Oregon. PB-198 694-D. May 5.

Calcon Hook Road: Delaware County, Pennsylvania. Widening of 1 mile. Project No. 3-23073-04-A02-063. PB-198 922-D. May 4.

Legislative Route 14014, Section A01 (Whitehall Road): College Township and State College Borough, Pennsylvania. Relocation of 1.2 miles of 2-lane roadway. This study considers 2 alternate alignments. PB-198 919-D. May 6.

Legislative Route 03013, Section 2, L.R. 10036, Section 1, L.R. 10037, Section 1: Armstrong and Butler Counties, Pennsylvania. Road construction on new location. Purpose: to join the two plants of the Butler County Mushroom Farm. PB-198 674-D. May 7.

Legislative Route 10063, Section 2: L.R. 10068, Section 2; L.R. 60005, Section 2: Butler and Venango Counties, Pennsylvania. Project crosses large swamp. This relocation of Traffic Route 308 is 8.14 miles long. PB-198 681-D. May 7.

I-78 (Legislative Route 1045), Sections A07 and A08: Northampton County, Pennsylvania. On new location. Project will cross Roosevelt State Park. State Projects: 1-1045-0-4-A07-055, 1-1045-0-4-A08-055. PB-198 976-D.

L.R. 1015, Sections 5, 6, 7, 8. Provides for the relocation and upgrading of TR-119, Fayette County, Pennsylvania, from the Uniontown bypass to the Pennsylvania-West Virginia State Boundary. May 18.

L.R. 1035, Spur F, Section C10, Berks County, Pennsylvania. Involves 2.7 miles of 4-lane divided highway construction on new location. State project no. 2-1035-F-4-C10-051. May 21.

L.R. 1052, Section 2, River Street Exchange, Cross Valley Expressway, Luzerne County, Pennsylvania. About 1/2 mile of 4-lane divided highway will be constructed. Project No. 3-1052-4-2043. May 21.

Haywood-Howell Road: Greenville, South Carolina. About 1.5 miles of highway construction, partly on new location. April 29.

US-76, US-178: widening between Belton and S.C. Route 252 (5 miles). South Carolina. April 29.

US-52: Berkeley County, South Carolina. Construction of multi-lane highway in and adjacent to Moncks Corner (length of project: 3.1 miles). April 30.

Lockwood Boulevard Extension: construction of a multi-lane arterial and collector route on the western side of the Charleston

peninsula, South Carolina. Will require about 40 acres of marshland. May 13.

Railroad track removal and relocation: Greenwood, South Carolina. Involves tracks belonging to Seaboard Coast Line Railroad and Southern Railway Company. May 14.

US-76, US-276 Connector: Anderson, Green and Laurens Counties, South Carolina. Project would connect US-76 near Anderson, with US-276 near Laurens. May 17.

Washington-McBee Streets: Greenville, South Carolina. Construction of multi-lane facility on new location. May 17.

State Route 30: McMinn County, Tennessee. Bypass of Athens. Length: 7.2 miles. Project F-039-1(). PB-198 854-D. April 30.

S.R. 12: construction on new location connecting existing S.R. 12 southeast of the Bordeaux Bridge with the I-265 Interchange at Eighth Ave. North Nashville, Tennessee. Before the original relocation can be funded, a new study will be required under provisions of both Section 4(f) and the NEPA. Purpose of this statement is to reevaluate the original alignment in light of conditions which have changed since 1958. Project U-012-1(4). PB-198 693-D. May 5.

State Route 24 (US-70): Davidson and Wilson Counties, Tennessee. Widening to 4-lanes from Bonnasprings Drive to 1.3 miles east of the Wilson County Line (about 4 miles). Project passes through the Hermitage (Andrew Jackson's home, the Tulip Grove Mansion, the Hermitage Presbyterian Church, etc.) An additional 115 feet of right-of-way will be needed through the Hermitage property. FAP F-024-1(). PB-198 689-D. May 6.

Appalachian Corridor "B" route: SR-93 to the Virginia State Line, Tennessee. Construction of 7 miles of 4-lane freeway. One alternate route would adversely affect an historic site. FAP No. APD-099-1(). May 14.

S.H. 49: from 0.2 mile west of L&A Railroad, east to S.H. 11 east of Hughes Springs, Texas. Total length: 5 miles. Project is a bypass of Hughes Springs. Project F 364. May 10.

S.H. 352: from Parry Avenue to Hatcher Street in Dallas, Texas. Partly on new location. Project S. 2699. May 20.

Spur 354: at loop 12 in Dallas, Texas. Reconstruction of an existing traffic circle. About 17 additional acres of right-of-way will be required. Project T 9001. May 21.

Vermont Route 100B: construction of a bypass around Moretown, Vermont. (2.7 miles). Project S 0167(). May 5.

I-95: proposed rest area on northbound lane 1.443 miles north of Henrico County Line. Hanover County, Virginia. PB-198 833-D. April 28.

Route 646: Charlotte County, Virginia. From the intersection of Routes 360 and 47 to the Charlotte-Mecklenburg County Line. Replacement of existing road with one with better alignment and grades. State project 0646-019-127, C-501. PB-198 866-D. May 3.

Route 40: Sussex County, Virginia. Relocation of 2.14 miles from east Waverly to .46 mile south of the Sussex-Surry County Line. Virginia project S-477(). PB-198 878-D. May 4.

Route 123: from 0.270 mile south of the Price William-Fairfax County Line to .648 mile north of the line, Virginia. Relocation of Route 123 to east side of Occoquan. May 5.

State Route 57: Henry County, Virginia. Involves 4.28 miles of construction, partly on new location. Project S-324(). PB-198 964-D. May 12.

US-58: 3-4 mile long bypass of Stuart, Virginia on new location. Project F 024-1(). PB-198 969-D. May 13.

I-266: construction of highway from point near I-66 where it passes over Spout Run Parkway to the Three Sisters Bridge. Arling-

ton County, Virginia. A 4(f) determination is attached since the route requires 31.6 acres of public parkland. Project I-266-2(2)80. May 19.

Route 460 (Appomattox Bypass): construction on new location of route around Appomattox, Virginia (2.9 miles). Project F-04-1(). May 20.

US-340: construction of a bypass of Luray, Virginia along the existing Secondary Route 615. Projects begins at intersection of US-340 and ends at Route 211. Length of project appears to be about 3 miles. Project F-010-1(). May 21.

US-164 (Western Freeway): construction of a new bridge and approaches over the Western Branch of the Elizabeth River, Portsmouth, Virginia. Project US-124-2(). May 26.

S.R. 515: King County (Renton City), Washington. From 196th St. to Grady Way—partly on new alignment. PB-198 920-D. May 6.

S.R. 131: realignment and widening from S.R. 10 to intersection with Hungry Junction Road, Kittitas County, Washington. FAS-0274. PB-199 055-D.

S.R. 125: relocation from 1.5 miles southwest of Walla Walla, Washington to connecting point with S.R. 12 near the west city limits of Walla Walla. 4(f) documentation attached since road passes through Fort Walla Walla Park. May 24.

Washburn County Truck Highway "A": upgrading about 3 miles of existing road. Wisconsin project FAS 0761() ID-8803-1-00. PB-198-868-D. May 3.

S.T.H. 13: reconstructing 6.1 mile segment of this arterial highway from point 3/4 mile south of Chelsea, Wisconsin to Taylor-Price County Line. Involves relocation around Westboro, Wisconsin. PB-198 881-D. May 4.

US-14, SH-33, C.T.H. "YY": LaCrosse County, Wisconsin. Rebuilding 1.5 miles of existing road. Project S 1473(1) ID-5439-1-71. PB-198 670-D. May 6.

S.T.R. 83: construction of new highway between I-94, south of Delafield on the north county line, and existing Highway 83 in Waukesha County, Wisconsin. Project will require a small piece of park land. Project T 0480(9). May 18.

S.T.R. 27 (Westby-Melvina Road): construction of an arterial facility from the intersection of S.T.H. 27 and 33 west of Cashton, Wisconsin, to a point about 1.5 miles north of Cashton. Project ID-5143-2-00. May 24.

Final

Arizona Forest Highway project 9-3(4). Verde Valley-Roosevelt Dam. Provides for grading and temporary surfacing of a 5-mile segment in Coconino National Forest, from Fossil Creek Road to about 4.6 miles east. May 26.

US-31E: replacement of 4.75 miles from a point south of Jefferson School Road in Allen County and west of existing US 31-E, northwardly to a new section of roadway south of the Barren River Reservoir, Kentucky. Project F-28(17).

FHWA 4(f) Statements:

The following are not 102 statements. They are explanations of the Secretary of Transportation's approval of projects to be implemented under Section 4(f) of the Department of Transportation Act, 49, U.S.C. Section 1653(f).

I-475: Flint, Michigan. Highway construction requires 0.80 acre of land and 0.46 acre of lake from McKinley Park and Thread Lake. May 18.

I-278: Morristown, New Jersey. Highway construction requires 0.03 acre from Morristown National Historical Park and 9.8 acres from the proposed Morris County Park. May 18.

SH-47: Rochester, New York. Highway con-

struction requires land from Genesee Valley Park. May 12.

I-65: Nashville, Tennessee. Adjustment of Franklin Pike and the construction of an interchange ramp require 1.8 acres of the 3 acre Battle of Nashville Monument. May 12.

Center Hill Road: Manchester, Vermont. Street reconstruction requires 1100 square feet from Memorial Park (but another 3100 square feet of existing roadway will be reverted to park use). May 5.

SH-83: Waukesha County, Wisconsin. Highway construction requires 6.1 acres of Nagawaukee park. April 30.

U.S. Coast Guard

Contact: William R. Riedel, DOT Coordinator, Water Resources, 400 7th Street, S.W., Washington, D.C. 20591 (202) 426-2274.

Draft

Title, description, and date

Testing of an oil containment barrier developed by the Johns-Manville Products Corp. Testing site is 50 miles west of St. Petersburg, Florida at sea. Phase I is to be conducted without oil. Phase II will be conducted in late June with soybean oil. Purpose: to verify prototype design with regard to the combined effects of waves and currents on barrier and oil retention efficiency. PB-198 697-D. May 5.

DEPARTMENT OF TREASURY

Contact: Richard E. Sliator, Assistant Director, Office of Tax Analysis, 202-964-2797.

Final

Title, description, and date

Treasury decision under Section 169 of the Internal Revenue Code of 1954, as amended. Guidelines permit taxpayer to deduct the amortizable basis of a certified pollution control facility over period of 60 months. No draft statement received. May 13.

ENVIRONMENTAL PROTECTION AGENCY

Contact: Charles Fabrikant, Director of Impact Statements Office, 1629 K St., N.W., Washington, D.C. 20460, (202) 254-7471.

Water quality office

Draft

Title, description, and date

Cobb County, Georgia, sewerage project: Chattahoochee River Sewage Treatment Plant, Rottenwood Creek Interceptor Sewer, Soper Creek Interceptor Sewer. Program consists of interceptor sewers, treatment facilities and outfall sewers, pumping stations and force mains serving 6 natural drainage areas. PB-198 858-D. April 30.

FEDERAL POWER COMMISSION

Contact: Frederick H. Warren, Commission's Advisor on Environmental Quality, 441 G St. N.W., Washington, D.C. 20426, (202) 386-6084.

Applicants' drafts. (These are not official FPC drafts. They will be followed by staff-prepared draft statements.) The FPC requests that any person desiring to be heard, to present evidence, to be advised of all hearings and proceedings, with reference to these statements, and to receive notice of proposed subsequent draft statements, file with the FPC on or before 60 days from the publication of this document in the *Federal Register*.)

City of Seattle, Washington's application for license to continue operating the New-halem Creek Plant (Project No. 2705). The plant was constructed in 1920, and consists of a 2,500 kva unit and a 10 ft. high diversion dam, etc. Located about 1½ miles above the creek's mouth. May 21.

Gilboa-Leeds 345 kv transmission line. Between Blenheim-Gilboa Project #2685 and the Leeds Substation near Athens, New York. Statement describes 2 alternates routes. It

was filed by the Power Authority of the State of New York. May 12.

Application by the Southern California Edison Co. for a relicense for their lower Tule River Project, California, which has been in operation for 61 years. Project is on the Middle and North Forks of the Tule River. It is partially within the Sequoia National Forest. Statement describes the applicant's plans for developing additional recreational facilities. Project consists of 2 dams, 32,000 ft. of conduits, a small regulating reservoir, a 2,800 ft. long steel penstock, a powerhouse with two 100 kv generators, a 50,000 ft. transmission line, etc. May 21.

Ohio Power Co.'s application for a license to construct two 20,000 kv hydroelectric generating units on the Ohio side of the U.S. Racine Locks and Dam. On the Ohio River near Racine and Pomeroy, Ohio, and Ravenswood, West Virginia. Construction by Corps of Engineers is virtually complete. The Racine Pool is a navigation pool. May 21.

Portland General Electric Co.'s application for a relicensing (for up to 50 more years) for the constructed Oak Grove Project, Oregon. Project includes the Timothy Lake seasonal storage reservoir, a forebay called Lake Harriet, a regulatory forebay called Frog Lake, a powerplant with a peak capacity of 49,000 kilowatts, 18 miles of transmission line, etc. May 21.

Montana Power Co.'s application for a relicensing of Mystic Lake Project, Montana. Project was constructed during 1920-27 and consists of a headwater storage reservoir (Mystic Lake), 2½ miles of closed conduit, a powerhouse with a capacity of 10,000 kilowatts, transmission lines, etc. There are plans to construct a dam and regulating reservoir at the lower end of West Rosebud Lake that would increase its depth from 3 to 14 ft. May 21.

Pennsylvania Power and Light Co.'s application for a relicensing of a project constructed in 1910: the Holtwood Project # 1881, on the Susquehanna River in Pennsylvania. The concrete gravity overflow dam forms Lake Alfred. Statement describes recreation facilities and plans for their extension. May 21.

Consolidated Water Power Co.'s application for relicense for Biron Project # 2192, located on the Wisconsin River in Wood and Portage Counties, Wisconsin. The Baron project, a 13 mile long reservoir, supplies water to turbines located at the mill of Consolidated Papers, Inc. (Both electric and mechanical energies are produced.) The project has been in existence since 1933. May 21.

Draft

Natural gas pipeline in Vermilion offshore area of Southern Louisiana. Application to construct and operate 74.5 miles of 36 inch pipeline. Application filed by Columbia Gulf Transmission Co. and Columbia Offshore Pipeline Co., joined by Tennessee Gas Pipeline Co. and Bonita Transmission Co. Docket # CP 68-231. A permanent offshore platform is proposed. May 12.

Application for major license by Puget Sound Power and Light Co. for the Snoqualmie Falls Project #9493. In the region of Snoqualmie and Falls City on the Snoqualmie River, Washington. Consists of a small concrete dam with flashboards; two generating plants; two transmission lines (0.06 and 0.5 miles long.) Project has been in operation since 1898—the applicant is asking for renewal of their license for up to 50 more years. May 17.

Natural Gas Pipeline Co of America's application to construct and operate a natural gas transmission line from Cameron Parish onshore into the West Cameron Area of offshore Louisiana. Construction involves cross-

ing about 4 miles of marsh, a small amount of high ground, and some 40 miles of gulf floor. Also involves construction of an offshore platform. May 24.

GENERAL SERVICES ADMINISTRATION

Contract: Rod Kreger, Deputy Administrator, General Services Administration-AD, Washington, D.C. 20405, 343-6077.

Alternate Contact: Aaron Woloshin, Director, Office of Environmental Affairs, General Services Administration-ADF (202) 343-4161.

Draft

Title, description, and date

Disposal of 288.75 acres of the Missouri Valley National Guard facility: Harrison County, Iowa. Would go to HEW for transfer to Iowa Western Community College. PB-198 865-D. May 3.

Disposal of Penitentiary Honor Farm No. 2: Panthersville, Georgia. Substantial part of this 579 acre farm will be conveyed to State and local public agencies for park, school and hospital uses. PB-198 871-D. May 3.

Disposal of 35.3 acres comprising the Administrative and Launcher Areas, NIKE batteries LA-70 and LA-73, Los Angeles, California. Proposed sale of this land to the Department of Airports. PB-198 886-D. May 4.

Final

Consolidated Federal Law Enforcement Training Center: Beltsville, Maryland. This training facility for police officers and criminal investigators who carry firearms and have explicit arrest authority as Federal agents is proposed to be located on a 491 acre site. Training includes use of firearms and police vehicles. PB-199 026-F. (\$6.00). May 12.

INTERNATIONAL BOUNDARY AND WATER COMMISSION

(United States and Mexico)

Contact: Joseph F. Friedkin, Commissioner, (915) 532-5476.

Alternate Contact: T. M. Martin, ARA/Mex., Department of State, Room 3906 A, Washington, D.C. 20520, (202) 632-1317.

Draft

Title, description, and date

Hidalgo-Reynosa International Channel Relocation Project. Comments on draft (3/16) from Texas Water Quality Board; EPA; Texas Water Development Board; Bureau of Sport Fisheries and Wildlife; Lower Rio Grande Valley Development Council; Executive Dept., Austin, Texas; Texas Parks and Wildlife Dept.; Soil Conservation Service; Bureau of Outdoor Recreation; National Park Service; HEW. April 28.

TENNESSEE VALLEY AUTHORITY

Contact: Dr. Francis Gartrell, Director of Environmental Research and Development, (615) 755-2002.

Draft

Title, description, and date

Watts Bar Nuclear Plant, Units 1-2: Rhea County, Tennessee. Describes plans for recycling tritiated water, increasing holdup time of gaseous wastes from 45 to 60 days, using closed-cycle cooling towers to avoid discharge of large quantities of heated water into Chickamauga Reservoir. Adverse effects: plant will release small quantities of radioactivity in low-level concentrations. Cooling tower plumes may result in local fogging and icing in adverse weather. May 19.

Allen Gas Turbine Plant—Units 17-20: Memphis, Tennessee. Purpose: to assure a reliable power supply under peak or emergency conditions. Designed to use natural gas or distillate fuel oil. The addition will have a total generator nameplate rating of 238,300 kv. May 21.

SUMMARY OF 102 STATEMENTS FILED WITH THE CEQ THROUGH MAY 31, 1971 (BY AGENCY)

	Draft 102's for actions on which no final 102's have yet been received	Final 102's on legislation and actions	Total actions on which final or draft 102 statements for Federal actions have been received		Draft 102's for actions on which no final 102's have yet been received	Final 102's on legislation and actions	Total actions on which final or draft 102 statements for Federal actions have been received
Atomic Energy Commission.....	29	17	46	Department of Treasury.....	2	1	3
Appalachian Regional Commission.....	1	0	1	Environmental Protection Agency.....	2	5	7
Delaware River Basin Commission.....	4	0	4	Federal Power Commission.....	7	4	11
Department of Agriculture.....	28	63	91	General Services Administration.....	15	1	16
Department of Commerce.....	0	2	2	International Boundary and Water Commission—			
Department of Defense.....	3	2	5	United States and Mexico.....	2	1	3
Air Force.....	1	0	1	National Aeronautics and Space Administration.....	20	0	20
Army.....	3	1	4	National Science Foundation.....	2	0	2
Army Corps of Engineers.....	84	177	261	Office of Science and Technology.....	0	1	1
Navy.....	5	0	5	Tennessee Valley Authority.....	6	0	6
Department of Housing and Urban Development.....	3	1	4				
Department of Interior.....	39	20	59	Total.....	750	358	1,108
Department of Transportation ¹	494	62	556				

¹4(f) statements received from DOT are not included.

SUMMARY OF 102 STATEMENTS FILED WITH THE CEQ THROUGH MAY 31, 1971 (BY PROJECT TYPE)

	Draft statements for actions on which no final statements have yet been filed	Final statements on legislation and actions	Total actions on which final or draft statements for Federal actions have been received		Draft statements for actions on which no final statements have yet been filed	Final statements on legislation and actions	Total actions on which final or draft statements for Federal actions have been received
AEC nuclear development.....	8	4	12	Roads.....	399	1	400
Aircraft, ships and vehicles.....	1	1	2	Plus roads through parks.....	42	2	44
Airports.....	31	54	85	Space programs.....	6	0	6
Buildings.....	0	3	3	Waste disposal:			
Bridge permits.....	18	2	20	Detoxification of toxic substances.....	3	0	3
Defense systems.....	2	0	2	Munition disposal.....	1	2	3
Forestry.....	1	3	4	Ocean dumping.....	0	0	0
Housing, urban problems, new communities.....	6	0	6	Radioactive waste disposal.....	2	0	2
International boundary.....	2	1	3	Recycling.....	0	0	0
Land acquisition, disposal.....	14	4	18	Sewage facilities.....	2	1	3
Mass transit.....	3	0	3	Solid wastes.....	1	0	1
Mining.....	5	1	6	Water:			
Military installations.....	6	1	7	Beach erosion, hurricane protection.....	2	16	18
Natural gas and oil:				Irrigation.....	12	7	19
Drilling and exploration.....	3	1	4	Navigation.....	18	66	84
Transportation, pipeline.....	2	2	4	Municipal and industrial supply.....	4	0	4
Parks, wildlife refuges, recreation facilities.....	5	5	10	Permit (Refuse Act, dredge and fill).....	0	0	0
Pesticides, herbicides.....	2	9	11	Watershed protection and flood control.....	76	149	225
Power:				Weather modification.....	7	1	8
Hydroelectric.....	11	1	12	Research and development.....	15	0	15
Nuclear.....	23	13	36	Miscellaneous.....	3	3	6
Other.....	9	1	10				
Transmission.....	3	4	7	Total.....	750	358	2,108
Railroads.....	2	0	2				

CONSUMER LEGISLATION

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. WALDIE. Mr. Speaker, I have today joined in sponsoring the Truth in Savings Act which would establish a fair method of disclosing pertinent information on consumer deposits in savings institutions.

I welcome this proposal as another step—and an important step—toward public awareness in those areas which heretofore did not offer protection to their customers or potential customers.

While this bill would not impose uniformity in earning computation methods, it would require full disclosure of information regarding these computations and payments of interest.

The savings institution would be required to disclose its annual and periodic rates, the length of time a deposit must remain on deposit for earnings to be payable at that percentage rate, the annual percentage yield, the number of times earnings are compounded, and the dates the earnings are payable.

I believe this required disclosure would

be a fair and simple method of informing the consumer of the basic facts he needs to intelligently decide what is in his best interests.

The bill follows:

H.R. —

A bill to provide for uniform and full disclosure of information with respect to the computation and payment of interest on certain savings deposits

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the Truth in Savings Act¹.

FINDINGS AND PURPOSE

SEC. 2. The Congress finds that economic stability would be enhanced and competition among savings institutions would be improved by the full disclosure of the terms and conditions under which earnings on savings deposits is payable. It is the purpose of this Act to require a meaningful disclosure of the terms and conditions of the payment of earnings on individual savings deposits so that the individual will be able to compare the various savings programs available to him.

DEFINITIONS: APPLICABILITY

SEC. 3. (a) For the purpose of this Act—
(1) "Board" means the Board of Governors of the Federal Reserve System;

(2) "individual" means a natural person;

(3) "individual savings deposit" means any deposit or account which consists of funds (A) deposited to the credit of one or more individuals, or (B) in which the entire beneficial interest is held by one or more individuals, and upon which earnings if payable, and such term includes regular, notice, or time deposits or share accounts and any other such deposit or account whether or not evidenced by a negotiable or nonnegotiable instrument;

(4) "earnings" means any amount payable to or for the account of any individual as compensation for the use of funds constituting an individual savings deposit and such term includes dividends and interest on any individual savings deposit;

(5) "payable", when used with respect to a certain date or period of time, means the date on which or the period of time after which an absolute right to earnings exists;

(6) "savings institution" means any person who in the regular course of his business receives, holds, and pays earnings on individual savings deposits; and

(7) any reference to this Act, to any requirement imposed under this Act, or to any provision thereof includes reference to the regulations of the Board under this Act or the provision thereof in question.

(b) Nothing in this Act applies to any transaction involving—

(1) a deposit of funds if the principal purpose of that deposit is to secure or guarantee the performance of a contract or the

conditions of a contract for the sale or use of goods, services, or property;

(2) interest payable on premiums, accumulated dividends, or amounts left on deposit under an insurance contract;

(3) a deposit of funds of a principal amount in excess of \$25,000; or

(4) any obligation issued by any Federal, State, or local government, or any agency, instrumentality, or authority thereof, except that the Board may prescribe rules and regulations to require disclosures by any agency, instrumentality, or authority of the Federal Government.

DETERMINATION OF ANNUAL PERCENTAGE RATE, PERIODIC PERCENTAGE RATE, AND ANNUAL PERCENTAGE YIELD

SEC. 4. (a) The annual percentage rate applicable to any individual savings deposit is that nominal annual percentage rate which will yield a sum equal to the amount of earnings payable in one year when that rate is applied to the principal amount (excluding any earnings theretofore paid or credited in that year) of an individual savings deposit.

(b) The periodic percentage rate is the annual percentage rate divided by the number of compounding periods in one year.

(c) The annual percentage yield applicable to any individual savings deposit is that nominal annual percentage rate which will yield a sum equal to the amount of earnings payable in one year when that rate is applied to a sum equal to the principal amount of an individual savings deposit plus any earnings theretofore paid or credited to that deposit in that year and not withdrawn during that year.

REGULATIONS

SEC. 5. (a) The Board shall prescribe regulations to carry out the purposes of this Act. These regulations shall provide for clear, concise, and uniform disclosures of information required by this Act, and may contain such classifications, adjustments, and exceptions as the Board determines are necessary or proper to effectuate the purposes of this Act. All disclosures required by this Act shall be made only in terms as defined or used in this Act, as defined or used in the Truth in Lending Act or in regulations prescribed under that Act, or as such terms are further defined by the regulations of the Board. The Board may authorize the use of tables or charts for the disclosure of information required by this Act.

(b) The Board may prescribe such other rules and regulations as it determines to be necessary or appropriate to carry out the purposes of this Act.

GENERAL REQUIREMENTS OF DISCLOSURE

SEC. 6. (a) Each savings institution shall disclose in writing to any individual at a time before he initially places funds in an individual savings deposit in such savings institution the following information with respect to individual savings deposits:

- (1) The annual percentage rate;
- (2) the minimum length of time a deposit must remain on deposit so that earnings are payable at that percentage rate;
- (3) the annual percentage yield;
- (4) the periodic percentage rate and the method used to compute the balance to which this rate will be applied;
- (5) the number of times each year earnings are compounded;
- (6) the dates on which earnings are payable;
- (7) any terms or conditions which increase or reduce the rate of earnings payable above or below items (1) or (3);
- (8) any charges initially or periodically made against any deposits; and
- (9) any restrictions and the amount or method of determining the amount of penalties or charges imposed on the use of funds in any deposit.

(b) Each savings institution shall disclose annually and at the time any earnings payment or report is made to an individual with respect to his individual savings deposit—

- (1) the amount of earnings payable;
- (2) the annual percentage rate;
- (3) the periodic percentage rate;
- (4) the principal balance to which the annual percentage rate was applied, and the method by which that balance was computed;

(5) a detailed explanation of the difference, if any, between the amount of earnings payable and the maximum amount of earnings that would have been payable if the terms and conditions for such maximum payment had been met; and

(6) any charges made against the principal of the deposit during the period covered for purposes of computing the payment of earnings or making the report.

(c) The Board may, by regulation, authorize or require the disclosure of periodic percentage rates, tables of periodic factors which reflect compounding, and such other information as it determines to be necessary or appropriate in order to facilitate the individual's ability to verify the computation of earnings payable on any individual savings deposit.

(d) Not less than ten days before a savings institution adopts any change in policy or procedure with respect to any item of information required to be disclosed under this section, that institution shall notify each individual depositor of each such change.

DISCLOSURES IN ADVERTISING

SEC. 7. (a) Every advertisement relating to the earnings payable on an individual savings deposit shall state with equal prominence (1) the annual percentage rate, and (2) the annual percentage yield, with respect to such deposit. If that rate or yield is payable only on a deposit which meets certain minimum time or amount requirements, those requirements shall be clearly and conspicuously stated.

(b) No such advertisement, announcement, or solicitation shall—

- (1) include any indication of any percentage rate or percentage yield based on a period in excess of one year or on the effect of any grace period; or
- (2) make use of the term "profit" in referring to earnings payable on such deposits.

ADMINISTRATIVE ENFORCEMENT

SEC. 8. (a) Compliance with the requirements imposed under this Act shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act, in the case of—

(A) national banks, by the Comptroller of the Currency;

(B) member banks of the Federal Reserve System (other than national banks), by the Board;

(C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), by the Board of Directors of the Federal Deposit Insurance Corporation;

(2) section 5(d) of the House Owners' Loan Act of 1933, section 407 of the National Housing Act, and sections 6(1) and 17 of the Federal Home Loan Bank Act, by the Federal Home Loan Bank Board (acting directly or through the Federal Savings and Loan Insurance Corporation), in the case of any institution subject to any of those provisions; and

(3) the Federal Credit Union Act, by the Administrator of the National Credit Union Administration with respect to any Federal Credit Union.

(b) For the purpose of the exercise by any agency referred to in subsection (a) of its powers under any Act referred to in that subsection, a violation of any requirement

imposed under this Act shall be deemed to be a violation of a requirement imposed under that Act. In addition to its powers under any provision of the law specifically referred to in subsection (a), each of the agencies referred to in that subsection may exercise, for the purpose of enforcing compliance with any requirement imposed under this Act, any other authority conferred on it by law.

(c) Except to the extent that enforcement of the requirements imposed under this Act is specifically committed to some other Government agency under subsection (a), the Federal Trade Commission shall enforce such requirements. For the purpose of the exercise by the Federal Trade Commission of its functions and powers under the Federal Trade Commission Act, a violation of any requirement imposed under this Act shall be deemed a violation of a requirement imposed under that Act. All of the functions and powers of the Federal Trade Commission under the Federal Trade Commission Act are available to the Commission to enforce compliance by any person with the requirements imposed under this Act, irrespective of whether that person is engaged in commerce or meets any other jurisdictional tests in the Federal Trade Commission Act.

(d) The authority of the Board to issue regulations under this Act does not impair the authority of any other agency designated in this section to make rules respecting its own procedures in enforcing compliance with requirements imposed under this Act.

RIGHT OF RECISSION ON TIME DEPOSITS

SEC. 9. In the case of any individual savings deposit subject to a time requirement, the individual shall have the right to a full return of his deposit with earnings therein at the advertised annual percentage rate until midnight of the thirtieth day following the making of that deposit or the delivery of the disclosure required under this section and section 6(a) of this Act, whichever is later. The savings institution shall clearly and conspicuously disclose to any individual subject to this section his rights under this section.

CIVIL LIABILITY

SEC. 10. (a) Except as otherwise provided in this section, any savings institution which falls in connection with any transaction subject to this Act to disclose to any individual any information required under this Act to be disclosed to that individual is liable to that individual in an amount equal to the sum of—

(1) twice the amount of the interest in connection with the transaction, except that the liability under this paragraph shall not be less than \$100 nor greater than \$1,000; and

(2) in the case of any successful action to enforce the foregoing liability, the costs of the action together with a reasonable attorney's fee as determined by the court.

(b) An institution has no liability under this section if within fifteen days after discovering an error, and prior to the bringing of an action under this section or the receipt of written notice of the error, the institution notifies the individual concerned of the error and makes whatever adjustments in the appropriate deposit are necessary.

(c) An institution may not be held liable in any action brought under this section for a violation of this Act if the institution shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

(d) Any action under this section may be brought in any United States district court, or in any other court of competent jurisdiction, within one year from the date of the occurrence of the violation.

CRIMINAL LIABILITY FOR WILLFUL AND KNOWING VIOLATION

SEC. 11. Whoever willfully and knowingly (1) gives false or inaccurate information or fails to provide information which he is required to disclose under the provisions of this Act, or (2) otherwise fails to comply with any requirement imposed under this Act shall be fined not more than \$5,000.

VIEWS OF OTHER AGENCIES

SEC. 12. In the exercise of its functions under this Act, the Board may obtain upon request the views of any other Federal or State agency which, in the judgment of the Board, exercises regulatory or supervisory functions with respect to any class of savings institutions subject to this Act.

EFFECT ON OTHER LAWS

SEC. 13. (a) This Act does not annul, alter, or affect, or exempt any savings institution from complying with the laws of any State relating to the disclosure of information in connection with individual savings deposits, except to the extent that those laws are inconsistent with the provisions of this Act or regulations promulgated under this Act, and then only to the extent of the inconsistency.

(b) This Act does not otherwise annul, alter, or affect in any manner the meaning, scope, or applicability of the laws of any State, including, but not limited to, laws relating to the types, amounts or rates of earnings, or any element or elements of earnings, permissible under such laws in connection with individual savings deposits, nor does this Act extend the applicability of those laws to any class of persons of transactions to which they would not otherwise apply.

(c) Except as specified in section 9, this Act and the regulations promulgated under this Act do not affect the validity or enforceability of any contract or obligation under State or Federal law.

REPORT TO CONGRESS

SEC. 14. The Board shall report to the Congress each year concerning the administration of its functions under this Act, and shall include in its report an assessment of the extent to which compliance with the requirements under this Act is being achieved and such recommendations as it deems necessary or appropriate.

SEPARABILITY

SEC. 15. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

VOLUNTARY PRAYER PETITION

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. MOLLOHAN. Mr. Speaker, as of Wednesday afternoon, I have been informed, there were 130 Members of the House who had signed a petition to force the Judiciary Committee to release its hold on legislation to amend the Constitution to permit voluntary, nondenominational prayer in public buildings.

The petition requires 218 signatures, and I urge my fellow colleagues to sign this petition to insure that this legisla-

tion, so popularly demanded by large sections of our society, is given a true test on its merits.

MEDAL OF HONOR HEROES—UNKNOWN IN THEIR OWN LAND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. RARICK. Mr. Speaker, yesterday seven American fightingmen were rewarded for their courageous acts of heroism above and beyond the call of duty. Each was personally presented the Congressional Medal of Honor by the President of the United States in a dignified ceremony at the White House. The presentation committee from the executive department included Secretary of Defense Laird, Secretary of the Army Resor, Secretary of the Navy Chafee, accompanied by General Westmoreland, Chief of Staff of the U.S. Army, and General Davis of the U.S. Marine Corps. Also present and witnessing the ceremony were immediate members of the recipients' families and their respective Congressmen.

Notably absent, and apparently showing little or no interest, were representatives of the communications media.

This morning's Washington paper carried a column of three small paragraphs at the bottom of page A-18, one of which was devoted to the names of the recipients. By the time of the final edition of the morning paper, even this short account had been deleted.

An afternoon paper made no mention of the ceremony or the recipients. The evening paper, on page A-2, carried small pictures of six recipients over the caption "Win Medal of Honor." The outline read:

These six members of the U.S. Army were awarded the Medal of Honor yesterday in a ceremony at the White House. All were cited for gallantry in Vietnam.

The names of the six recipients were then given. Missing from the evening story was the name of the seventh recipient, my constituent, Pfc. Raymond M. Clausen, Jr., of the U.S. Marine Corps.

Explanations as to why his picture did not appear in the AP report are open to speculation. It could be because he was a marine, or that a seventh picture would not balance out the article; or that he, being a Louisianan, is a southerner; or that his name identifies his national origin as German.

This is but one classic example of the lack of acclaim by the American people for the real heroes of the hour as well as who is responsible for this. If the communications media does not carry reports and stories of the gallant deeds performed by our decorated fightingmen, how can we expect the people to know who their heroes really are?

Policymakers of the communications media must have passed judgment and concluded that such an event as honoring decorated combat veterans is routine

and nonnewsworthy. If so, they slight their own security because these are the caliber of men who fought to preserve freedom of the press.

On the other hand, on page 1 of the Washington Post this morning was a very large picture of a man throwing a Molotov cocktail at advancing National Guard troops in Albuquerque, N. Mex.; and on the front page of the evening paper was the picture of a courageous judge who was rebuked for having threatened a dope addict. Also, on the front page of the evening paper was a lengthy report of a dog crisis resulting from police brutality in the enforcement of a dog leash law; and finally, another front-page story, most significant in comparison with the treatment given the Medal of Honor winners, was an account of the undesirable discharge of an Air Force sergeant for taking part in an anti-Vietnam war demonstration. Accompanying the account was a large photo of supposed military dissidents, one dressed in a clenched fist T-shirt and others with clenched fist armbands around their legs.

It is little wonder that our people's thinking and direction is so upside down today—when heroes go all but ignored, while sensationalists, do-gooders, undesirable, and law violators are made matinee idols and receive front-page coverage.

HOUSE RESOLUTION 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 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.

DISCRIMINATION IN PRIVATE
CLUBS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. WOLFF. Mr. Speaker, on April 30, Paul Townsend, the distinguished editor and publisher of the Long Island Commercial Review and a man known throughout our region for his high principles, devoted his entire column to the subject of discrimination in private clubs.

I think that this particular column has a message of import to us all, and I would accordingly like to share it with my colleagues.

[From the Long Island (N.Y.) Commercial Review, Apr. 30, 1971]

TOWNSEND LETTER

May is the month when LI executives get together at annual dinners of the National Conference of Christians and Jews to congratulate ourselves on how much progress we are making in eliminating discrimination. Unfortunately our works don't equal our words . . . in fact fact, *LONG ILLUSION* might be a better term for *LONG ISLAND* in this significant area just as it can fairly be applied to our lack of real progress in lower-income housing discrimination.

But two years ago the National Conference gave special recognition to the Mill River Club in Upper Brookville for its unique achievement in the area of social non-discrimination. In my column of 12/10/68 I commented on the upcoming award in this fashion:

"There is a lot of talk these days about ecumenism and closer friendlier relationships between people of different faiths. We have prestigious organizations devoted to furthering these goals. But here on Long Island, a real milestone in non-secretarianism has been achieved quietly, effectively, and with absolutely no public attention at all.

"Here right in our front yard, a true social revolution has quietly taken place. For the first time, a social country club with a non-sectarian ideal has been established and four years later is moving even closer to a completely equal balance of Jews and Gentiles. And all the while, the Membership Committee has maintained its own rigid standards, evaluating applicants solely in terms of their desirability as members, but maintaining a 'Wait List' where there was risk of 'tipping' too far toward one group.

"From the very beginning in 1964, the concept of the organizers of a 'truly balanced non-sectarian club' was spelled out as a basic condition of membership, other high standards for members were maintained, and sound management and planning brought in a fine golf course and luxurious facilities at very low cost.

"Many other clubs have been founded with a like goal, some on Long Island, but in all of them, the balanced non-sectarian ideal has foundered under economic pressures of fast recruiting of bond holders and dues payers, under mistaken idealism which denies any 'benign quota', under failure to fully inform all prospective members of this basic condition of membership, and under a lack of understanding of the necessity of holding within the 'tipping point' of a close balance.

"Some day, 'The Mill River Story' will be an international story . . . and one in which Long Islanders can take particular pride."

The Mill River Story hasn't yet become an international story . . . but it should be soon.

Long Island can now proudly claim that it is the cradle of true brotherhood boasting quietly and unobtrusively of the only . . . repeat, only . . . country club in the nation that operates on an ethnically-balanced philosophy.

For all the talk by do-gooders from coast to coast, the sprawling estate grounds of Mill River house is the only happy club membership where the main qualification is staunch support of the social brotherhood of man.

Members values continually expand as they meet and grow to know people of other faiths, races and nationalities. Families exchange cultures fostering a simple and basic channel of understanding. And talking to Mill River members, one realizes that there is a solid feeling of accomplishment at their very special choice for leisure hours.

Mill River is more than a Club. It's a successful social revolution of which Long Islanders can be particularly proud.

THE HOLY BIBLE—A GUIDE TO TO-
DAY'S YOUTH PROBLEM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. RARICK. Mr. Speaker, one of the finest analyses of youth problems that has come to my attention is contained in the text of a message delivered by Rev. Dwight Porter at the State convention of the Church League of America at Cape Canaveral, Fla., in April 1971.

Reverend Porter advises that we must get back to the Biblical method of rearing our children. And to that advice, I say, "Amen."

I recommend the message be read by every Member of Congress, their staff assistants, the whole White House contingent, the Supreme Court, and the general public.

I insert Reverend Porter's message at this point in my remarks.

TODAY'S YOUTH PROBLEM

One look around us reveals the consequence of a dreadful moral deterioration. It is the consequence of taking the Word of God out of our homes, schools and most churches. Man is no longer a noble soul with individual worth. Everything now revolves around society or the establishment. Our universities are reaping what they have sown the past sixty years. They have sown materialistic humanism and are now reaping the automatic chaos. They have made man the center of reality with the consequence being anarchy. They have replaced moral standards with moral relevancy, which has brought on the disintegration of moral standards. Thus the reason for the lack of absolutes of right and wrong.

Volumes can be written, describing the pathetic condition of many young people. We are grateful that it does not include all of them. Each year 750,000 young people run away from their parents, relatives, neighborhood, school, and church. Youth under 18 are responsible for one half of all the serious crimes. Fifteen year olds commit more serious crimes than any other age. A recent Gallup Poll of 55 college campuses revealed that three out of four students said that it was not important that the person they marry be a virgin.

What generates such conduct and attitude? "From whence come wars and fightings among you? Come they not hence, even

of your lusts that war in your members? Ye lust, and have not: ye kill, and desire to have, and cannot obtain: ye fight and war, yet ye have not, because ye ask not. Ye ask, and receive not, because ye ask amiss, that ye may consume it upon your lusts. Ye adulterers and adulteresses, know ye not that the friendship of the world is enmity with God? Whosoever therefore will be a friend of the world is the enemy of God." James 4:1-4.

The Word of God not only gives us the solution to our current problem, but it also communicates a description of our present situation.

"This know also, that in the last days perilous times shall come. For men shall be lovers of their own selves, covetous, boasters, proud, blasphemers, disobedient to parents, unthankful, unholy, without natural affection, trucebreakers, false accusers, incontinent, fierce, despisers of those that are good. Traitors, heady, highminded, lovers of pleasures more than lovers of God; Having a form of godliness, but denying the power thereof: from such turn away. For of this sort are they which creep into houses, and lead captive silly women laden with sins, led away with divers lusts, ever learning, and never able to come to the knowledge of the truth." II Timothy 3:1-7.

In this last verse, we see a perfect picture of the pseudo intellectuals of our day.

PERMISSIVENESS

If backed into a corner and pressed for one word of explanation for the moral deterioration of youth in America, I would use the word, permissiveness.

Governor Ronald Reagan of California has made a sober analysis of our present day dilemma. "In our humanitarian society we have safeguarded the rights of the accused. Nothing horrifies us so much as the possibility of punishing the non-guilty. But now we have carried this to a concern for the guilty. We do not call the criminal a criminal; he is a patient made ill by the failure of society. And since the society cannot be tried for its crime, why should he take the blame? Permissiveness from cradle to crime is our philosophy, and what were considered privileges are now recognized as rights, and first and foremost is the right to adjust any grievance by the nearest means at hand, be it rock, club or firebomb."

Permissiveness always starts with parents. Few youth, who swung clubs in campus riots, had parental switches applied at the proper time and place during their childhood. It is absolutely shocking to see parents and educators, who are actually afraid of teen agers. This is a tragedy. Let me stop and remind you that no sloppy dressed, unclean, long haired, effeminate, pimply punk is going to tell me what's wrong with America. Unless he is doing all he can, on a personal level, to be the best cooperative citizen, he will have no message for me.

Instead of wringing our hands and crying, where did we go wrong, let us assume our democratic prerogative of the 80,000,000 strong adult majority and train our youth instead of debating with them. I refuse to accept that what is old is necessarily bad and what is new is always good. I cannot accept the decay of our national attitude toward law and order as a necessary step in the progress of our nation.

As much as ever, our youth need a cause and purpose. They need to be challenged by standards that demand discipline and hard work. Never forget that God has sufficient challenge and motivation for every young person.

Rita Kramer did all of us a service in her articles in the New York Times. She took a backward look at permissiveness in the mid forties and fifties' as she reread magazines on child rearing. In the forties, articles on children dealt mostly with emotional de-

velopment. The psychiatrists and psychologists replaced pediatricians as authors. The 1954 Woman's Home Companion advised:

"When your child has a tantrum, lies down on the floor, bangs his head and screams, or may kick and bite, scratch and cry, it is a perfectly natural thing for him to do. In most cases the reason for the tantrum lies not with child but with the adult. He makes an issue over some insignificant situation and the child objects."

Solution: "Divert the child by saying, let us go out and play or by starting a favorite game." If it does not work, "My advice is to do nothing at all. No tantrum will go on indefinitely, and when its all over, don't scold or punish your child. Try to make him happy, do what he is interested in. Punishment will only harm his development."

The emphasis during these days of World War II was to be careful that we don't break the child's will. How different from the mother who produced John and Charles Wesley. Historians inform us that the entire history of Europe was turned completely around because of the spiritual impact John Wesley had upon that morally depraved continent.

Mrs. Wesley said, "The first thing to be done is to conquer the children's will and bring them to an obedient temper. The subjection of their will is a thing which must be done at once. For by neglecting timely correction, they will contract a stubbornness and obstinacy which is hardly ever conquered; and never without using such severity as would be as painful to me as to the child. Whenever a child is corrected, it must be conquered; and this will be no hard matter to do, if he be not grown headstrong by too much indulgence. Self will is the root of sin and misery. No indulgence of it can be trivial, no denial of it unprofitable."

Back to the child psychiatrists of World War II. Here is advice for a child breaking dishes: "What the child really needs is a lessening of demands. If a parent succeeds in getting strict unquestioned obedience, he has a child better adapted to living in the Nazi Society than in a democratic one."

Back in this period of time the emphasis was on freedom. Children should never be criticized or corrected. We should either praise them or be quiet. In the Ladies Home Journal in 1951 in an article under the title of "My Children Won't Obey," the reader was admonished to be fearful of strict discipline, for such children will develop inferiority complexes.

What strange parents we have today! They use good sense with hygiene and sanitation. They demand cleanliness and good table manners. They even force their children to go to school for twelve years, whether they want to or not. But when it comes to a most important area of their lives, the moral and spiritual, they play the fools. We listen to the teaching of some naive, too often irreligious psychologist, or follow the advice of some impractical, skeptical instructor. We permit our children to grow up without moral and spiritual guidance during the most formative period of their lives. The mother is out of home working. The father is too busy earning money for his family. Neither of them have time to spend with the children. Then we wonder about juvenile delinquency.

CONSEQUENCES OF PERMISSIVENESS

There are a number of examples of the failure of parents that are recorded in the Bible. David was guilty of adultery and murder; but did you know that he was also a permissive parent? This is evident in his relationship with one of his sons, Adonijah. "And his father (David) had not displeased him at any time in saying why hast thou done so?" I King 1:6.

Look at the consequences in the life of David. His son Adonijah had a scheming ambition. His son, Amnon, was guilty of in-

cest. Absalom's proud rebellion against the kingdom of his father was a disgrace and ended in murder.

Eli paid a dear price for his failure as a parent. "In that day I will perform against Eli all things which I have spoken concerning his house; when I begin, I will also make an end. For I have told him that I will judge his house forever for the iniquity which he knoweth; because his sons made themselves vile, and he restrained them not." I Samuel 3:12, 13.

The greatest responsibility for today's condition of our youth rests with parents. They have a responsibility entrusted to them by God. "Train up a child in the way he should go; and when he is old, he will not depart from it." Proverbs 22:6.

Our moral, spiritual and social values are established in the home. This is the assigned responsibility of parents. Our educational system is not to establish our moral standards. Nor are the peers of the youth able to establish such. No, TV is not the established standards in the life of anybody. Did you know that the average child in America views 22,000 hours of TV before he reaches his teens? The average adult will spend nine years of his life looking at TV by the time he reaches 65. What a phony value of life TV presents.

OBEDIENCE AND DISCIPLINE

Training involves these two things: Somewhere in today's activities, we have forgotten the blessing of obedience and the curse of disobedience. Listen to God's statements on this important subject:

"Behold, I set before you this day a blessing and a curse; A blessing, if you obey the commandments of the Lord your God, which I command you this day; And a curse, if ye will not obey the commandments of the Lord your God, but turn aside out of the way which I command you this day, to go after other gods, which ye have not known." Deuteronomy 11:26-28. This plain standard was given to Israel and we all know the consequence of her failure. God will make no exceptions for America. If you question that, look back to Babylon and the Roman and Grecian Empires.

Somebody implies that this is in the Old Testament and has no bearing for us today. All of the ten commandments are repeated in the New Testament except one. The one exception is remembering the Sabbath Day.

If children are to obey, they must see a demonstration of obedience by mother and father; for our training includes not only the way the children should go but also the accompanying negatives as to the way they should not go.

"Correct thy son, and he shall give thee rest: yea he shall give delight unto thy soul." Proverbs 29:17. If we speak more than once to our children, it is evident that our authority is not absolute. If we ignore Bible principles, we do it only to our detriment.

PUNISHMENT DEMANDED

Proverbs 19:18 "Chasten thy son while there is hope, and let not thy soul spare for his crying."

Proverbs 22:15 "Foolishness is bound in the heart of a child; but the rod of correction shall drive it far from him."

Proverbs 23:13, 14 "Withhold not correction from the child; for if thou beatest him with the rod, he shall not die. Thou shalt beat him with the rod, and shalt deliver his soul from Hell."

Proverbs 29:15 "The rod and reproof give wisdom; but a child left to himself bringeth his mother to shame." Always remember the pre-requisite for our children bringing us shame is simply to ignore them.

Proverbs 13:24 "He that spareth his rod hateth his son; but he that loveth him chasteneth him betimes."

A BIBLE PATTERN

Chastening and discipline for wrong doing is a Biblical pattern. Hebrews 12:6, "For whom the Lord loveth he chasteneth, and scourgeth every son whom he receiveth."

Proverbs 3:11, 12, "My son, despise not the chastening of the Lord; neither be weary of his correction; for whom the Lord loveth he correcteth; even as a father the son in whom he delighteth."

As parents, we must be examples of our own standards that we establish for our young people. I Corinthians 11:1, "Be ye followers of me, even as I also am of Christ." Philippians 4:9, "Those things, which ye have both learned, and received, and heard, and seen in me, do; and the God of peace shall be with you." There dare not be any separation between that which is taught and practiced.

BACK TO THE BIBLE

We must get back to the Biblical method of rearing our children. May God help us as fathers and mothers to be living demonstrations of the standards of God, as established in His Word. Where is the family altar? Were are the absolutes of God's Word, demonstrated in our lives and family relationships? Of course we ought not to beat our children to satisfy our own ego. But when all else fails, the rod is to be used.

There was a Bible character who spoke for his entire household. He declared to all the world that his wife, sons and daughters would grow up to serve the Lord. This man's name was Joshua. Ever hear of him?

Joshua 24:15 "And if it seem evil unto you to serve the Lord, choose you this day whom ye will serve; whether the gods which your father served that were on the other side of the flood, or the gods of the Amorites, in whose land you dwell: but as for me and my house, we will serve the Lord."

Always remember, if God has set standards for us, he also has provided Divine enablement for us to meet them. It is only when we repent of our sin and acknowledge our wrongdoing, that we have His forgiveness. We may classify ourselves in a hopeless situation. It will only remain that way as long as we deliberately refuse to turn everything over to the Lord.

Which are you? A David, who lived the rest of his life as a failure, or Joshua, who has the blessing of the Lord because his family is committed to one task, that of serving the Lord? Here is a father who was not obsessed with a financial empire or keeping up with community standards of possession. His one goal in life was firmly established. It included every member of the family. He and his were to serve the Lord. How different from Eli and David.

In case you have failed, God will forgive you if your honesty meets His declaration of your condition.

I John 1:9, "If we confess our sins, he is faithful and just to forgive us our sins, and to cleanse us from all unrighteousness."

Now is the time to be the mother or father God has intended you to be. Your most precious possession this side of Heaven are your children. They are all of this earth you will take with you to heaven.

A THREAT TO LIFE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DINGELL. Mr. Speaker, the New York Times of June 13, 1971, carried an

editorial, under the heading "A Threat to Life," pointing out the possible dangers to mankind involved in the regular operation of substantial numbers of supersonic aircraft.

So that my colleagues may have an opportunity to be aware of the views of the New York Times on this important matter, I insert the text of the editorial to appear at this point in the RECORD:

A THREAT TO LIFE

There is the distinct possibility that if supersonic airplanes fly regularly, they will rapidly deplete the ozone in the atmosphere and thereby jeopardize continued life on this planet. Ozone, which exists 10 to 30 miles above the ground, serves to isolate the thin, dry air of the stratosphere from the lower atmosphere and to absorb the sun's lethal ultraviolet rays. If ozone did not exist, the ultraviolet rays would blind humans and animals, burn land plants and probably make higher forms of life on this planet impossible.

According to Dr. Harold Johnston of the University of California, a leading expert in atmospheric chemistry, the SST is a threat to life because the nitric oxide in its exhaust would convert the ozone into oxygen gas which is not a complete shield against ultraviolet rays.

There is no absolute certainty that Dr. Johnston's calculations are correct, but if they are, the introduction of a large quantity of nitric oxide into the stratosphere could set in motion an irreversible chemical reaction which would go on destroying the ozone even if mankind then halted SST flights. This prospect is much more alarming than the earlier scientific speculation—which was dismal enough—that airplane vapor in the stratosphere would lead to a substantial increase in the incidence of skin cancer.

These scientific hypotheses underscore the simple truth that man is not the easy master of the universe. There is much concerning the stratosphere and the life processes on this planet about which man is still ignorant. The ozone destruction theory may prove incorrect, but it would be wildly reckless to gamble on the unknown.

The risks of supersonic flight require assessment by an international scientific body. As Senator Edmund S. Muskie recently observed, "We cannot afford to let one nation decide for all mankind." The British, French and Soviet Governments, which are far advanced in the development of SST's, have the primary responsibility to seek the counsel and judgment of an international body. If they fail to act, the United Nations as the spokesman of the world community has the obligation to respond to what may be a life-threatening technology.

AMERICAN CONSUMERS PAY TWICE THE PRICE OF WORLD SUGAR

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DUNCAN. Mr. Speaker, I would like to include in today's RECORD an editorial on the price of sugar that the American consumer pays. We pay about twice the world price, according to this item in the June 7 Knoxville, Tenn., News-Sentinel.

Every so often the boys on Capitol Hill in Washington divide up the sugar pot anew. It has been five years since the last sugar

dole, but now the House Agriculture Committee has decided who will be permitted to sell sugar in the rich American market for the next three years, and who won't.

The Senate may change this privileged list, but the net result will be the same. The American consumer will go on paying about twice as much for sugar as the world price. And the busy lobbyists who didn't get all they wanted from the House committee will go to work on the Senate to fatten their allotments.

The sugar law, as rigged by the House committee, would increase the share of the market for U.S. beet and cane sugar producers. The quotas for such places as the Bahamas, Maritius (an island in the Indian Ocean) and Panama would be raised. Such places as the Philippines, Mexico and Peru would be reduced. A couple of places would lose out altogether and some new ones would be added.

Producers from all these countries pay sizable fees to the American lobbyists to coax good quotas from Congress. Some do and some don't.

The avowed purposes of all this manipulation are to protect the domestic producers from lower-cost foreign competition and to "assure" the "American public of adequate supplies"—at a much higher price, of course.

The producers seem to be favored according to the hard-sell talents of their lobbyists. The U.S. public, having no lobbyists, merely picks up the bill, as usual.

DOES HEALTH MANPOWER ACT DISCRIMINATE AGAINST WOMEN?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. FRASER. Mr. Speaker, prejudice by medical schools against admitting women has been well documented by the Department of Labor and by an excellent series of hearings a year ago by the Special Subcommittee on Education chaired by the Congresswoman from Oregon (Mrs. GREEN).

The House is about to consider the multibillion dollar Comprehensive Health Manpower Training Act of 1971, H.R. 8629. This excellent bill aimed at increasing manpower in the health professions deserves the support of Congress.

But it is weak in one significant respect. It seems to ignore the need for special action to right the imbalance in admissions to medical schools. It runs the danger of reinforcing with millions of dollars of federal funds to medical schools the unfortunate discriminatory practices of these schools.

The bill makes several references to special attention to the problem of minority and low-income students and seeks to remedy longstanding injustices for them. But it does not address the question of equal treatment for both men and women students.

Before the House votes on H.R. 8629 in its present form, it might be well for the members to read again some of the testimony developed a year ago on the way the medical profession locks out most women.

STATEMENT OF FRANCES S. NORRIS, M.D.,
WASHINGTON, D.C.

Dr. NORRIS. Hon. Representative Mrs. Green, you and the members of this Subcommittee on Education have the gratitude of all American women for your investigation of discrimination against women in our educational system, and for your effort to make available to women educational opportunities without which social equality is unattainable. I am glad for this chance to present evidence outlining one facet of discrimination against women; that is, discrimination against women applicants to medical schools. Women and men physicians alike are aware that medicine is a profession agreeably suited to the skills and temperament of women. Yet, only 9 percent of American physicians are women. The rarity of women doctors in our medical community has limited the freedom of women to choose doctors of their own sex, and has deprived women of the benefits of research into diseases peculiar to women by physician-researchers of their own sex.

Women applicants to medical schools have increased over 300 percent in 36 years, men applicants have increased only 29 percent. But the proportion of women accepted over this time has fallen, and that of men accepted has risen. These figures indicate that persistence of limited admission of women to medical schools stems from discriminatory medical school admission policies.

The failure to publicize evidence of prejudice against women applicants to medical schools has resulted in a declining status of women in medicine, as physicians and probably as patients.

EVIDENCE OF BIAS AGAINST WOMEN APPLICANTS TO MEDICAL SCHOOLS

An investigation of prejudice toward women by medical school admissions committees was made by Dr. Harold I. Kaplan, professor of psychiatry at New York Medical College. Kaplan's study, sponsored by the National Institute of Mental Health, reviewed the attitude toward women applicants in 95 percent of American and Canadian medical schools over a 7-year period beginning in 1962. Although his presentation provides clear evidence of prejudice against women by medical schools, it has remained unpublished. It demonstrates that medical schools discriminate against women medical school applicants. It is apparent that the women rejected from the small female applicant pool were equal to or better than men accepted and that they were rejected because their sex quota was filled. Many schools admit women in only token numbers. Unabashed admission of prejudice and discrimination toward women was recorded from the medical school respondents to Kaplan's inquiries. Some responses by members of admissions committees are directly quoted, while others are not, for obvious reasons. For example, Harold R. Paine, Ph. D., chairman of the admissions committee of the University of Vermont School of Medicine, is quoted as saying "There is some prejudice toward women on the part of admissions committees." It would be interesting to have Kaplan's unquotable responses.

Dr. Marvin Dunn, assistant dean at Women's Medical College in 1969 opposed the school's new admissions policy permitting virtually unlimited male enrollment partly because of information he obtained from interviews with admissions officers at 25 Northeastern medical schools revealing discrimination against women. Of these 25 schools, 19 admitted they accepted men in preference to women unless the women were demonstrably superior. Dunn found that women are not judged on an equal competitive basis, but are placed in a disadvantageous sex category requiring special justification for acceptance. This evidence of obvious bias

against women applicants was publicly ignored by Glen Laymaster, the male president championing the new, virtually unlimited coeducation policy. Dr. Laymaster has since resigned under alumnae pressure.

I should just like to make an aside here about this. As you know, the caduceus is the symbol of the physician, and consists of a staff with snakes twining up along its length. Since Laymaster pushed through this premature coed policy several women doctors have been overheard referring to him as a "Snake in the Caduceus."

Over the past years, the low proportion of women medical students accepted has fallen in many schools, in some cases to none. A study of the sex distribution of students in American medical schools is available in the annual education numbers of the Journal of the American Medical Association. The American Medical Association's published figures for the year beginning in 1968 showed that 51 of our 99 medical schools had fewer than 10 percent women accepted. Eleven of these schools had from 3 percent to none accepted. This year, the figures are even worse.

Certain medical schools have for years displayed pronounced bias against women applying to them for admission, and their female enrollment figures are consistently, patently, discriminatory. Among the worst of these medical schools are the following: The Medical College of Alabama, Emory University, Chicago Medical School, University of Kansas, Creighton University, University of Nebraska, New Jersey College of Medicine, Bowman-Gray School of Medicine, University of North Dakota, University of Cincinnati, Medical College of South Carolina, University of South Dakota, Vanderbilt University, Baylor University, University of Utah, University of Virginia, and the Medical College of Georgia. Last year, Creighton University accepted no women applicants. This year, Vanderbilt University has accepted no women applicants. Can it be that not one qualified woman applicant could be found in all of Tennessee and Nebraska? Our medical schools, all of which are heavily dependent on Federal funds, reflect a nationwide pattern of discrimination against women. This should not be allowed, and it must stop.

The low sex quota for women applying to medical schools is recorded in the Journal of Medical Education published by the Association of American Medical Colleges. Here, a comparison of men and women applicants to medical schools between the years 1960 and 1968 shows that the total percent of women entering has been limited in the last decade to a range of 7 to 10 percent. Equal proportions of men and women applicants are rejected despite the huge disparity in respective numbers, on the basis of an arbitrary grouping of applicants by gender. This practice is wrong.

PRACTICING ENVIRONMENTALISTS IN WEST ORANGE, N.J.

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. MINISH. Mr. Speaker, we hear much discussion nowadays of the need to preserve our ecological balance. However, most of the time the fault for our diminishing environmental bounty is laid on someone else's doorstep.

I was most impressed, therefore, to

read an article appearing in the Newark Star-Ledger on June 6, 1971. It concerned my hometown of West Orange, N.J., where a successful albeit difficult recycling campaign has been launched. Students from Mountain High School, together with area members of the Garden Club of the Oranges, have banded together to practice what most people are only preaching.

The staunch efforts of these concerned citizens must be noted and lauded, for they are performing a herculean task that will result in benefits to the entire community. I am proud to insert in the RECORD a description of their civic-minded efforts:

TEENS, WOMEN START WEST ORANGE RECYCLING DRIVE

(By Gordon Bishop)

A handful of alarmed high school students have teamed up with a growing number of concerned housewives to launch West Orange's first communitywide recycling campaign this summer.

By establishing a municipal reclamation center, students from Mountain High School together with women from the Garden Club of the Oranges, hope to save a little bit of the environment by recycling cans, bottles and paper.

"It's utterly disgraceful what we're doing to our environment and our resources—and we intend to stop it, at least in West Orange," declared Mrs. Carole Graf, the housewife-coordinator of the recycling campaign that gets under way July 10.

This summer's environmental project came about after many disappointments and much frustration. Last summer Mountain High's Anti-Pollution Society distributed flyers throughout the community to start recycling at all shopping centers. The flyers were ignored.

In October, they placed green bins at four shopping centers in West Orange for glass and paper. Eventually they were forced to remove them, Mrs. Graf said, because the town had failed to help them, as promised, and they couldn't rely on private industry to supply the trucks necessary to transport the collected glass to Metro Glass Co. in Jersey City.

"We were up against typical, public apathy: Nobody seemed to care about what was happening to our world, our only planet, our only home," Mrs. Graf explained. "We tend to live from day to day and forget that tomorrow we will be in real, big trouble because of what we're doing today."

By December, the teenagers and the housewives managed to convince the town fathers of the "desperate need" to begin recycling, not only to save resources, but to save the land from filling up with "throw-away" refuse.

In January, the students returned their newly-painted bins (an eye-shocking "hot-pink") to the shopping centers. The West Orange Departments of Public Works and Buildings & Maintenance assisted by picking up glass twice a week and storing it at the town dump. When a mountain of glass piles up, it's loaded on a truck and sent to the recycling plant in Jersey City.

Each Saturday since January, teenagers and housewives have converged on the dump, sorting glass, removing metal collars around the necks and crushing all the collected bottles, so each truck leaves with a maximum full load. A ton of glass nets them \$20. The money is going into a school fund set up by the Anti-Pollution Society and will be used to promote the campaign this summer via flyers and letters.

In February, they launched a paper drive in cooperation with the Salvation Army. Within 10 days, the students and mothers processed 12,500 pieces of mail for local distribution.

They also put up posters all over town, asking residents to join in their paper and glass drives.

The Salvation Army has, so far, collected 35 tons of paper (at \$20 per ton); they use the money for charitable purposes. Paper is collected the second week of each month.

In the interim, the Elks and Rotary Clubs have climbed aboard the recycling bandwagon. Others are expected to follow, the sponsors predict.

This summer, the organizers plan to appeal to the public's "monetary instincts."

"We'll pay cash on the line for any bottles, cans or paper delivered to our reclamation center," Gall Luxenberg, of the Anti-Pollution Society, reports.

The center will be located at the municipal dump on Mount Pleasant Avenue, next to the Columbus-Redwood Nursing Home. The center is scheduled to open July 10.

Until then, the students and housewives are looking for volunteers to man the center. They also need a platform scale to weigh the recyclables delivered.

Organo Pharmaceuticals in West Orange has donated one scale, but two will be required to handle the anticipated volume.

The Anti-Pollution Society officers are: Jennae Wallach, president; Ellen Steiber, paper drive chairman; Peter Glick, glass chairman; Robert Sapoff, education chairman; Jo Ann White, treasurer, and Cindy Kurland, secretary.

Mrs. Graf is serving as administrative coordinator. Harold Fields is faculty advisor, and Dr. John C. Curry, principal of Mountain High, is honorary chairman.

Among the women who initiated the movement were Mrs. Theodore Edison and Mrs. Carl White, both of Llewellyn Park, West Orange, and members of the Garden Club.

COL. WILLIAM J. KING—A RECORD OF DEDICATION AND SERVICE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. KEMP. Mr. Speaker, it is a great honor and pleasure to join in a richly merited tribute to Col. William King, retiring Director of the upstate New York—Buffalo—District of the Immigration and Naturalization Service.

Throughout his many years of dedicated service, Bill King has aided literally thousands of persons in their efforts to enter our country and become citizens. As one columnist stated, "There are many brides, bridegrooms, and reunited families in Buffalo who add his name to their prayers of thanksgiving."

A man of many talents, Colonel King began his career 34 years ago by joining the staff of the U.S. Immigration Service. At that time illegal entry into the United States was so often attempted that extreme skill was needed in order to detect the slightest trace of a foreign accent.

Bill King was born in Springfield, Mass., and is a graduate of the Foreign Service School of Georgetown University

here in Washington. He fluently speaks German and during World War II enlisted in the U.S. Army where he served 14 years, gaining the rank of colonel.

While in Europe, he organized and commanded the Criminal Investigation Division of the U.S. Army. Later, in England, he was attached to Scotland Yard where he investigated a wide variety of GI crimes.

Over the years Colonel King has lived in 26 American cities ranging from New York to Honolulu, as well as London and cities of West Germany. During his worldwide travels he has been accompanied by his wife who had been his high school sweetheart.

Among his many interests, Bill King includes swimming and reading—with special emphasis on history and biography. While in England, he joined in the annual walk made by fans of Dickens' "Christmas Carol" from the site of Scrooge's office to the area of Bob Cratchit's home.

In 1954, he returned to the Immigration and Naturalization Service where he has contributed so much.

I am delighted that Bill King, who has given so much of himself to others, will at last have the opportunity to fulfill his own dreams. But I also join my constituents in regretting the retirement of a dedicated public servant.

When a man is so filled with life as Col. Bill King, we know that retirement means not an end but a beginning—his undampened energies and enthusiasms will no doubt be channeled from old triumphs to new pursuits.

I know we can expect new chapters in the remarkable life of Col. William King.

HORTON PRAISES MRS. FRANK A. MYERS, GIRL SCOUT LEADER

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. HORTON. Mr. Speaker, Mrs. Frank A. Myers of 382 Mt. Vernon Avenue, Rochester, N.Y., is an example of the many fine Girl Scout leaders throughout the country who are doing so much to lead our young toward positive contributions to our society.

For more than two decades, Mrs. Myers has devoted much time, effort and leadership to the Girl Scout movement. She gives such outstanding direction and purpose to her group that it is not surprising her troop is known throughout the area as one of the most active in the Rochester and Genesee Valley Council. Her principal objective is to guide young people in service to others.

Mrs. Myers is an inspiring example of this herself, for her scouting activities are just part of her own devotion to helping others.

A report of her contributions to her community is well presented in a story in the Rochester Times-Union, by Jose

Echaniz, Jr. I would like to share the story with my colleagues.

The article follows:

TIMES-UNION SALUTES MRS. FRANK A. MYERS

(By Jose Echaniz, Jr.)

For more than 20 years in Girl Scouting, Mrs. Frank A. Myers has been trying "to help every girl to climb her own mountain, not necessarily a pile of rocks and dirt but something challenging and meaningful."

Consequently, she has one of the most active Girl Scout troops in the Rochester and Genesee Valley Council. Her interracial, inter-economic and intercultural troop draws its membership from eight high schools and from all areas ranging from the inner city to upper bracket suburban neighborhoods.

Newcomers are surprised to find little concern for merit badges and craft projects. The main thrust is for service to others.

For example, Mrs. Myers helped set up a migrant camp in Garbutt, Wyoming County, and helped operate educational, day care and scouting programs there for three years. Scouts also serve at the Rochester Museum one Sunday a month.

Never a Girl Scout herself, Mrs. Myers started as a co-leader of her daughter's Brownie troop in 1951. She became an intermediate leader in 1954, only to resign in 1956 upon the birth of her son. But after three months, the girls made her return.

In 1968, she transferred her senior Girl Scout Troop 123 to St. Paul's Episcopal Church. Most of her scouts have received some honor, attending national and international events throughout this country and abroad.

Each April for the past 10 years, she and her husband have been in charge of "Circus Day" at Camp Beechwood in Sodus, organizing the work of hundreds of volunteers in preparing the camp for the summer camping season.

Mrs. Myers also has taught Sunday school at Central Presbyterian Church and served its Women's Association.

She has been president and trustee of the Burroughs-Audubon Nature Club of Rochester and director of its summer camp, president of the School 49 PTA and historian of the Rochester PTA Council, and has been active in the Junior Shell and Shore Club, the Mayor's Beautification Committee, the Migrant Committee of Church Women United, the Garden Center of Rochester and the Rochester Society of Button Collectors.

She was educated as a medical secretary and works in the admitting office at Highland Hospital. Her husband is employed in the patent search department at Eastman Kodak. He is president of the Academy of Science of the Rochester Museum.

Mr. and Mrs. Myers have a daughter, Mrs. Robert Belluscio of LeRoy and a son, Lon, 14, at home, 382 Mt. Vernon Ave.

CADMIUM-POLLUTED FISH FOUND IN HUDSON RIVER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1971

Mr. DINGELL. Mr. Speaker, the New York Times of June 13, 1971, carried a news item out of Washington reporting

on fish caught near a battery factory on the Hudson River which were found to contain up to 1,000 times more than the normal amount of cadmium. In the 1950's 100 Japanese died of cadmium poisoning after eating rice which had been irrigated with water from the cadmium-polluted Jintsu River. Those who contend that pollution of our waterways must be permitted in the name of economic activity would do well to bear these facts in mind.

Mr. Speaker, under unanimous consent I place the text of the news item at this point in the RECORD:

THREE FISH CAUGHT NEAR BATTERY FACTORY ON THE HUDSON CONTAIN UP TO 1,000 TIMES NORMAL CADMIUM

(By Richard D. Lyons)

WASHINGTON, June 12.—Three fish caught near the outwash of a federally built battery factory on the Hudson River have been found to contain up to 1,000 times as much cadmium as might normally be expected, a Senate subcommittee reported today.

The case is believed to be the first instance in which the heavy metal has rendered fish unfit for consumption in the United States.

The fish were caught last month in Foundry Cove, near Cold Spring in Putnam County, and tested at the Trace Element Laboratory at Dartmouth College, which relayed the data to the Senate environmental subcommittee, chaired by Philip A. Hart, Democrat of Michigan.

The factory, originally built for the Federal Government, and currently owned by the Marathon Battery Company, was enjoined during the last year by a Federal court from dumping cadmium and other metals into the Hudson.

Still pending is a second Federal suit that seeks to have the present, and perhaps previous, owners clean up cadmium and nickel deposits up to 4 feet thick in the cove. If previous owners are held at least partially accountable, it could present a situation in which a Federal suit would force the Federal Government to help clean up the pollution.

Commenting on the discovery, Senator Hart said it would be dangerous to draw too many conclusions from a catch of only three fish.

The fish were caught by David Seymour, an official of the National Audubon Society, and Robert Boyle, a writer for Sports Illustrated magazine. The fish were a bass, a silver dace and a carp.

Mr. Seymour said he and Mr. Boyle had set out to determine what effect the cadmium had on the marine life in Foundry Cove because it was known to have been heavily contaminated by cadmium and nickel for several decades, since the factory made nickel-cadmium batteries.

The fish were sent to Dr. Henry A. Schroeder, professor of physiology at Dartmouth. Dr. Schroeder said an analysts had found 11.22 parts per million of cadmium in the bass, 7.6 parts per million in the dace and from .67 to 20.44 parts per million in the carp.

Dr. Schroeder said the normal, or "background," level of cadmium in fish is about 0.22 parts per million. Some shellfish, especially oysters, have the ability to concentrate cadmium, but the phenomenon is relatively rare, he added.

"The silver dace and the bass should be considered unfit to eat on the basis of their cadmium content," Dr. Schroeder said. He added that the carp was "questionably edible," although he noted that few persons would eat the innards of the fish, which had the highest concentrations of cadmium.

The fish appeared to be in good condition,

despite the cadmium levels, although the liver of the carp appeared to be "degenerate," Dr. Schroeder said.

High cadmium levels in humans may cause liver damage, as well as high blood pressure, hardening of the arteries and pains similar to rheumatism. The most famous case of cadmium poisoning occurred in Japan in the

nineteen fifties when over 100 persons died after eating rice irrigated by water from the cadmium-polluted Jintsu River.

Cadmium intoxication is relatively rare in the United States, occurring mainly among workers in smelters, mines and plating factories.

The Food and Drug Administration, which

has set tolerance levels for mercury in fish of up to 0.5 parts per million, has not acted on similar levels for cadmium. An F.D.A. spokesman said that the agency has been working on the problem for eight months and that "we expect to establish a guideline as soon as we can get the necessary data to support it."

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HON. FRANK ROSTON

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HON. JOHN D. INGALL

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