

## EXTENSIONS OF REMARKS

## STATE PLANS FOR COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS

## HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. HANSEN of Idaho. Mr. Speaker, during the last Congress, the Republican Task Force on Education and Training spent a considerable amount of time studying the problems of child development and the best ways of implementing programs designed to enhance the development of the children of this country.

We concluded that there is a strong case for giving State governments significant planning, coordination, and oversight roles in providing comprehensive child development services. Although programs may be implemented on the local, neighborhood, or even individual levels, there is nevertheless an important part for State governments to play in this process.

In all too many cases, the State role has existed more as a potential than as an actual one. Few States have been able to develop the management capacities or hire the personnel needed to execute child development responsibilities.

But, one by one, we are beginning to see States take on more and more initiative in this area. Evidence of a growing State concern and an enlarged State role in child development services was given in hearings before the House Select Subcommittee on Education this spring when Governors from three States gave testimony concerning the efforts they and their States had made.

Since then, another piece of evidence of the growing importance of State governments in organizing child development services has come to my attention. This is the South Carolina Comprehensive Child Development Plan, drafted this spring, in response to the Appalachian Regional Commission's activities in six counties of that State.

This document stands as proof of one State's determination to see that the kind of comprehensive child development services needed by its youngsters will be provided. It first reviews the need for services and the existing resources and then projects an orderly course of action for meeting those needs. While this plan pertains only to the six-county Appalachian region within the State, it is significant that one of the goals stated for this fiscal year is the development of a statewide child development plan as well, using the same techniques that were employed in the development of the six-county plan.

The 50 States have an enormous potential for developing the kind of comprehensive child development resources needed for the children of the country. The South Carolina document is only

one of many excellent plans that are being developed in response to the Appalachian Regional Commission or merely in response to pressing needs.

As Congress considers the child development legislation now pending before both House and Senate committees, I hope that the constructive and creative role that States can play will not be overlooked.

The article referred to follows:

[Second Draft, April 21, 1971]

## SOUTH CAROLINA COMPREHENSIVE CHILD DEVELOPMENT PLAN

## PREFACE

This draft copy of the Comprehensive Child Development Plan is submitted as a part of the 1971 Child Development package as outlined in the *Child Development Newsletter* of December 18, 1970. This preliminary draft is divided into four sections. Section I presents the description of the problem and an inventory of resources currently involved in child development. Section II deals with the progress South Carolina has made toward the development of a Child Development Program. The third section is a delineation and discussion of the components of a Comprehensive Child Development Program, as well as specific objectives for South Carolina. Section IV is a description of the project package for 1971.

The information contained in this plan is limited to the six-county Appalachian Region. This was mandatory given the time frame involved. Furthermore, the demonstration projects will be operated in this area, and a statewide operation will not begin immediately. Another reason for limiting the plan is that a full-time Child Development staff is not operational.

Since the planning of such a program is a dynamic activity, this plan will require revision and updating. Also, since it is limited to six counties, expanded information and planning activities will be involved on an on-going basis.

(Figures referred to not printed in the RECORD.)

## CHAPTER I.—DESCRIPTION OF THE PROBLEM AND INVENTORY OF RESOURCES

This section will present a profile of the six-county South Carolina Appalachian Region in relation to planning a Comprehensive Child Development Program. Also included is an initial inventory of current resources involved in child development.

Base data is broken down into six categories: general population characteristics; socio-economic; health; education; nutrition; and social. Obviously, the data that is presented in each section could be presented under two or more of these sections.

## BASE DATA

**Population.**—Sited in the northwestern area of the State, the South Carolina Appalachian Region comprises six counties—Anderson, Cherokee, Greenville, Oconee, Pickens and Spartanburg. Of the three major topographic areas in the State, the region contains two—Piedmont and the Blue Ridge Mountains. It encompasses 3,959 square miles.

Table 1 shows the 1970 population of the six counties. With the exception of Greenville County, the region is more rural than urban, although the degree of rurality decreased from 1960 to 1970 (Table 2). In terms of growth, Pickens County experienced the most significant growth over the ten-year

period (28.1%), while Oconee County showed the least (1.3). It should be pointed out that the disparity between these two counties was caused largely by an annexation by Pickens County of part of Oconee County, thus accounting for much of the large increase in population in Pickens County and the small increase in population in Oconee County.

TABLE 1.—1970 POPULATION OF SOUTH CAROLINA APPALACHIAN REGION

	1970 population	Percent urban	Percent Negro population	Percent growth <sup>1</sup>
Anderson.....	105,474	40.9	18.1	7.1
Cherokee.....	36,791	46.2	19.3	4.5
Greenville.....	240,546	70.0	16.6	14.7
Oconee.....	40,728	30.0	9.9	1.3
Pickens.....	58,956	38.2	9.4	28.1
Spartanburg.....	173,724	37.5	21.0	10.8
Region.....	656,219	50.1	17.1	11.9
South Carolina.....	2,590,516	47.6	30.4	8.7

<sup>1</sup> In total population, 1960 to 1970.

Sources: U.S. Department of Commerce, Bureau of Census, PC(VI)-42 (Revised) South Carolina Final Population Counts, November 1970. U.S. Department of Commerce Bureau of Census, PC(V2)-42 South Carolina General Population Characteristics, February 1971.

The region increased in population by 11.9%, which is above the ten-year growth of 8.7% for the entire State of South Carolina (Table 1). The Negro population, as a percent of total population of the six-county area, is about one-half of the state figure (Table 1). Of more importance is that the percentage of Negroes in the region decreased from 1960 to 1970, which indicates a general out-migration of Negroes from the area (Table 2).

Another means of viewing changes in population characteristic is comparing the percentage of population with income below \$3,000. With the exception of Pickens County, the percentage of population below this poverty level generally decreased (Table 2).

TABLE 2.—COMPARATIVE DATA ON POPULATION CHARACTERISTICS, 1960-70—SOUTH CAROLINA APPALACHIAN REGION

	Percent urban		Percent Negro		Percent of population with income under \$3,000	
	1960	1970	1960	1970	1960	1970 <sup>1</sup>
Anderson.....	54.4	40.9	19.5	18.1	32.8	23.8
Cherokee.....	43.2	46.2	21.2	19.3	39.9	27.5
Greenville.....	63.7	70.0	17.5	16.6	26.4	19.2
Oconee.....	21.5	30.0	10.7	9.9	38.5	19.7
Pickens.....	23.8	38.2	10.0	9.4	28.4	29.1
Spartanburg.....	36.1	37.5	22.1	21.0	32.2	22.8
Region.....						
South Carolina.....	41.2	47.6	34.8	30.4	39.5	

<sup>1</sup> Based on 1968 data.

<sup>2</sup> A deannexation of part of the city of Anderson caused the major part of this decrease.

Source: Bureau of Census.

In order to plan a Child Development Program, target populations must be identified. Table 3 shows the population six years old and younger for the region and state. As should be noted, the 82,000 children in the region represent the maximum target population for a Comprehensive Child Development Program. Obviously, all children within this group will not participate; therefore, some better delineation of a target population will be necessary.

TABLE 3.—1970 POPULATION 6 YEARS AND UNDER, SOUTH CAROLINA APPALACHIAN REGION

	Population under 5 years	Population 5 and 6 years	Total population 6 years and under	Percent of total population 6 years and younger
Anderson.....	8,981	3,957	12,938	12.3
Cherokee.....	3,488	1,457	4,945	13.4
Greenville.....	20,700	9,398	30,098	12.5
Oconee.....	3,598	1,566	5,164	12.7
Pickens.....	4,758	2,165	6,923	11.7
Spartanburg.....	15,325	6,594	21,919	12.6
Region.....	56,850	25,137	81,987	12.5
South Carolina.....	235,764	106,772	342,536	13.2

Source: U.S. Department of Commerce, Bureau of the Census, PC(V2)-42 South Carolina general population characteristics, February 1971.

Since the concept of early childhood development encompasses the time period from pregnancy to six years of age, it is important not only to identify the number of children, but also to identify the number of females of child-bearing age (Table 4). This group represents the maximum target population for family planning and other maternal-related services. Again, all will not be involved, and a more detailed delineation of the target population will be necessary. However, the total number of children six years old and under, and the total number of females of child-bearing age, offer a means of establishing some overall perspective for the planning of a Child Development Program.

TABLE 4.—1970 FEMALE POPULATION, 14 to 44 YEARS OF AGE—SOUTH CAROLINA APPALACHIAN REGION

	Number	Percent of total female population	Percent of total population
Anderson.....	23,504	42.9	22.3
Cherokee.....	8,393	43.5	22.8
Greenville.....	56,944	45.4	23.7
Oconee.....	9,181	44.1	22.5
Pickens.....	13,240	46.4	22.5
Spartanburg.....	39,634	44.0	22.8
Region.....	150,896	44.5	23.0
South Carolina.....	586,190	44.5	22.6

Source: U.S. Department of Commerce, Bureau of the Census, PC(V2)-42 South Carolina general population characteristics, February 1971.

Projected population growth of the region is shown in Table 5. The Child Development Program will have to have the capacity to expand if the needs of a growing population are to be met. This predicted growth points out the need for continued planning, not only short-range, but also long-range in scope.

TABLE 5.—POPULATION, SOUTH CAROLINA APPALACHIAN REGION, 1970 TO 1990

	1970	1975	1980	1985	1990
Anderson.....	105,474	116,300	128,000	140,100	153,800
Cherokee.....	36,791	37,500	41,000	44,300	49,000
Greenville.....	240,546	265,500	294,300	326,800	364,800
Oconee.....	40,728	45,000	50,200	56,700	64,100
Pickens.....	58,956	68,625	80,000	93,000	107,300
Spartanburg.....	173,724	187,300	204,100	223,100	244,500
Region.....	656,219	720,225	797,600	884,000	983,500

Source: U.S. Census of Population, Estimates by Hammes, Greene, Siler Associates, Washington, D.C.

**Socio-Economic.**—The per capita income of the region increased significantly from 1960 to 1970, but still remains under the national average (Table 6). However, it should be pointed out that the per capita income for the region is above the per capita income for the entire state (Table 6).

TABLE 6.—PER CAPITA INCOME, SOUTH CAROLINA APPALACHIAN REGION, 1960-70<sup>1</sup>

	1960	1970	Percent income
Anderson.....	\$1,601	\$2,700	68.6
Cherokee.....	1,221	2,350	92.5
Greenville.....	1,701	3,410	100.4
Oconee.....	1,186	2,620	120.9
Pickens.....	1,477	2,680	81.4
Spartanburg.....	1,555	3,260	109.6
Region.....	1,563	3,082	97.2
South Carolina.....	1,384	2,972	114.7
United States.....	2,223	3,937	77.1

<sup>1</sup>Not in constant dollars.

Source: Office of Business Economics, U.S. Census of Population.

Housing characteristics may serve to point out other economic, as well as environmental and social, problems (Table 7). Of the total occupied housing units in the region, 11.6% lack some or all plumbing facilities. With an average of 3.2 people per occupied unit, an estimated 75,000 people in the region live in an environment below satisfactory health standards. Though the exact number of children under six, as well as their families, cannot be identified from this data, these housing characteristics provide some perspective of the environmental as well as economic problems that prevail in the region.

TABLE 8.—NUMBERS OF FAMILIES BY HEAD OF HOUSEHOLD, BY SEX, BY RACE—SOUTH CAROLINA APPALACHIAN REGION, 1970

	Family head, female		Family head, male		Total percent families headed by female	
	White	Negro	White	Negro	White	Negro
Anderson.....	2,060	947	22,085	3,064	8.5	23.6
Cherokee.....	881	376	7,111	1,025	11.0	26.8
Greenville.....	4,661	280	49,453	6,229	8.6	26.8
Oconee.....	984	199	9,016	667	9.8	23.0
Pickens.....	976	257	12,630	905	7.2	22.8
Spartanburg.....	3,421	2,005	34,644	5,424	9.0	27.0
Region.....	12,983	6,074	134,939	17,314	8.8	26.0
South Carolina.....	42,980	40,034	427,139	114,077	9.1	26.0

Source: U.S. Department of Commerce, Bureau of the Census, PC(V2)-42 South General Population Characteristics, February 1971

In the South Carolina Appalachian Region, 8.8% of the white families are headed by females, while 26.0% of all Negro families are headed by females (Table 8). Taken together, 11.1% of all families in the region are headed by females, which is slightly above the national average of 10%.

With the need for employment paramount among females who support a family, the need for full-time day care, kindergartens and related services is most evident. Among the families headed by females, national statistics point out that 60% of these families are on welfare. With the per capita income in the region below the national average, the problem may be expected to be worse than the national experience.

In general, the economy of the region is in a period of transition. The largest component of the economy is textile manufacturing. With a somewhat depressed economic condition in the textile industry, the area has experienced some employment problems.

TABLE 7.—SELECTED HOUSING CHARACTERISTICS, 1970—SOUTH CAROLINA APPALACHIAN REGION

	Population per occupied unit	Occupied houses with all plumbing facilities	Occupied houses lacking some plumbing facilities	Percent of all occupied houses lacking some plumbing facilities
Anderson.....	3.1	29,298	3,979	12.0
Cherokee.....	3.3	8,634	2,247	20.7
Greenville.....	3.2	68,219	5,972	8.0
Oconee.....	3.2	10,435	2,329	18.2
Pickens.....	3.1	15,349	1,925	11.4
Spartanburg.....	3.2	46,221	6,951	13.1
Region.....	3.2	178,156	23,403	11.6
South Carolina.....	3.4	606,730	127,643	17.4

Source: U.S. Department of Commerce, Bureau of the Census, HC(V1)-42 South Carolina General Housing Characteristics February 1971.

The estimated percent of families in the region with income below the poverty level is 24%, or 41,000 families. Based on this figure, it could be estimated with high probability that at least 50% of these families are affected by a sub-standard physical environment in the home setting. Obviously, the problems associated with such a poor home environment substantiate the need for out-reach counseling for nutritional, social, environmental and other related problems.

Another indicator of economic as well as social problems related to child development is the family configuration. Economic and other problems are usually more evident where the family head is a woman (Table 8). This is especially true where children under six are involved.

Diversification of the manufacturing community is also occurring. As this continues, the demand for new skills as well as more employees will pull more women into the work force, as well as training facilities, thus causing increased demand for child care services not now generally available in the region.

**Health.**—In terms of data related to unmet health needs and child development, statistics on infants probably are the best indicators. Also, other types of reliable information are usually not available.

The birth rates within the region are somewhat higher than the national average (Table 9). Of particular interest is the high non-white birth rate. In each category, the rates are above the national rate. Individual counties show wide fluctuations when compared to the state and national rates. For instance, Cherokee County has the highest rate for white and non-white (Table 9).

TABLE 9.—LIVE BIRTHS AND BIRTH RATE, SOUTH CAROLINA APPALACHIAN REGION, 1969<sup>1</sup>

	Live births	White live births	Nonwhite live births	Birth rate		
				Total <sup>2</sup>	White <sup>3</sup>	Nonwhite <sup>4</sup>
Anderson	1,836	1,374	462	17.4	15.9	24.1
Cherokee	783	575	208	21.3	19.4	29.2
Greenville	4,280	3,252	1,028	17.8	16.2	25.5
Oconee	808	705	103	19.8	19.2	25.2
Pickens	1,081	959	122	18.3	17.9	21.6
Spartanburg	3,175	2,239	936	18.3	16.3	25.5
Region	11,963	9,104	2,859	18.2	16.8	25.3
South Carolina	50,401	31,626	18,775	19.5	17.6	23.6
United States				17.7	16.6	24.2

<sup>1</sup> Based on 1970 census count.  
<sup>2</sup> Per 1,000 total population.  
<sup>3</sup> Per 1,000 white population.

<sup>4</sup> Per 1,000 nonwhite population.  
<sup>5</sup> 1968 data.

Source: South Carolina State Board of Health.

TABLE 10.—FETAL DEATHS AND DEATH RATES, SOUTH CAROLINA APPALACHIAN REGION, 1969

	Total fetal deaths		White fetal deaths <sup>1</sup>		Nonwhite fetal deaths <sup>2</sup>	
	Number	Rate	Number	Rate	Number	Rate
Anderson	22	12.0	12	8.7	10	21.6
Cherokee	29	37.0	18	31.3	11	52.9
Greenville	55	12.9	37	11.4	18	17.5
Oconee	14	17.3	10	14.2	4	38.8
Pickens	15	13.9	14	14.6	1	8.2
Spartanburg	51	16.1	29	13.0	22	23.5
Region	186	15.5	120	13.2	66	23.1
South Carolina	845	16.8	381	12.0	464	24.7
United States		15.6		13.5		25.8

<sup>1</sup> Per 1,000 white live births.  
<sup>2</sup> Per 1,000 nonwhite live births.  
<sup>3</sup> Based on 1968 data.

Source: South Carolina State Board of Health.

Table 12 shows the number of maternal deaths related to pregnancy in 1969. As can be seen, the South Carolina Appalachian Region has almost 50% of the total number of maternal deaths that occurred in South Carolina. Though the absolute numbers are not large, this information serves to show that some serious health problems are prevalent in the region that relate to the need for a comprehensive maternal and child development program.

TABLE 12.—MATERNAL DEATHS, SOUTH CAROLINA APPALACHIAN REGION, 1969

	Total	White	Nonwhite
Anderson	1		1
Cherokee			
Greenville	5	2	3
Oconee			
Pickens			
Spartanburg	2	1	1
Region	8	3	5
South Carolina	18	6	12

Source: South Carolina State Board of Health.

TABLE 13.—ESTIMATED INCIDENCE OF HANDICAPS, SOUTH CAROLINA APPALACHIAN REGION, 1970

[Calculated for population under 18 years of age]

	Population under 18 years of age	Mental retardation		Severe reading and other learning disabilities	Speech handicapped	Hearing handicapped	Physically handicapped	Emotionally disturbed	Visually handicapped or blind
		I.Q. below 70	I.Q. 70-80						
Anderson	35,713	1,071	2,143	3,571	1,071	714	536	357	357
Cherokee	13,105	393	786	1,311	393	262	197	131	131
Greenville	83,270	2,498	4,996	8,327	2,498	1,666	1,249	833	833
Oconee	14,162	425	850	1,416	425	284	212	142	142
Pickens	18,626	555	1,110	1,863	555	372	279	186	186
Spartanburg	59,350	1,781	3,562	5,935	1,781	1,188	890	594	594
Region	224,226	6,723	13,447	22,423	6,723	4,486	3,363	2,243	2,243
Percent		3	6	10	3	2	1.5	1	1

Another health indicator is the rejection rate of selective service inductees for health-related problems (Table 14). In 1970, 20% of the region's inductees were rejected for health-related problems. Even though this is below the national rate, the 20% rate is significant. Obviously, all causes for rejections may not be related to early childhood, but the information, when combined with other data, serves to set some perspective in terms of health problems in the region.

TABLE 14.—SELECTIVE SERVICE REJECTIONS, HEALTH RELATED, 1970

	Total applicants	Health related rejections	Percent of total
Anderson	388	86	22.2
Cherokee	119	28	23.5
Greenville	824	157	19.1
Oconee	170	28	16.5
Pickens	197	52	26.4
Spartanburg	542	96	17.7
Region	2,240	447	20.0
United States			32.8

<sup>1</sup> 1969 data.

Source: State of South Carolina Headquarters of Selective Service.

Fetal deaths and death rates generally approximate the national and state average (Table 10). However, some of the counties show significantly high rates of fetal deaths, especially Cherokee and Oconee Counties. Though the absolute numbers may not be great, these figures serve to point out the need for prenatal services aimed at preventing problems associated with pregnancy.

Infant deaths and death rates are shown in Table 11. The rates for the region approximate the state average and are higher than the United States average. Four counties show somewhat higher rates; namely, Anderson, Cherokee, Oconee and Pickens Counties.

TABLE 11.—INFANT DEATHS AND DEATH RATE, SOUTH CAROLINA APPALACHIAN REGION, 1969

	Total		White <sup>1</sup>		Nonwhite <sup>2</sup>	
	Number	Rate	Number	Rate	Number	Rate
Anderson	47	25.6	23	16.7	24	51.9
Cherokee	21	26.8	17	29.6	4	19.2
Greenville	74	17.3	48	14.8	26	25.3
Oconee	22	27.2	17	24.1	5	48.5
Pickens	32	29.6	23	24.0	9	73.8
Spartanburg	68	21.4	35	15.6	33	35.3
Region	264	22.4	163	17.9	101	35.3
South Carolina	1,220	24.2	599	18.9	621	33.1
United States		20.7				

<sup>1</sup> Per 1,000 white live births.  
<sup>2</sup> Per 1,000 nonwhite live births.

Source: South Carolina State Board of Health.

Though no actual count is available on the incidence of handicaps in children, estimates are available which probably estimate fairly accurately these problems (Table 13). These estimates indicate that in the region some 60,000 children under 18 years of age have handicap problems that are either mental, physical or social in nature.

Comparative data on health manpower and health facilities also point out problems that exist within the region (Table 15). In every category, the ratio per 1000 population for the region is below the national average. In some cases, the shortage is critical, such as physicians, dentists and nurses. A hidden figure may also point out a more severe shortage. The pediatrician ratio per 1000 population under 14 years of age is .21; this shortage, coupled with the majority of the pediatricians being located in the metropolitan areas (Greenville, Spartanburg), presents a serious problem in terms of child services in the less urban areas of the region.

TABLE 15.—COMPARATIVE DATA, HEALTH CARE RESOURCES—SOUTH CAROLINA APPALACHIAN REGION

	Physicians		Dentists		Registered nurses		Hospital beds	
	Number	Ratio per 1,000 population	Number	Ratio per 1,000 population	Number	Ratio per 1,000 population	Number	Ratio per 1,000 population
Anderson	86	0.82	26	0.25	234	2.22	449	4.26
Cherokee	14	.38	5	.14	43	1.17	110	2.99
Greenville	266	1.11	76	.32	556	2.31	818	3.40
Oconee	27	.66	7	.17	54	1.33	145	3.56
Pickens	24	.41	11	.19	101	1.71	157	2.66
Spartanburg	148	.85	44	.25	419	2.41	632	3.64
Region	565	.89	169	.26	1,407	2.14	2,311	3.52
South Carolina	2,105	.80	613	.23	5,755	2.97	16,685	3.79
United States		1.6		.46		3.13		4.1

Source: South Carolina Regional Medical Program, South Carolina Health Data Profile, September 1970.

These shortages indicate a need for strong recruiting efforts to attract qualified manpower, as well as innovative efforts to utilize the resources we now have more effectively.

**Education.**—There are several means of reviewing educational problems in South Carolina Appalachia. Educational problems serve as indicators of various other problems of early childhood development. Retention rates for the first grade are shown in Table 16. The 12.3% retention rate for the region is below the state rate (14.8%), but both are above the national average. Cherokee, Oconee and Spartanburg stand out as having higher retention rates than the other counties as well as the state and region.

TABLE 16.—NUMBER AND PERCENT OF FIRST GRADERS RETAINED SOUTH CAROLINA APPALACHIAN REGION

County	Number first graders (average daily membership)	Number first graders retained	Percent first graders retained
Anderson	2,381	226	9.4
Cherokee	851	141	16.5
Greenville	5,086	463	9.1
Oconee	959	150	15.6
Pickens	1,183	108	9.1
Spartanburg	3,753	666	17.7
Region	14,213	1,753	12.3
South Carolina	62,188	9,213	14.8

Source: State Superintendent of Education, Annual Report—Statistical Section 1968-69 (Columbia, South Carolina, 1969, pp. 42-43).

This high failure rate in the first grade is viewed as one of the major contributing factors to South Carolina's high dropout rate in later grades (Table 17). The region graduated 56% of those entering school in 1957-58. This is above the state average, but below the national average. Also, Cherokee and Oconee Counties are substantially below the region, state and national average. Another way of approaching this problem is median school years completed. In 1960, this was 8.7 years for South Carolina compared to 10.6 for the nation.

TABLE 17.—HOLDING POWER FROM 1957-58 to 1968-69 SOUTH CAROLINA APPALACHIAN REGION

County	Number 1st graders 1957-58	Graduates 1968-69	Percent graduates
Anderson	2,521	1,369	54.3
Cherokee	964	436	45.2
Greenville	5,144	3,141	61.1
Oconee	1,047	471	45.0
Pickens	1,221	768	63.0
Spartanburg	4,147	2,250	54.3
Region	15,044	8,435	56.0
South Carolina	70,638	35,427	50.2
Nation			60.0

Source: South Carolina State Department of Education, A Supplement to: Selected Data on Dropouts in South Carolina, November 1969, table 19.

A further indicator of educational attainment is the percent of high school graduates who attend college (Table 18). In the region, 34% of the graduates went to college, which is above the state rate of 33%, but substantially below the national average of 54%. As the above figures indicate, the intellectual level of a large segment of high school graduates (66%) is below acceptable standards.

TABLE 18.—PERCENTAGE OF HIGH SCHOOL GRADUATES OF 1967-68 WHO REPORTED TO COLLEGE IN 1968-69, SOUTH CAROLINA APPALACHIAN REGION

County	Number of high school graduates, 1967-68	Number of high school graduates reporting to colleges	Percent reporting to college
Anderson	1,192	343	28.8
Cherokee	355	132	37.2
Greenville	3,020	1,056	34.9
Oconee	415	115	27.7
Pickens	646	197	30.5
Spartanburg	2,067	805	38.9
Region	7,695	2,648	34.4
South Carolina	33,680	10,647	31.6
United States			54.0

Source: State Superintendent of Education, Annual Report, College Freshman Report, 1968-69, table 2.

The estimated percentage of families in the region with income below the poverty level is 24%. The number of children from these families enrolled in school is shown in Table 19. Of the total enrollment, 18% of the children come from families with incomes below \$3,000. For many reasons, a large proportion of the dropouts as well as retentions can be traced to this group. Due to serious problems in early childhood, many of these youngsters are inadequately prepared or are physically and/or mentally incapable of reacting to the experience offered in the educational setting.

TABLE 19.—PUBLIC SCHOOL ENROLLMENT AND LOW INCOME STUDENTS—SOUTH CAROLINA APPALACHIAN REGION, 1969-70

County	Total enrollment	Total number of children from families with less than \$3,000 annual income	Percent of total enrollment
Anderson	25,418	4,366	17.2
Cherokee	8,755	2,193	25.0
Greenville	58,633	8,712	14.9
Oconee	9,755	2,399	24.6
Pickens	12,895	2,764	21.4
Spartanburg	39,750	7,736	19.5
Total	155,206	28,170	18.2

Source: State Department of Education.

Furthermore, cultural and social isolation, poor nutritional and health standards, inadequate education and, in many cases, economic deprivation in early childhood may

best be evidenced by poor educational attainment.

Costly special programs can, in later years, improve a child's ability which was adversely affected in the early years of development. However, many of these costly special programs could be eliminated if all children received the proper health services, educational training and environmental quality in the years before age six.

**Nutrition.**—Doctors, physiological psychologists, and educators are speculating upon the relationship between malnutrition and mental retardation and the relationship between malnutrition and the ability to achieve in school. Ample data demonstrate the connection between malnutrition and poverty; health and income are closely related. The progressive nature of illness ultimately interferes with normal productive activity and results in reduced efficiency and income. Poverty and its associated conditions—inadequate nutrition, unsanitary living conditions, poor family planning and food management, and other defects—result in frequent and long illnesses which, in turn, result in the inability to work.

Educators and health personnel have found that youngsters suffering from malnutrition or inadequate nutrition are unable to take full advantage of the benefits of an educational program. Indeed, some of these youngsters are even hesitant to participate in the free lunch program due to its reflection on the family's status. Furthermore, many youngsters do not take full advantage of the free lunch program because foods often provided are unfamiliar to them and which, because of the unfamiliarity, are not eaten. This problem must be dealt with in the home so that parents can support the youngster in understanding nutritional value and benefits of balanced meals and new foods. Understanding health and nutrition is an educational problem, but home visitation and home intervention are needed to assure implementation of what is taught.

A primary source of instruction in health, nutrition, food and family planning, sanitation, and so on, has traditionally been high school programs in home economics and health. A recent study prepared for the Appalachian Regional Commission shows that only 54% of the total number of Appalachian teachers in the area of health have had any preparation in health and only 35% had a college major in health. These data suggest that teachers of health may not be relied upon as the major sources of information about health, nutrition and family planning. Furthermore, by the time youngsters arrive in the grades for health instruction, poor nutrition and health habits have already taken their toll on youngsters from poverty home backgrounds. Most important, however, is the fact that many low income youth who most need the health and family planning information drop out of school before high school—the time when health is taught. The high dropout rate in the region (approximately 50%) suggests that there is need of providing direct education services and information on nutrition, home and family planning, sanitation, food management and economics, and so on to out-of-school people. Family planning needs of the region are not being met. Furthermore, information about the various social agencies and their purposes is not a normal part of a school curriculum.

Fetal, neonatal and postnatal infant death rates in the region generally exceed the national average. Rates for nonwhites are considerably higher than for whites. Inadequate nutrition during these stages of development may contribute significantly to these high rates.

Primary sufferers of poor health habits and malnutrition are very young children because of malnutrition during the developing years.

Kindergarten, Head Start and day care programs often provide meals for youngsters and attempt at that point (ages four and five and older) to rectify problems of malnutrition. Few youngsters in the target area are enrolled in such preschool programs. However, some experts believe that the first three years of a youngster's life are most crucial for development and the effects of malnutrition and poor health habits during those years will have a lasting influence on intelligence, ability to learn, growth and development. Thus, some form of home intervention is needed whereby parents can learn good

nutritional techniques while, at the same time, youngsters can receive the benefits of better nutrition.

**Social.**—Though social problems cannot be completely separated from economic and educational problems, some social indicators are presented to show other problems prevailing in the region.

Illegitimacy in the region is higher than the national average (Table 20). The non-white illegitimacy rate is about eight times the white rate. In the individual counties, the rates are higher in Cherokee, Greenville and Spartanburg Counties.

TABLE 20.—ILLEGITIMATE LIVE BIRTHS AND PERCENT OF LIVE BIRTHS ILLEGITIMATE, SOUTH CAROLINA APPALACHIAN REGION, 1969

County	Total		White <sup>1</sup>		Nonwhite <sup>2</sup>	
	Number	Percent	Number	Percent	Number	Percent
Anderson.....	198	10.8	59	4.3	139	30.1
Cherokee.....	105	13.4	32	5.6	73	35.1
Greenville.....	547	12.8	147	4.5	400	38.9
Oconee.....	64	7.9	36	5.1	28	27.2
Pickens.....	73	6.8	32	3.3	41	33.6
Spartanburg.....	445	14.0	86	3.8	359	38.4
Region.....	1,432	11.9	392	4.3	1,040	36.4
South Carolina.....	7,439	14.8	1,193	3.8	6,246	33.3
United States.....		9.7				

<sup>1</sup> Percent of white live births.

<sup>2</sup> Percent of nonwhite live births.

Source: South Carolina State Board of Health.

Public welfare statistics point out other problem areas. Those relevant to child development are aggregated in Table 21. A more detailed breakdown will be presented later.

The welfare rolls in the region represent a significant proportion of the population and definitely affects a large number of children under age six. As is the case in many parts of the country, a welfare cycle has begun to be established (Figure 2).

TABLE 21.—PUBLIC WELFARE STATISTICS SOUTH CAROLINA APPALACHIAN REGION, JANUARY 1971

County	Food stamp participation (households)	AFDC (cases)	Children and family services (children)
Anderson.....	1,636	317	2,153
Cherokee.....	722	63	477
Greenville.....	5,392	1,049	4,429
Oconee.....	846	131	454
Pickens.....	516	116	638
Spartanburg.....	2,745	791	3,975
Region.....	11,857	2,467	12,126
South Carolina.....	70,987	18,578	80,204

Source: South Carolina Department of Public Welfare. Public welfare statistics, January 1971.

The welfare cycle initiates with birth into an impoverished, uneducated and often malnourished welfare and/or poverty family. The youth grow to school age in a barren, deprived home environment from the point of health care, proper nutrition, and aspiration. Lacking proper nutritional and health habits offered by a successful "parental image," the child takes up the crippling "life style" of an inadequate health, nutritional and educational environment. From this background, he enters school in ill health and sadly equipped to benefit from the educational opportunities available to him. After being unsuccessful in the structured academic environment, he drops out and during the next few years is unable to pursue meaningful employment, starts a family, and hence the cycle starts again.

To effectively combat the social, educational and health problems of the youth in this region, the "welfare cycle" must be broken. It is the contention that the major emphasis should be aimed at breaking the cycle through prenatal and preschool in-

tervention programs designed to work with the youth while also training and involving parents in proper nutritional and educational techniques.

#### INVENTORY OF SERVICES

The previous section of this chapter has pointed out several health, educational, nutritional and social problems that prevail in the South Carolina Appalachian Region in regard to early childhood development. In this section, information will be presented in terms of what is being done to combat some of the problems, as well as to identify current resources involved in child development. Again, due to lack of staff and a tight time frame, this section, as is the case with others, is not complete. The identification of these resources will be an on-going part of the planning activity. However, the data presented here does help to show that some serious gaps are present.

**Health.**—In the previous section on health, problem areas were identified relating to shortages of professional health manpower, high infant and fetal death rates, maternal deaths and the estimated incidence of handicaps in the region. A discussion of some of the activities aimed at these problems follows.

Table 22 shows the case load of public health clinics involved with maternal and child health. It can be seen that the case load is limited to a small proportion of the population. Staff shortages, as well as limited space, contribute to the relatively small case loads of these clinics.

TABLE 22.—CASE LOAD, SELECTED MATERNAL AND CHILD HEALTH CLINICS OFFERED BY COUNTY HEALTH DEPARTMENTS, SOUTH CAROLINA APPALACHIAN REGION, 1970

County	Family planning	Prenatal Con- fidence	Child health	Well baby	Maternity
Anderson.....	381	420	1,416		81
Cherokee.....	51		90	190	42
Greenville.....	1,362	1,156	1,088	115	132
Oconee.....	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )
Pickens.....	122		74		
Spartanburg.....	1,189		422		24

<sup>1</sup> Not available at this time.

Source: Provided by Public Health Department, the 6-counties of the South Carolina Appalachian Region.

As an example of the coverage provided, Table 23 shows the estimated need for family planning services and the percent of need currently met based on 1969 data. When comparing the estimated number needing family planning services (25,000) with the number receiving the service (3,100 from Table 22), it can be seen that a significant gap exists in this one area.

TABLE 23.—RANKING AND NEED FOR FAMILY PLANNING SERVICES SOUTH CAROLINA APPALACHIAN REGION, 1969

County	Ranking in 45 counties of South Carolina	Estimated number of indigent women needing family planning services	Percent of family planning need met
Spartanburg.....	16	7,150	16.9
Greenville.....	16	8,094	16.8
Anderson.....	33	4,572	9.1
Pickens.....	39	1,838	6.5
Oconee.....	44	2,030	2.8
Cherokee.....	45	1,937	2.6
Total.....		25,621	

Source: South Carolina State Board of Health.

Gaps probably also exist in the need for the other clinic services as compared to the number now participating in these programs. As an example, Pickens County estimated its target population for child health nursing clinic to be 5,000 children, but the actual case load was 75 or a 1.5% coverage. Also, some of the County Health Departments do not offer prenatal as well as other maternal and child health clinics.

Greenville General Hospital and Spartanburg General Hospital offer outpatient services. However, these clinics are usually curative-oriented and are limited to a certain indigent segment of the population through the use of a means test.

Other services are available in the region. Each county has speech and hearing services, which include screening, evaluation and treatment. These services are supported by Appalachian (Section 202) funds. A facility for the rehabilitation and education of handicapped children will begin operation later this year in Spartanburg. The Charles Lea Center for Rehabilitation and Special Education is being constructed and staffed with Appalachian (Section 202) funds.

There are other services involved with maternal and child health. The identification of these will be part of the child development planning activities.

However, certain problems are evident from the data presented here. It is generally recognized that the Public Health Department is the center for the preventive-oriented health services, but the available information points out that the limited ability to offer a full range of preventive services falls far short of a complete continuum of comprehensive maternal and child health services.

Other health care resources are aimed at curative, episodic care with indigents going to emergency rooms or outpatient clinics and the affluent going to the private physician. A total care, preventive-oriented system is non-existent in the region.

The region has a basic framework of health resources, though shortages are present (physicians, dentists, etc.). However, many of these often operate on an individual basis with very little coordination with other agencies and services, as well as with the total family environment. Much greater emphasis on prevention and early intervention is needed, as well as coordination of available and future resources into a continuum of care.

**Education.**—In terms of child development from birth through age six, educational services are limited. The State has initiated a pilot kindergarten program for a limited

number of five year olds. The 1970-71 enrollment for the region is shown in Table 24. The estimated number of five year olds in the region is 12,500. The State program has the capacity to offer a kindergarten for 11.6% of the five year olds in the region.

TABLE 24.—State kindergarten enrollments, South Carolina Appalachian region, 1970-71

County and Number	Enrollment
Anderson	305
Cherokee	152
Greenville	504
Oconee	223
Pickens	54
Spartanburg	214
<b>Total</b>	<b>1,452</b>

Source: South Carolina State Department of Education.

Private kindergarten programs provide additional enrollment capacity, but these are not licensed and the determination of their capacity was not feasible at this writing. This is another activity that will be part of the on-going planning activities.

It should be noted that most of the private programs charge for their services. This generally bars the participation of children from indigent families, as well as children of many families with incomes in the near-poverty range.

The only preschool programs offered for children of indigent families are OEO and Model Cities-Supported projects. The enrollment in the Head Start programs is shown in Table 25. The Model Cities programs in Spartanburg will begin in the near future.

TABLE 25.—NUMBER OF CHILDREN IN HEADSTART PROGRAMS, SOUTH CAROLINA APPALACHIAN REGION, 1970-71

County	Summer 1970	Year-round currently
Anderson		400
Cherokee		40
Greenville		225
Oconee	313	
Pickens	362	
Spartanburg	800	
<b>Region</b>	<b>1,475</b>	<b>665</b>

Source: Telephone contacts made in December 1970 with Community Action Council and headstart program directors.

The estimated number of four- and five-year-olds in the region is 24,000. Combining the number in the state kindergarten program and Head Start, the data shows that only 3,592 or 15% of the four- and five-year-old children, and only 4.4% of all children six years old and under, have been involved in any educational preschool program. Of course, this does not include day care, which will be discussed later or the private kindergarten. It is obvious that a significant number of four- and five-year-old children do not have the opportunity to become involved in an organized, preschool educational program. Also, those programs now underway are probably not offering a comprehensive package (health, social, nutritional and educational) of services for the children and the family.

**Social and Nutrition.**—Basic social services that have been identified are day care and public welfare services. In the region, there are 218 day care centers or homes having an enrollment of about 5,000 children (Table 26). The facilities listed are licensed by the Department of Public Welfare and, with the exception of some church-affiliated centers, represent the majority of day care services available in the region. The enrollment of 4,947 represents only 21.1% of the total number of children three and four years old.

TABLE 26.—LICENSED DAY CARE PROGRAMS AND ENROLLMENT, SOUTH CAROLINA APPALACHIAN REGION<sup>1</sup>

	Facilities <sup>1</sup>	Enrollment
Anderson	45	598
Cherokee	3	60
Greenville	94	2,661
Oconee	0	0
Pickens	31	511
Spartanburg	44	1,117
<b>Region</b>	<b>218</b>	<b>4,947</b>

<sup>1</sup> Based on data provided by the respective county's department of public welfare.  
<sup>2</sup> Includes 12 programs that have applications for licensure pending with the State department of public welfare.  
<sup>3</sup> Includes 5 Headstart facilities with an enrollment of 235 and 12 programs that have licensure pending.  
<sup>4</sup> Includes 20 children in 1 Headstart day care center.

Also, with the exception of the Head Start programs having 255 children enrolled, most of the programs charge for their services, thus barring many indigent or near indigent families from having the opportunity to enroll their children in day care programs.

Based on statistics of the Office of Economic Opportunity, 43% of the children under six in the Appalachian Region (13 states) are from families with incomes below poverty levels. South Carolina Appalachia may not be representative of the other Appalachian states, but the 43% may serve to set perspective.

Using the 43% figure, an estimated 30,000 children under six years of age come from families with income below the poverty level. These 30,000 children represent the number in greatest need of comprehensive child de-

TABLE 28.—CHILDREN APPROVED FOR SERVICE UNDER THE CHILDREN & FAMILY SERVICES PROGRAM, SOUTH CAROLINA APPALACHIAN REGION, JANUARY 1971

	Number of children	Location				
		In home of parent or relative	In home of foster parents	Adoptive homes	Institutions	Elsewhere
Anderson	2,153	1,947	185	10	2	9
Cherokee	477	455	9		7	6
Greenville	4,429	4,097	243	12	34	43
Oconee	454	393	29	2	30	
Pickens	638	577	38	10	6	7
Spartanburg	3,975	3,820	109	17	11	18
<b>Region</b>	<b>12,126</b>	<b>11,289</b>	<b>613</b>	<b>51</b>	<b>90</b>	<b>83</b>
<b>South Carolina</b>	<b>80,204</b>	<b>77,585</b>	<b>1,608</b>	<b>260</b>	<b>402</b>	<b>349</b>

Source: South Carolina Department of Public Welfare. "Public Welfare Statistics." January 1971, p. 17.

**Summary.**—This section has presented some basic information related to services now involved in child development. The list is far from complete; however, it serves to point out gaps and problems in the current system that is delivering child related services. Conclusions relating to the base data and inventory are presented later in this chapter.

TABLE 29.—FOOD STAMP PARTICIPATION, SOUTH CAROLINA APPALACHIAN REGION, JANUARY 1971

	Number of households	Number of participants	Average number participating per household
Anderson	1,636	4,786	2.93
Cherokee	722	2,414	3.34
Greenville	5,392	18,092	3.36
Oconee	846	2,178	2.57
Pickens	516	1,226	2.38
Spartanburg	2,745	7,848	2.86
<b>Region</b>	<b>11,857</b>	<b>36,544</b>	<b>3.08</b>
<b>South Carolina</b>	<b>70,987</b>	<b>272,645</b>	<b>3.84</b>

Source: South Carolina Department of Public Welfare. "Public Welfare Statistics." January 1971, p. 19.

velopment services. With Head Start being the only type of a "comprehensive" program available to these children, the current enrollment of 2,140 represents a coverage of only 7.1% by all Head Start programs.

Public welfare services related to children under six years of age are Aid to Families with Dependent Children (AFDC), Children; and Family Services Program and the Food Stamp Program.

AFDC participants are shown in Table 27. The 2,467 cases represent a participation rate of approximately 6.0% by families with income below the poverty level.

TABLE 27.—AID TO FAMILIES WITH DEPENDENT CHILDREN, SOUTH CAROLINA APPALACHIAN REGION, JANUARY 1971

	Cases	Persons	Children under 21
Anderson	317	1,210	878
Cherokee	63	273	208
Greenville	1,049	3,945	2,915
Oconee	131	462	339
Pickens	116	414	309
Spartanburg	791	2,963	2,174
<b>Region</b>	<b>2,467</b>	<b>9,167</b>	<b>6,823</b>
<b>South Carolina</b>	<b>18,578</b>	<b>73,573</b>	<b>55,629</b>

Source: South Carolina Department of Public Welfare. "Public Welfare Statistics." January 1971, p. 8.

The number of children involved in the Children and Family Services Program is shown in Table 28. Food Stamp participation is shown in Table 29. The 11,857 households involved in the program represent 28.9% of the families with incomes below the poverty level.

**Manpower Programs.**—In terms of manpower, several programs are operational, or soon will be, that will provide professional and para-professional medical manpower. Family practice residency programs (funded with Appalachian 202 funds) are operational at Greenville General Hospital and Spartanburg General Hospital. These residents (ten by the end of 1971) will specialize in family medicine. Hopefully, as these physicians train here, the majority will remain in the area once the training is complete.

Several professional nursing programs are currently operational. Clemson University, Limestone College and the University of South Carolina at Spartanburg have programs for registered nurses. Greenville Technical Education Center will initiate a program for associate degree nurses this year, pending approval by the Appalachian Regional Commission of an application for 202 funds.

Training programs for Licensed Practical Nurses (LPN) are also operational at technical education centers, vocational training centers and hospitals throughout the region.

Other training programs at technical education centers will provide such personnel as dental hygienists, mental health technicians, nutritionist aides, physical therapy

assistants, etc. Graduates of these programs should contribute to the expansion of the health care system.

In terms of childhood education, several programs in related fields are operational in South Carolina (USC, Winthrop College, Columbia College and South Carolina State College offer bachelor degrees in early childhood education. The current enrollment by class in these four programs is as follows:

Seniors .....	113
Juniors .....	109
Sophomores .....	116
Freshmen .....	74

There are no programs in South Carolina that offer a masters degree in early childhood education.

Three schools—Lander College, the University of South Carolina and the College of Charleston—have programs for training teacher aides. The enrollment at Lander is 62, and at USC is 260.

Other sources of manpower for the Child Development Program will be explored as part of the on-going planning process for child development in South Carolina. At this time, certain needs have been identified and sources explored. Once the Child Development planning staff is operational more detailed information will be collected.

#### CONCLUSIONS

This chapter has presented some basic data and an initial inventory of services related to child development in South Carolina Appalachia. As has been stated, this plan is not to be considered complete.

However, certain conclusions can be drawn and related to certain basic needs for child development in the South Carolina Appalachian Region.

I. The South Carolina Appalachian Region had a 1970 population of 656,219. The following characteristics stand out as significant for planning a child development program:

A. Within the region, there are an estimated 41,000 families with incomes below the poverty level. Within these families, there are an estimated 30,000 children under six years of age.

B. There are 69,400 children in the region under six years of age and 150,896 females of child-bearing age (14-44 years of age).

C. The Negro population represents 17.1% of the region's total population and decreased from 1960 to 1970.

D. There are 23,403 occupied houses in the region lacking some plumbing facilities affecting an estimated 75,000 people who reside in this type of environment.

E. Within the region, 8.8% of all white families are headed by females, and 26.0% of all Negro families are headed by females. Of these families, it is estimated that 11,000 are on welfare.

II. Unmet health needs in the region are indicated by infant health statistics. The following points stand out:

A. The birth rate within the region is above the national average.

B. Fetal death rates and infant death rates are the same or higher than the national average. The non-white rates are significantly higher than the white rate.

C. Almost 50% of maternal deaths in the state occurred in the South Carolina Appalachian Region.

D. Maternal and child health services are limited within the region and nonexistent in some counties. As an example, of the estimated target populations by county in need of family planning, the largest percent of need met is 16.0%.

E. Preventive-oriented, as well as curative health, resources are available within the region in varying degrees; however, an organized continuum of comprehensive services aimed at early intervention and prevention, as well as treatment, is non-existent.

F. A shortage of manpower (physicians, dentists, nurses, etc.) is evident.

III. Educational attainment in the South Carolina Appalachian Region is below national averages. The following points stand out:

A. In the region, 12.3% of all first graders repeat the first grade.

B. Only 56% of the students enrolled in school in 1957-58 graduated from high school.

C. Only 34% of the high school graduates within the region go to college.

IV. Social and nutritional problems prevalent in the region are related to other indicators. The following points stand out:

A. Illegitimacy in the region is above the national average, and the non-white illegitimacy rate is eight times the white rate.

B. Low educational attainment and high retention rates serve to indicate environmental problems in early childhood. These problems may take the form of nutritional deficiencies, poor health habits and slow or retarded intellectual development.

V. In terms of basic services available for children under six years of age, the limited data available points out the following:

A. The current state-supported kindergarten program has a capacity of 1,452, which represents only 11.6% of the five year olds in the region. There are many private kindergartens, but most charge for their services which effectively eliminates most low income families from enrolling their children.

B. There are 218 day care centers in the region with an enrollment of about 5,000 children, which represents only 21.1% of the three and four year olds in the region. Most of these day care programs are private and charge for their services, which effectively eliminates most low income families from enrolling their children.

C. Of the kindergarten and day programs now operating, very few, if any, provide a comprehensive range of educational, health, social and nutritional services to the children and their families.

A rationale for the project package and the implication of the above conclusions are presented in Chapter IV.

#### CHAPTER II.—PROGRESS REPORT, ORGANIZATIONAL RELATIONSHIPS AND FUTURE PLANS

From the information presented in Chapter I, it is evident that South Carolina has many problems affecting the development of children and their subsequent achievement in later years that warrant the current emphasis on early childhood development.

#### PROGRESS REPORT

The Office of Child Development of the ARC proposed a schedule of activities and deadlines which were adopted by the Commission at its October 1970 meeting.

The first deadline was met January 1, 1971, with the submission of the planning grant application, a progress report and a letter of intent, stating that South Carolina planned to participate in the Child Development Program and would submit a project package of \$1½ to \$2 million.

The Governor, by Executive Order, had established a state-level interagency council, composed of the heads of state and local agencies concerned with child development programs. Meetings were held with all members of the interagency council for the purpose of orientation and input into the planning grant application and project development. All of the major agencies involved designated additional staff personnel to assist in the development of the planning grant applications, a state plan, components and program standards.

A progress report and a proposed project package was submitted February 15, 1971. The time period from February 15 to April 1 has been spent developing the formal applications for the proposed projects and a preliminary draft of the state plan. These will be submitted to Washington in conformance with the April 1 deadline.

The first formal meeting of the South Carolina Child Development Council was held March 15, 1971; however, it should be noted that members of the Child Development Council provided significant contribution to the development of the project package, the planning grant application and the preliminary state plan prior to this first meeting. The second meeting of the Council was held April 1, 1971. The agendas and minutes of these two meetings are enclosed as Appendix A.

On October 6, 1970, James F. Keasler, associate director of the South Carolina Appalachian Region Health Policy and Planning Council, accepted the assignment as Project Director to initiate the South Carolina Child Development Program and to make it operational.

In order to meet the deadlines established by the ARC, and to insure the development of a quality program, every available resource was fully utilized. Mr. Keasler relied heavily upon the capabilities of the staff of the South Carolina Appalachian Region Health Policy and Planning Council in the development of the planning grant application, the project package and the preliminary draft of the state plan. Additional invaluable support and assistance were provided by the Appalachian Planning and Development Commission, the State Planning and Grants Division of the Governor's Office, the ARC, the Atlanta Offices of HEW and other regional and local consultants too numerous to mention.

#### ORGANIZATIONAL RELATIONSHIPS

The South Carolina Child Development Council has been established in accordance with ARC guidelines to provide a forum for the planning and implementation of a comprehensive child development program. The Council is charged with determining ways of maximizing the utilization of available resources, identifying needs and priorities, while at the same time assuring interdepartmental cooperation.

The Council serves as an Advisory Council to the Governor. All appropriate state and regional organizations concerned with child development are represented on the Council. Through initial review by the Council, as well as subsequent A-95 review procedures of all proposed child development programs and plans, it is anticipated that conformance with current related plans would be assured.

Since the demonstration projects will be implemented in the South Carolina Appalachian Region, the initial concern is that these programs conform to the *Health Development Plan* of the health demonstration area, as well as the *Development Plan of the LDD. The Health Development Plans of 1970 and 1971* have placed emphasis upon human resource development, of which child development is an important part. The 1971 *Supplement to the 1970 South Carolina State Appalachian Development Plan* refers to the importance of early childhood development, as well as the implementation of the South Carolina Child Development Program in the Appalachian Region.

#### FUTURE PLANS

After the submission of the project applications and the preliminary state plan, the Governor's Office, his State Planning and Grants Division and the Project Director will be primarily concerned with the immediate recruitment of a full-time, highly qualified Child Development staff.

Several months will be required for staff development once a full-time planning office becomes operational. The project applications and the preliminary draft of the State-plan will provide important input into staff orientation. It is expected that the South Carolina Child Development Council, as well as other organizations involved prior to the

operational status, will also contribute to staff development.

Major emphasis for the child development staff will be directed toward the revision and update of the preliminary State plan. Much effort will be involved in the transition from a regional demonstration approach to a statewide planning and programming approach.

Some of the activities of the Child Development Council and staff will be involved with the determination of financial sources needed to support a comprehensive child development program. Other activities will include the development of an information system, evaluation mechanisms and techniques of the overall program and assistance in the implementation of the demonstration projects. Outside consultants will be utilized as necessary.

#### LIMITATIONS

Due to the circumstances surrounding the preparation of this preliminary plan the optimal approach to child development can be discussed only in general terms. These circumstances are that no State child development staff, with the exception of the director who serves in a dual capacity, has been employed and that as a consequence preparation of this document is by the demonstration health area staff, the LDD staff and outside consultants. Those preparing this plan have some expertise in child development but would not presume to have sufficient knowledge to design an optimum delivery system of comprehensive child care. Nevertheless it is necessary to have a framework within which applicants can work and a basis upon which the child development staff when employed can build.

#### CHILD DEVELOPMENT STRATEGY

The development of a child from conception is a complex and exciting phenomenon. In the proper environment this development occurs naturally. Assuming this to be true, the goal of a child development program must be the insuring of the existence of this proper environment for each child. The objectives, therefore, of the child development staff are to identify and describe the proper environment which would encourage and permit a child to develop and to develop a strategy for the creation of this environment if it does not exist in a particular area.

Before a child development staff attempts to define the optimum environment in which child development can naturally occur it must define what it means by child development. In simplest terms child development means the optimal development of a child's potentialities in order that he may be able to understand, enjoy and compete in the world around him and to cope with situations he will encounter in life.

Since resources are limited and since prevention is generally more cost effective than attempts to cure, a child development program should be concerned primarily with children in the years in which they are developing most. Since most experts agree that this includes children under six years of age, the state child development program must address itself primarily to this age group. The child development staff must determine what elements of a child's environment will allow him and encourage him to develop his potentialities. These elements or components can be broadly categorized into health, education and cultural stimulation, social well-being, and nutrition.

#### CHILD DEVELOPMENT ENVIRONMENT

A healthy environment for a child under six years of age is one which is free from physical handicaps and in which a child is protected from the physical dangers that possibly could surround him. He is protected from disease, from accidents, and from birth defects as far as possible.

The creation of a healthy child environment must begin prior to conception. Family planning, therefore, is the first component of a healthy environment. This, of course, necessitates the education of the parent. Basically, the components of the creation of a healthy environment would be the prevention, the early detection, and the treatment of defects and the education of parents. A comprehensive health care program for young children would include testing of vision, hearing and motor development; dental and health education care; diagnostic evaluation; and follow-up treatment as needed.

The preventive aspects cannot be over emphasized since approximately 20-30% of the chronic, crippling conditions of childhood and later life could be prevented or corrected by comprehensive health care through age five and approximately 60% could be prevented or corrected if health care were extended through age 15. Uncorrected visual problems can be reduced by 80%, hearing problems by more than 50%, and unmet dental needs by 100%.<sup>1</sup> Some of the specific health services which each child in the above age frame requires are delineated on the able of Child Development Components in Appendix B.

The environment which is conducive to the proper development of the child will also include educational and cultural stimulation. An environment which would be conducive to the educational and cultural stimulation of children would permit the child to: explore the physical world; broaden his experiences; observe, respond, and experiment; learn the communicative skills; think critically and creatively; gain awareness of and sensitivity to aesthetic experiences; extend and refine his skills in human relationships; develop self-confidence, self-understanding, and a positive self image; develop motor and manipulative skills; and develop good health, physical and safety habits;<sup>2</sup>

It must be realized that every moment a child is awake and in good health he is learning. This learning process can be broken into four basic components. These are in their order of their proper introduction to a child: affective, perceptual and mechanical (which should probably occur at about the same time), and cognitive areas of development. Affective development includes activities which tend to give the child a positive image of himself as a person and as a learner. All activities in a planned program for educational stimulation must continually reinforce this positive image of the child. Perceptual development includes activities which help the child interpret what he sees, hears, or touches. These are activities which make it possible for the child to internalize sensory experiences. Mechanical development includes activities which affect physical coordination and the development of such skills as verbal, reading and writing. Cognitive development includes activities which provide the child with experiences which develop mental operations which are present in developing children of pre-school age such as seriation, classification, correspondence, and reversibility. These activities must occur in a carefully planned sequence. Each of these areas of development is important to the total educational development of a child and must be a part of any program for his development. Some specific educational and cultural stimulation components are included in the Child Development Components table in Appendix B.

An environment which will allow a child to develop properly must include the provision of adequate and nutritional food. More and more evidence is being accumulated to show the urgency for adequate nutrition of mothers and the child through pregnancy and in the early years of childhood during

which time—and largely through proper nutrition—is established the biological bases for health and learning. Research gives irrefutable evidence that the nutrition *in utero* and during the earliest periods of infancy profoundly influences the organic development of the nervous system and its capacity for determining intellectual ability and, as a consequence, influences health and learning throughout the individual's life. This points out the importance of proper nutrition to both the mother and unborn child during pregnancy and the importance of nutrition to the proper development of a child. The proper nutritional environment is one in which the proper food is provided to the growing child. This diet must provide the correct combination of minerals, vitamins, proteins, and energy foods (fats and carbohydrates).

Of the twenty-one mineral elements found in the human body, fourteen are considered essential. These are calcium, phosphorus, potassium, sulphur, sodium, chlorine, magnesium, iron, manganese, copper, iodine, cobalt, fluorine, and zinc. The amount in which mineral elements exist in the body vary greatly. No matter how small the amount of an essential element is needed, if it is not provided, health is affected.

Vitamins are any one of a group of substances which occur naturally in foods in minute quantities and which produce specific physiological effects. They are essential to the normal development and maintenance of the human being.

Proteins are in reality an energy food; however, since they contain nitrogen they are characterized as being different from the other two energy sources—fats and carbohydrates. Proteins are essential constituents of body fluids with the exception of the bile and urine. They are essential to all forms of life. Plants build their protein from inorganic materials; however, animals cannot and must obtain either proteins or their cleavage products, amino acids, from their foods to form body tissue.

The human body must have fuel to carry on its work. There are three kinds of fuel which the body is capable of burning—proteins, fats, and carbohydrates. Each of these fuels provides calories and in order for the human body to carry out its daily activities the food intake must provide sufficient calories to meet the energy requirement of the body.

A child cannot be expected to live much less develop properly if he is not provided the proper food.

The environment in which a child lives must permit and encourage him to develop his social skills, gain an awareness of himself, and understand his relationship to the world. If this social environment is not provided so that wholesome development can occur during the formative years of a child's life, which experts say are the most critical in personality formation, there is no reasonable expectation that the child who grows up in the absence of this environment will become a clear thinking, emotionally stable adult citizen. A child's ability to relate to others, to live and work with peers and superiors or to rebel against them is shaped by his early experiences. In the earliest years, the basis is laid for the development that is to influence the rest of the child's life.

Children become social adults only by a long process of physiological maturation accompanied by learning. There is a great deal of sheer knowledge that a child must acquire, but beliefs, values, and principals of moral conduct also have to be internalized so that expected behavior does not require constant external sanctions. The creation of a positive self image so vital to maturity typically occurs only in social relationships that are emotional in quality, and that fact helps to account for the universality of the family as a concrete social system. Perhaps, health,

Footnotes at end of article.

nutrition, and education can be adequately provided outside of a family situation, but socialization is a function best performed by the family.

#### INSTITUTIONS CREATING A CHILD'S ENVIRONMENT

In the American or Western civilization the components which fit together to create an environment which is conducive to the proper development of a child are created by a number of institutions. These institutions would include the home and family, the school, the church, the medical community, the cultural community, and the governmental complex. If these institutions and others which have not been identified here are not functioning properly or if their functions are detrimental to the development of a child a crisis in child development is created. This is undoubtedly the situation in which western civilization finds itself. It is a situation in which many children are not living in environments which are conducive to their proper development. To generalize, it could be said that economically deprived children are probably not living in an environment which is conducive to their proper development. Neglected children are not living in an environment which is conducive to their proper development. Unfortunately, the children of many working mothers are also not living in an environment which will further their personal development.

#### FUNCTIONS OF A CHILD DEVELOPMENT PROGRAM

It is the function of the child development program to identify the institutions which are influencing and creating the environments in which children grow. It is the child development staff's responsibility to identify gaps in the system which is creating the environment children live in. It is the function of the child development program to develop methods of filling these gaps. The methods of filling the gaps in the creation of a wholesome child development environment would be basically two. They are 1) strengthening the existing base which is creating the child's environment so that it is doing a better job and 2) adding to the base: In essence, taking the identified gaps in the provision of the components or services vital to a child's proper development and creating components or services to fill these gaps.

An example of the first method—strengthening the existing base—would be assisting a county health department provide rubella vaccinations to all pre-school age children in the county instead of only 50 percent. An example of the second type of action—adding to the base—would be the development of day care facilities in an area which needs day care but has none. Logically, the approach to be used in any community would be to develop and expand existing services, unless there were critical unmet needs which had to be served.

Since there is much to learn in South Carolina as in any other state concerning the environment which is most conducive to the proper development of a child, South Carolina's strategy for child development will be a series of demonstration projects in a specific area of the state. These projects will not be entirely experimental. They will be based upon the best current knowledge available in the field of child development aimed at satisfying known needs of children or to fill established gaps in the system which is creating the environment in which children live.

To recap, the strategy which will be utilized by the child development program in South Carolina is as follows: 1) to describe in general terms the environment which is conducive to the proper development of a child; 2) to identify the components or services vital to the creation of this proper environment; 3) to identify the institutions which provide these service components for the creation of a proper child development

environment; 4) to identify the gaps in the provision of components for the creation of a proper child development environment; 5) to develop demonstration projects which will meet identified needs of children or which will fill in gaps which have been identified in the current system of provision of services vital to the creation of the environment conducive to the proper development of a child; 6) to continue to evaluate demonstration projects which have been designed to meet the known needs or known gaps in the existing provisions of services for child development; 7) to continue to revise the strategy, objective and methodology based upon feedback from demonstration projects; 8) to identify new needs or gaps in services to children and begin to develop projects and programs aimed at meeting new needs of children as they are made evident or become known.

#### CHILD DEVELOPMENT GOALS FOR SOUTH CAROLINA FOR FY 1972

The goal of the child development program in South Carolina is to create an environment in which each child is permitted and encouraged to develop his own potentialities to their maximum. This is the ultimate goal. It is realized that this cannot be done in one, two, or possibly ten years; therefore, South Carolina has adopted two immediate short-range goals which it hopes to achieve in 1972. The first short-range goal for South Carolina is to effectively implement the projects which are currently proposed for the demonstration area of the state. These projects have been designed to meet known needs of children in the demonstration area of the state. During 1972 these projects will be followed closely and will be evaluated according to their impact on the children involved and upon their acceptance by the local communities. These projects have been developed by local leaders in accordance with needs which have been identified. Local school, welfare, OEO, Headstart and health officials were involved from the beginning in the development of the project package. The feedback which will be received from these projects will be invaluable in determining whether the strategy which the projects are implementing is effective, and whether they are, indeed, achieving their goal which is to satisfy known needs of children in the Appalachian portion of South Carolina.

The second short-range goal for FY 1972 for the State of South Carolina is to develop a state-wide child development plan. The current plan and model has been developed for the South Carolina Appalachian area. It is believed that the strategy and methodology used in this demonstration area can be readily transferred to a state-wide program. The regional approach has been utilized in the demonstration area because of the existence of the Appalachian local planning district office, the demonstration health area, and the co-terminous boundaries of a state planning district. Since the remainder of the state is divided into planning districts, it would seem that the methods and strategy used in this district could be easily converted to the remainder of the state.

In the development of a state-wide plan much refinement in strategy will be necessary. As pointed out, no full-time child development staff at the state level exists. This staff will be employed shortly and will begin the development of a state-wide plan. The first function of the state development staff will be a further definition of the environment most conducive to child development and a further definition of the components which compose or which make up this environment. It may be appropriate as the state staff develops a further knowledge of the components vital to the creation of an environment conducive to child development to use a matrix system whereby each

identified component of child development is matched with the particular organization at the state and local level which is presently providing this component. It will be relatively easy to judge from the matrix which components are not being provided by the existing system of organizations and agencies. The logical progression from this point would be to develop methods of providing these components or filling the gaps in the existing system. The gaps identified would be based upon the known requirements for a proper child development environment. As further knowledge becomes available in the area of child development new needs and new components will be identified; therefore, the process of the child development planning is a continuous process which is affected by research in the area and also very much affected by the feedback from demonstration projects. As the state staff begins to develop the state plan, it will be receiving preliminary feedback of the progress of demonstration projects in child development. Also, parent advisory groups, which will be formed for each demonstration project, will provide a vital source for input into the planning-programming process. Utilizing this information, it would be possible for the state staff to define and redirect its strategy as it plans. Evaluation cannot be overemphasized because it will be one of the prime factors in the directing of the child development program in the State of South Carolina.

#### EVALUATION

At this point in time, specific methods of evaluation cannot be identified. However, the importance of evaluation is realized. Methods of evaluating child development projects will consist of a determination as to whether or not the project has satisfied the objectives established for it. Also very useful in the evaluation of projects will be pre and post tests of children's physical conditions, mental alertness and social adjustment. Methods of evaluating the planning process and planning staff will be developed. Also, methods of evaluating the effectiveness of the State Child Development council will be developed. One of the primary questions of the evaluation of the council and the plan will be whether they are increasing inter-agency cooperation and reducing inter-agency jealousies and duplication. More detailed information on evaluation is written into the project applications that are submitted.

#### STANDARDS, CRITERIA AND GUIDELINES FOR CHILD DEVELOPMENT PROGRAMS

It is essential that programs developed for children must meet high standards. Projects and programs in the demonstration area and eventually in the entire state of South Carolina will meet *Federal Interagency Day-care standards*, the standards enumerated in the regulations covering service programs for families and children in the Federal Register, Volume 34, No. 18, January 28, 1969, Part II, and the Guides on Federal Regulations Governing Service Programs For Families and Children, Title IV Part A and B, Social Security Act 1969. All daycare facilities will be governed by the rules and regulations developed for licensing daycare centers by the South Carolina Department of Public Welfare. Any programs related to the teaching of children in a formal educational setting will meet the criteria established by the State Department of Education as given in *Guide for Teaching Kindergarten*. Nevertheless, it is necessary to express the standards which will be utilized in general terms in insuring proper care to children in the projects which are planned for FY 1972.

#### PERSONNEL STANDARDS

There is no room for incompetence or half-heartedness in the all-important vocation of the care and guidance of young children and infants. All professional personnel and para-professional personnel guiding the child's

intellectual, physical, and emotional development must have appropriate personal characteristics, broad professional backgrounds, where implied in the nature of the work, thorough preparation, and demonstrated levels of competency. Fundamental to all of these qualifications is real love for children. The person who does not really like children has no business in either professional or paraprofessional work, no matter how skillful he may be.

Staff personnel, to make their most effective contribution to the learning and development of young children, ought to be involved in planned experiences aimed at enhancing their own professional and personal development. Ongoing programs of staff development are an integral part of any operation serving children.

Many men and women's personalities and family experiences especially equip them for work with children. They can serve useful, increasingly valuable functions, if properly trained and counseled. The use of paraprofessionals in all kinds of services for children can free the professional to give closer individual attention and to apply his skills more effectively. Very often these aids add another dimension of human love and understanding to the schoolroom or daycare situation.

#### PROGRAM STANDARDS

The most effective implementation of a program is based upon what is known and accepted as the best way to take care of children. Programs have to be based on sound, commonly accepted principles and on the new insights into the growth and development of children, and geared to the individual child. The most effective programs are those that deeply involve parents in planning, development, and implementation.

#### STANDARDS FOR PHYSICAL FACILITIES AND ENVIRONMENT FOR PRE-SCHOOL CENTERS

Since the physical environment can facilitate or inhibit intellectual, physical, and social development, child development physical facilities should be more than shelters and must provide an environment conducive to learning and good mental and physical health.

Wherever possible, facilities should be located conveniently in relation to children's homes or the parents' places of employment, thus enabling parents (especially the working mother) to deliver and pick up the child, and facilitating parental involvement in the program. Location should permit adequate, safe outdoor play and preclude conditions that might be injurious to the physical or psychological welfare of children.

Suitable housing for children must provide light, heat, ventilation, acoustical control and meet sanitary and safety standards. Design should permit flexibility in use of space for children and adults and reflect aesthetic considerations.

Indoor activities require at least 35 to 50 square feet for each child. Additional space is needed for kitchen, toilet rooms, isolation quarters, office, staffrooms, halls and stairways, storage areas, lockers, laundry, furnace room, and floor space occupied by permanent built-in cabinets and furniture. Outdoor activities require 75 to 100 square feet per child. Outdoor space should be directly accessible from indoor facilities and so designed that all areas are visible and easily supervised. There should be sunny and shady areas, shelter from inclement weather, and plenty of space and sand or dirt for digging.

Sufficient equipment, materials, and furnishings are needed for both indoor and outdoor play, with adequate variety and quantities to meet the developmental needs of children, appropriate to their ages, sizes, and activities. Equipment should include some

materials from the following categories: art supplies, blocks and accessories, picture and story books, housekeeping items, large-muscle equipment, manipulative toys, musical instruments, and science materials.

#### SUMMARY

This chapter has presented the skeleton framework upon which a more definitive concept of comprehensive child development services can be developed. It is far from complete, but represents an initial effort toward the development of an optimum model and a long-range plan for implementing a comprehensive child development program in South Carolina.

#### FOOTNOTES

<sup>1</sup> Directions Seminar, *The Children We Neglect, A Call for Action*, (1965), p. 2.

<sup>2</sup> T. Harden, *Guide for Teaching Kindergarten*, (Columbia: South Carolina Department of Education, 1969), p. 6.

#### CHAPTER IV.—PROJECT PACKAGE

The child development projects proposed for implementation this year are of three basic concepts. Five proposals offer comprehensive child development programs which include educational and day care components as well as nutritional, health and social services and family outreach for a defined number of children of ages two to five years. Four of these programs have been developed by county school systems along with the involvement of other agencies such as Public Welfare, Public Health Departments and various other health and social services. The other program was developed by the Community Action Program with active participation of the school system and other appropriate agencies and services.

Another proposal is for a developmental-planning grant for the Clemson University School of Nursing. The project is aimed at appraising the role of the nurse in terms of being the primary caretaker of children and their families. The result of the project will be a model that is relevant to the expanding role of the nurse, the needs of target populations and the resources available.

The final project that is being developed is a comprehensive maternal and child health program. This proposal will offer an organized continuum of pre-natal, post-natal and well-baby services. The project is still in developmental stages and will be submitted sometime after April 1, 1971.

As has been stated before, the planning and development of the project package has been generated at the local level. Obviously, each county within the South Carolina Appalachian Region is at a different level with respect to achieving all the necessary components for a comprehensive child development program. For this reason, there are varying degrees of emphasis upon component areas among the projects depending upon the local situation.

#### PROGRAM RATIONALE

The following discussion relates the three programming concepts offered by the seven project proposals to the base data and conclusions presented in Chapter I.

High first grade retention rates, high drop-out rates and a low percentage of high school graduates entering college were cited as educational problems in South Carolina Appalachia. These problems are seen as the results of other problems that affect early childhood development. In many cases, first grade retentions and drop-outs can be traced to children who have not been adequately prepared physically and/or mentally to react to the experience offered in the educational setting. Many of these children are from families that offer an environment of cultural and social isolation, poor nutritional and health standards, inadequate education

and economic deprivation. It should also be noted that these problems may not be limited to the indigent family. Adequate family income level may not insure a proper environment for early childhood development.

In order to reduce and, sometime in the future, eliminate these educational problems, comprehensive preventive-oriented programs must be developed which are aimed at early intervention into those childhood problems affecting achievement in the later years.

To provide a comprehensive approach, the concept of establishing a pre-school educational component along with a day care component that would provide the setting for a full range of health, educational, social and nutritional services to children ages two to five and through outreach to their families was developed in Oconee, Anderson, Greenville, Spartanburg and Cherokee Counties. This concept is built around the involvement of the total family.

When the child is enrolled either in the pre-school educational setting or the day care setting, a corps of specialists begin to evaluate his needs as well as his family's needs for health, nutrition, social and/or environmental services. The outreach component for the family would provide the vital link in achieving total family involvement.

The operational concept of the program is to use a core staff to provide the basic services such as educational day care and outreach and referral functions. Special services, evaluations and/or treatment would be provided by those agencies or organizations now operational. For instance, speech and hearing evaluations and treatment would be provided by United Speech and Hearing Services. Immunizations and other public health services would be provided through County Health Department.

Outreach teams would identify additional family needs and refer them to appropriate sources. For instance, the mother may need family planning or pre-natal services and other children may be in need of speech and hearing evaluations or general child health clinics.

The program should achieve a significant degree of intellectual development for the child as well as improvement in health habits, nutrition and social development. Outreach and follow-up by specialists in these same areas would provide improvements in the home setting as well as identify and meet special needs (family planning, food management, etc.) as appropriate.

This type of comprehensive program has not been available in South Carolina. The state only recently began a pilot pre-school educational program on a limited basis. The pilot program does not provide a full range of services as discussed above, but the results of the evaluation of the pilot program may show what such a program can achieve at least in educational development.

Excerpts from the evaluation report follow:

"The need for a formal evaluation of South Carolina's pilot kindergarten project was recognized by the States Department of Education. In order to measure the progress of kindergarten children, it was decided to administer the pre and post test forms of the *Caldwell Preschool Inventory* and the *Peabody Picture Vocabulary Test* to all kindergarten classes. Due to a variety of problems related to the implementation of new kindergarten classes, it was decided to delay initial testing until midautumn, 1969. The post tests were administered during the last two weeks of May, 1970. Therefore, the results of the evaluation hold the limitation of six months of instruction rather than the usual nine months. The results of these tests were as follows:

TOTAL PRETEST AND POSTTEST MEAN SCORES ON PEABODY PICTURE VOCABULARY TEST AND THE CALDWELL PRESCHOOL INVENTORY OF CERTAIN PILOT KINDERGARTEN CHILDREN, 1969-70 AND SHOWING TEST NORMS

Test	Pretest Mean	Posttest mean	Test norm 50th percentile
Caldwell preschool inventory:			
A—Personal-social responsiveness.....	19.77	23.03	22.33
B—Associative vocabulary.....	12.04	17.88	16.33
C—Concept-activation, numerical.....	11.14	14.77	13.50
C <sup>2</sup> —Concept-activation, sensory.....	14.69	17.12	17.63
Total.....	57.45	72.74	70.00
Peabody picture vocabulary Test: (auditory-visual vocabulary).....	46.88	54.25	55.20

<sup>1</sup> Average score.

"The Caldwell Preschool Inventory indicated a child's achievement in four areas considered important for successful school experiences (see table). Their test mean for South Carolina children was 57.45. This is considered to be an extremely below average score compared with test norms for children entering kindergarten. The post test mean of 72.74 is considered to be a high average score as compared with the test norms. A score of 73 was at the 60th percentile on test norms for this age group. Therefore, the mean post test score for South Carolina kindergarten children was above that of 60 percent of the children in this age group. It may then be interpreted that many South Carolina kindergarten children made significant growth in areas measured by this test.

"Two thousand six hundred and thirty-five children completed both forms of the Peabody Picture Vocabulary Test, which provides an estimate of a child's verbal intelligence by measuring his visual-auditory vocabulary. The average performance score (46.88) of South Carolina kindergarten children on the pre test was below the average score for entering kindergarten children nationally (50.22). This pre test mean is approximately that of children nationally, age four years and eight months. The post test mean (54.25) was approximately that of children nationally, age five years and ten months. Thus, the average performance score of South Carolina children on the post test was within the average range of scores nationally for children completing kindergarten. This measured gain took place within a six months period.

"In order to determine the effectiveness of the kindergarten program in preparing children for first grade, the Metropolitan Readiness Test was administered in September 1970 to 199 children who attended pilot classes during the 1969-70 session. A control group of 199 children who have had no kindergarten training were given the same test. Table I shows the means, standard deviations and *t* of the scores on the Metropolitan Readiness Tests for the experimental and control groups.

TABLE I.—NUMBER, MEANS, STANDARD DEVIATION AND *t* OF SCORES ON THE METROPOLITAN READINESS TESTS FOR THE EXPERIMENTAL AND CONTROL GROUPS

Group	Number	Mean	Standard deviation	<i>t</i>
Experimental (State kindergarten).....	199	59	14.5	.....
Control (no kindergarten).....	199	46	7.4	17.73

<sup>1</sup> Significant beyond 0.001 level.

"As is readily observed in Table I, children who had the opportunity to attend the State Pilot Kindergarten program (and who were

representative of South Carolina's five-year old population) scored significantly higher on the Metropolitan Readiness Tests when compared with children who had not had the opportunity to attend a pre-primary program. Since the Metropolitan is predictive of success in first grade, the South Carolina State Pilot Kindergarten program has been shown in this second evaluative analysis to be meritorious."

If these results can be achieved with a program limited to pre-school educational services, the result of a comprehensive approach should be even more significant. At the same time, the entire family will benefit from a comprehensive approach which should begin to work toward reducing other problems in the home environment such as health problems associated with pregnancy and infancy as well as other problems (nutrition, social) already discussed.

One of the problems identified in Chapter I is a shortage of professional medical manpower, namely physicians, dentists and nurses. Two ways of achieving additional output from medical manpower resources seems apparent. One method is to recruit additional manpower thus adding to the supply. A second way to increase output is to find new and innovative means of increasing the capacity or expanding the role of the manpower now available.

It is to this second method that the Clemson University Nursing Center for the Promotion of Family, and Child Health Project is directed.

The recognition of a crisis in the delivery of health services has caused many members of the health professions to appraise the relation of their historical posture to this failure to deliver adequate health care. The nursing profession has been made aware of their potential to increase the quantity and quality of care by experiments and demonstrations that expand the role of the nurse to include such functions as principle therapeutic agent, primary caretaker, and nurse-advocate.

The operational concept of the project is to more definitively develop an acceptable model for the expanded role of the nurse. The program will evaluate existing and proposed health delivery systems in light of the role of the clinical nursing specialist as the primary caretaker of children and their families. From this evaluation, a model will be developed that is relevant to the expanding role of the nurse, the needs of a defined population and the resources available in a given area.

In order to develop a model for the expanded role of the nurse-practitioner, two basic areas will be stressed in the research. These are: (1) legal restrictions and problems; and (2) perceptions and attitudes of families about the nurse as the primary caretaker.

The model that is developed should serve to lead the way to the more efficient use of the professional nurse, especially in areas where manpower shortages are critical and unmet health needs paramount.

Health problems associated with pregnancy and infancy were identified in Chapter I. These problems were identified in terms of fetal death rates, infant death rates and maternal deaths. To combat these problems, the third program concept will provide comprehensive maternal and child health services. Though this project is not as complete as the others, the basic operating concept calls for the county health departments to offer a continuum of pre-natal, post-natal and well-baby clinics.

#### MANPOWER REQUIREMENTS

The personnel requirements of the proposed projects is not seen as a problem in implementing these programs. The four basic types of manpower needed to provide staff for the programs are early childhood educators, social workers, teacher aides and nurses.

Early childhood educators will be recruited from the graduates of the four schools in South Carolina which offer degrees in early childhood education. These courses are expected to graduate 113 seniors this spring or summer. If these students do not meet the demand, recruiting will be directed at those graduates or qualified teachers who have had experience or some education in the field of early childhood education.

In terms of social workers, several schools in South Carolina and specifically in South Carolina Appalachia offer degrees in sociology; however, most positions require a Master's degree in social work. The University of South Carolina has the only program offering a Master's degree in this field in the state. The first class will graduate this spring and the demand for the graduates is expected to be high. The recruitment of qualified social workers from the one program (USC) may be a problem and other sources will have to be sought. Out-of-state recruiting may be necessary. Another source may be social workers with bachelor's degrees and experience in the field.

Three programs in South Carolina are training teacher aides. These programs should supply the demand of the proposed projects. Also, in-service training programs may be another means of providing enough aides for the projects.

Several programs throughout the region and state are training nurses. The schools offering two-year associate degree nursing programs are: Baptist College of Charleston, Clemson University, University of South Carolina (Columbia, Conway and Spartanburg), Francis Marion College and Lander College. Greenville General Hospital and the Orangeburg Regional Hospital offer three-year diploma programs for nurses. Baccalaureate nursing programs are offered at the Medical University of South Carolina, Clemson University and the University of South Carolina at Columbia. These courses should graduate enough nurses to meet the requirements of the proposed projects.

Obviously, the entire staffing requirements cannot be met with new college students. Experience requirements will demand a number of highly-qualified professional and para-professional personnel.

Many key contacts have been made in and out of the state during the development of the projects and state plan. These contacts will be an invaluable source of leads to possible applicants for the key positions in the projects. Where all experience and educational requirements cannot be met, in-service training programs, which are included in five of the six projects, will serve to fill the gaps. Also, when necessary, graduates of out-of-state institutions will be recruited. With several sources of potential staff members available, manpower requirements should not be a serious problem in the implementation of the projects.

#### SUMMARY

The above discussion has presented the three basic operating concepts the seven project proposals encompass. The formal applications will be submitted separate from this plan; however, the applications along with this document combine to form the initial program package for the South Carolina Comprehensive Child Development Program.

#### VIETNAM COMBAT DEATHS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. JACOBS. Mr. Speaker, some question has been raised in recent months about the alleged decline in American

combat deaths relative to noncombat deaths in Vietnam. The essence of the question is just how the administration is defining "combat deaths."

The fourth and fifth sentences in the following letter received by Mrs. K. M. Ward of Columbus, Ind., from the office of the Adjutant General tend to answer this question.

DEAR MRS. WARD: This is in further response to your letter of 8 October 1970 addressed to President Nixon regarding the death of your brother-in-law, Sergeant Jim A. Wray.

It is indeed thoughtful that you should seek comfort for your sister and you may be assured that the President deeply regrets the loss of each of our servicemen.

He is keenly aware of the contribution and sacrifices of all those who serve in Vietnam but because of the many demands placed upon him, he is unable to extend personal condolences to the next of kin of all personnel who die on active duty. It is my understanding that President Nixon sends letters of condolence to the next of kin only in combat or combat-associated deaths. Sergeant Wray died on 2 July 1969 in Vietnam as the result of injuries received while on a military operation when supporting artillery impacted in the area. He was reported as a non-hostile casualty.

The nearest regional Veterans Administration office will assist Mrs. Wray in initiating a request for the memorial certificate you mention.

My deepest sympathy is with Mrs. Wray and her daughter, Tracy, in the great loss they have suffered.

Sincerely,

VERNE L. BOWERS,  
Major General, U.S. Army,  
Acting The Adjutant General.

REMARKS OF L. MENDEL RIVERS, JR., ON THE OCCASION OF THE KEEL LAYING OF THE U.S.S. "L. MENDEL RIVERS," NEWPORT NEWS, VA., JUNE 26, 1971

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. DOWNING. Mr. Speaker, on June 26, 1971, the keel of the U.S.S. *L. Mendel Rivers* was laid at the Newport News Shipbuilding and Dry Dock Co. in Newport News, Va.

In addition to the splendid remarks of our colleague, Chairman F. EDWARD HÉBERT, Secretary Chafee of the Navy, Admiral Zumwalt, and Admiral Rickover, we were pleased to hear from L. Mendel Rivers, Jr., the son of our late, lamented colleague. In a few exquisite words he described the man whom we loved and respected so much.

He repeated his words which some of us have heard from him so often:

I will not excuse, I will not equivocate. I will not retreat a single inch. And I will be heard.

It was a short, sincere and truly inspirational speech which I believe should be set forth in the CONGRESSIONAL RECORD:

Chairman Hébert, Secretary Chafee, Admiral Zumwalt, Admiral Rickover, Distinguished guests, ladies and gentlemen:

Marcus Antonius remarked, "The evil that men do lives after them; the good is oft interred with their bones." Not necessarily. A man struggled for thirty years to keep his country strong. In his lifetime he received his measure of praise and glory, but he was attacked and cursed time and again by short-sighted, vilified by the foolish, and forced to make the choice of agony between a family he helped create and a career he had chosen. And when he died, like all men he wondered whether, at long last, it had been worth the struggle. It is this—the bitterness and the doubt—which, we pray, is interred with his bones in a quiet South Carolina churchyard.

But it is his spirit, his resolution, and his passion for his cause, which live after him. It is the spirit of a man who felt and believed, "I will not excuse. I will not equivocate. I will not retreat a single inch. And I will be heard." I believe, indeed he was. The members of L. Mendel Rivers' family have seen many changes in six short months. As is the case when all great leaders fall we have seen many so-called "friends" virtually disappear, and we have learned that in the finest of grain there is chaff. But we have enjoyed another brand of friendship, that inspired not by its own gain, but by its love for a man. And we now behold the spectacle of a man's dream coming true: the dream of a man who groaned when he heard the "John F. Kennedy" would be diesel-powered, and who couldn't wait to see the last bulky conventional battle wagon retired, and whose name now stands on the Navy's newest vessel in the newest concept of naval warfare. This is a proud and happy day for his family, one for which we are grateful to you all, and one to be surpassed only by the day she finally sets out to sea. She will bear in her hold the tools of war, but she will bear in her heart that same serenity of strength of L. Mendel Rivers, which alone brings peace; unquenchable, unconquerable, indomitable, till war itself shall be no more.

GOLD ON THE U.S. OPEN MARKET: THE HISTORICAL EVENT OF THE CENTURY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. RARICK. Mr. Speaker, an historical event occurred today when the West Coast Commodity Exchange, Inc., of California began public trading in gold futures on an open market.

Mr. David Callahan, president of West Coast Commodity Exchange, Inc., has advised me that over 500 people took part in today's trading, with 271 gold futures contracts being negotiated at a gross dollar value of over \$3 million. He further advised me that this is one of the largest records for any new commodity on opening day in U.S. commodity-exchange history.

The most important statistic conveyed to me by Mr. Callahan was that gold prices opened at \$59.50 per ounce, closed at \$59, with a low of \$58. This is almost double the existing value of gold set by the U.S. Treasury at \$35 per ounce.

The most significant aspect of this act is that it frees this country from the last vestige of financial allegiance to Great Britain. Previously, gold prices had been established only in London, by a combine of five private companies—the Lon-

don Gold Market—who meet twice daily for the purpose of fixing the world price of gold.

Furthermore, this act is historically important because it faces reality by overcoming the myth that we are still on the gold standard; therefore, there is, in the face of this reality, no valid reason for our Government to prohibit private ownership of gold.

The present ideas concerning the necessity for Government ownership and control of gold linger from the depression. Today's event, in the face of objection from the Treasury Department, has forced us to realize the absurdity of continuing to deny ownership of gold to American citizens.

This open-market trading of gold futures has brought us out of the dark ages and into the reality and light of our present economic situation. It is an act that should be applauded and imitated throughout our country. Our people should have the right to own gold, instead of allowing our gold reserves to be depleted by foreigners who demand gold as payment for our paper money and obligations.

This is why I have introduced legislation to permit Americans to own gold at every session of Congress.

I ask that related material and news clippings be inserted along with my bill H.R. 353, to permit American citizens to hold gold, at this point:

WEST COAST COMMODITY EXCHANGE, INC.,  
Los Angeles, Calif.

FIRST GOLD FUTURES TRADING TO START ON  
WEST COAST COMMODITIES EXCHANGE

LOS ANGELES, CALIF., July 12.—Public trading in gold futures in an open market will be introduced for the first time anywhere in the world with the start of a gold futures contract on the West Coast Commodity Exchange here on July 20, it was announced here today.

The announcement was made by David Callahan, president of the WCCE, which inaugurated the first new U.S. commodity exchange in 50 years, on the West Coast, trading in silver, copper, sugar and cocoa, on October 15, 1970.

"Open bidding procedure will determine gold prices for the first time in the 300-year history of commodities exchanges in this country and abroad," the exchange executive said.

"In the past, gold prices have been established only in London, by a combine of five private companies—the London Gold Market—who meet twice daily for the purpose of fixing the price of gold."

Pending repeal or amendment of the Gold Reserve Act of 1934, delivery of WCCE gold futures will be made in gold coin (legal ownership of pre-1934 gold coins is specifically authorized by the Gold Reserve Act) certified and approved by the Exchange Board of Governors, in quantities representing the equivalent amount of weight and fineness of 200 troy ounces of gold.

The WCCE Board of Governors has approved British gold sovereigns as the first of several international gold coins to be acceptable for equivalent delivery under the gold contract. Four British gold sovereigns will meet the requisite weight and fineness of one troy ounce of 99.95 gold. The British Mint produced over 500 million gold sovereigns prior to 1934, with an aggregate value of approximately \$6 billion dollars.

The WCCE will become the primary source for world trading in Gold Futures and will provide a focal point for traders, miners, processors, manufacturers and the public to

create market prices determined through traditional open bidding by all segments of the international commodity industry, Callahan predicted.

The WCCE president anticipates that the Gold Futures contract will attract international trading from European, Mid-East, African, Asian and South American sources as well as in North America.

This overseas trading will generate a substantial in-flow of dollars and thereby assist in correcting the current U.S. deficit in our balance of payments, he predicted on the basis of a study of market factors. The effect of this international trading could strengthen the U.S. dollar, reverse the drain of gold reserves from the U.S. and aid in easing of the current world currency and economic crisis, according to the Exchange officer.

Several bills have been introduced in this session of Congress to permit U.S. citizens to hold, buy and sell gold bullion or to eliminate the \$35.00 per ounce ceiling on gold.

Trading rules established by the Board of Governors of the Exchange provide for a margin deposit of \$750 on each 200 troy ounce contract, with price changes registered in multiples of five cents per troy ounce or the equivalent of \$10.00 per contract. Daily trading limits are fixed at \$3.00 per contract either way from the previous day's settlement price or a potential range of \$600 per contract per day.

The WCCE Gold Futures contract will be traded in the same manner as other commodities. Assuming the value of a 200 troy ounce Gold Futures contract to be \$9,000, the public trader can buy or sell with a total cash deposit (margin requirement) of only \$750 per contract. There is no interest payable on the balance. Another advantage is the broker commission of only \$25 for the complete round turn (buy and sell) transaction. The futures contract can be held for up to 17 months or liquidated at the election of the holder on any trading day in the interim.

The WCCE president expects the new futures contract to create the "Gold Rush of '71," in Southern California, one hundred and twenty-two years after gold was discovered by James W. Marshall at Sutter's Mill in Northern California in January 1848. This area became the world famous "Mother Lode" that produced \$2 billion dollars in gold in the ensuing 100 years. He pointed out that this single gold discovery and the Gold Rush of '49 changed the West from an unknown wilderness to the economic giant of today.

In 1969, the West Coast Commodity Exchange discovered the 200,000 commodity traders in the West and established a "trading post" for them in California starting in October 1970, dealing in silver, copper, cocoa and sugar, Callahan declared. He added that U.S. Silver Coins were listed as a fifth commodity futures contract on May 17, 1971, with Gold Futures to become an appropriate and symbolic sixth WCCE commodity starting on July 20, 1971.

Representative Crane, in proposing legislation to permit U.S. citizens to buy, sell and own gold, declared, "The arguments used when the Gold Reserve Act was passed in 1934 are no longer valid. At that time, we were in a depression and the dollar was convertible into gold. The argument was that people were hoarding gold, reducing the money supply and hindering the economic recovery."

Representative Crane added, "I feel that gold is a good investment, with a 5000-year tradition of universal acceptance. My contention is that Americans should have the right to buy gold, as they do to buy any other commodity."

"Great Britain and the United States are the only major countries in the free world to prohibit ownership of gold."

#### BACKGROUND INFORMATION ON THE LONDON GOLD MARKET

(Background data summarizes brochure issued by the five members of the London Gold Market)

Five private British companies, Mocatta & Goldsmid, Ltd., started in 1684 (10 years before the Bank of England); Sharp, Pixley & Co., Ltd., (1750); N. M. Rothschild & Sons (1804); Johnson, Maltby (Bankers) Ltd. (1817) and Samuel Montagu & Co. Ltd. (1853), formed the London Gold Market in 1919. These five financial firms meet daily, Monday-Friday, at 10:30 a.m. and 3:00 p.m. in the Rothschild offices in London with the Rothschild representative as Chairman, to set the fixing price of gold which is then announced in U.S. dollar quotations and in the sterling equivalent at the market of such fixing.

In 1844 when Great Britain was on a full gold standard, gold was bought and sold through the Bank of England at approximately \$19.40 per ounce (916 fineness). With the outbreak of World War I, this market was closed and the Gold Standard was suspended and never fully restored.

In April, 1925, Britain adopted a modified Gold Standard, as gold coins were no longer in general circulation. The economic depression again forced Britain off the Gold Standard in September, 1931. The worldwide financial position led to an increase in the price of gold from \$20.67 to \$35 per ounce in 1934 and vast amounts of gold moved through London.

The London Gold Market closed at the outbreak of World War II and was not reopened until 1954 by the original five companies. During the interim period, some of its members established active markets in areas not subject to the International Monetary Fund, with the price of gold fluctuating from \$40 to as high as \$70 per ounce in the Far East.

By 1960, monetary insecurity about the U.S. dollar forced the creation of the International Gold Pool; restricting gold prices to \$35.20. By March, 1962 economic pressures forced elimination of the Pool and creation of the "Two Tair System", with monetary gold pegged \$35 and the remainder of gold to find its own price. During the balance of 1968, non-monetary gold fluctuated between \$36.70 and \$42.60 per ounce. The London Gold Market group of five firms has been the sole international source of gold price fixing, including approval of refineries and assayers in 14 countries: Britain, Australia, Canada, Belgium, Mainland China, Russia, France, Greece, Italy, The Netherlands, South Africa, Sweden, Switzerland and the United States.

The London Gold Market also deals in gold coins as an ancillary activity but only in wholesale quantities rather than as numismatic specimens.

[From Chicago Tribune, Monday, July 12, 1971]

#### WEST COAST EXCHANGE PLANS GOLD TRADE (By George Beardley)

The West Coast Commodity Exchange will announce later today that it will start trading in its gold futures contract on July 20, THE TRIBUNE learned yesterday.

Early in June, the exchange announced that it had formulated plans to trade gold bullion, contingent upon a change in the Gold Reserve Act of 1934, which made it illegal for United States citizens to buy, hold, or sell gold, except for jewelry, industrial uses, or certain coins.

It will be the first time in history that gold futures contracts have been traded on a commodity exchange in this country, possibly the first time in the world.

David Callahan, exchange president, said he will announce the decision of the exchange to begin trading whether or not the law is changed, at a press conference in New York City this morning.

#### FIRST, GOLD COINS

The exchange contract calls for trading in units of 200 troy ounces. Until the law is changed, Callahan said the exchange will trade in gold coins, whose total gold content equals 200 ounces.

For example, 850 British gold sovereigns, contain about 200 troy ounces of gold, so 850 sovereigns could be delivered to satisfy the contract of a person who sold short and decided he did not want to buy the contract back before it expired.

Callahan said it is the opinion of the exchange's counsel that this form of trading would be legal, noting that the Gold Reserve Act of 1934 states that gold coins minted prior to the time the act was passed are exempt from the provisions of the act.

#### LAW MAY CHANGE

Callahan said the fact that the exchange will start trading of the gold futures contract doesn't indicate that any exchange official has any indication that the law will be changed soon, making it possible for bullion to be traded.

"It is a possibility that the law will be changed," he said, adding that, "when it is changed, we want to be in the business." He said that once the law is changed, he expects that other commodity exchanges will move quickly to enter the field.

He said that there is no significance to the date when the exchange will start trading. "We just wanted to get started trading as soon as possible and we have found a legal way to do it," he said.

When the exchange announced in June that it had plans to trade gold futures, Callahan said that "authoritative financial sources" has assured him that a change in the law was being seriously considered.

Callahan won't say where the sources are located, nor who is seriously considering the change in the law, other than to note that some Congressmen and Senators have introduced bills that would make the ownership of gold by U.S. citizens legal, were the bills to be passed into law.

#### NOTES CRANE LEGISLATION

He mentioned that Rep. Philip M. Crane [R., Ill.], a member of the House Banking and Currency Committee has introduced a bill to permit U.S. citizens to buy, sell and hold gold. Crane said that the arguments used when the law was passed are no longer valid.

"At that time," Crane said, "we were in a depression and the dollar was convertible into gold. The argument was that people were hoarding gold, reducing the money supply, and hindering the economic recovery."

Callahan said he has not talked to a "single congressman or their representatives," about a possible change in the law, but that he does feel sure there are a "lot of people on Capitol Hill and in various agencies of government" that are concerned about this matter.

Thomas W. Wolfe, director of the Office of Domestic Gold and Silver Operations, has said that the Treasury department has the authority to change the law allowing ownership of gold bullion, but Callahan said he believes when and if the law is changed the change will come through congressional legislation.

Trading gold futures, as is the case with any other commodity, of course, is not for everyone.

The contract, which was approved by the exchange's board of governors on June 14, calls for an initial margin of \$750 for each 200 ounce contract. A change in the price of gold of \$1 an ounce would be a \$200 change in the

contract, since there are 200 ounces in each contract.

The daily trading limit is set at \$3 an ounce, meaning that a person could lose, or make, \$600 in one day on a \$750 investment.

[From the Washington Evening Star, Friday, July 16, 1971]

**U.S. REJECTS GOLD FUTURES MARKET PLAN**

The Treasury Department has announced that government regulations prohibit speculative trading in gold futures markets and said it will not permit a futures market proposed by the West Coast Commodity Exchange.

The exchange, headed by David Callahan, announced earlier this week plans to open a gold futures trading operation on British gold sovereigns minted before 1934.

He said the Gold Reserve Act of 1934 specifically authorized possession of such gold coins.

But the Treasury said yesterday the terms and conditions under which Americans may acquire, hold and use gold in any form are set out by regulations under the 1934 law.

"These regulations do not permit the speculative trading in gold or gold futures as proposed by the West Coast Commodity Exchange." British gold sovereigns minted before 1934 are primarily coin collector's items.

**H.R. 353**

A bill to permit American citizens to hold gold in the event of the removal of the requirement that gold reserves be held against currency in circulation, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1.** At any time when reserves in gold or gold certificates are not required by law to be held against currency in circulation—

(1) the Secretary of the Treasury shall sell any gold held by the United States to any citizen of the United States on demand at a price equal to that then being charged foreign governments, banks, firms, or individuals for gold purchased from the United States Treasury.

(2) the Secretary of the Treasury may purchase from any citizen of the United States any gold tendered at a price equal to that then being paid to foreign governments, banks, firms, and individuals for gold being purchased by the United States Treasury.

(3) no prohibition in the Gold Reserve Act of 1934 or any other law, and no prohibition in any regulation shall be effective to prohibit or restrict the acquisition, holdings, or disposition of gold by any citizen of the United States.

**GEORGE MUNDY: TAKING TIME TO CARE**

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. MAZZOLI. Mr. Speaker, in the fast pace of urban living, people often take too little time to stop and help out others in their community who need a hand. We are fortunate in Louisville to have a man in our midst who has made a career of caring—George Mundy.

Already the manager of the Fontaine Ferry Skating Rink, one of the most important community centers for young

people in the Western section of Louisville, Mr. Mundy has now volunteered as a part-time probation officer with the Metropolitan Social Services Department, a program organized this year by Mrs. Jeanne Frank and Mr. Bill Young of the MSSD.

Mr. Mundy, in addition to his two regular jobs and his work at Fontaine Ferry, will now give black youngsters, who have been in trouble, somebody to look up to. Mr. Mundy says:

Hard work has made the difference for me.

Now his own hard work will help make the difference for others.

Mr. Speaker, when one man gives this much of himself and his life to the services of others in his community, he deserves all the recognition we can give him. I offer George Mundy my own gratitude and admiration, and I also insert in the RECORD at this point a recent article about him in Louisville's Record:

**TIME FOR "GOOD WORKS" IS FOUND BY BUSY MAN**

George Mundy is busy, busy, busy. He puts in 80 hours plus each week at two regular jobs.

But he has managed to squeeze in another five or six hours weekly as one of the first black men in the new Volunteer Probation Officer Program of the Metropolitan Social Services Department (MSSD).

For some time the MSSD has been short on probation officer manpower, especially on black men to help black youngsters who have been in trouble. Now the department, in its new volunteer program, has eight blacks and 35 whites as aides to work on a person-to-person basis with "juvenile delinquents."

During week days, Monday through Friday, George is a salesman for a sundries and cosmetics company. And every night and on weekends he manages the Fontaine Ferry Park Skating Rink.

Throughout his career, though, he has found time to do "good works" for people. He has served on the Mayor's Committee on Athletic Events as a "keeper of the peace" at football and basketball games and in 1968 and 1969 he was supervisor of park patrols in parks in the West End.

In the latter job he was in charge of 10 guards assigned to parks at night and early morning to keep youths out of trouble. In 1970 he was appointed manager of the skating rink, mainly a recreation center for young blacks.

When the Volunteer Probation Officer Program was organized this year by Mrs. Jeanne Frank of MSSD and Bill Young of the Louisville-Jefferson County Youth Commission, Mundy offered his services.

Mundy will have all the authority of a regular probation officer but he will have only one "case"—one youngster to work with, five or six hours a week. He will be given his first assignment sometime this month.

"I plan to talk to him (the youth assigned by MSSD) and find out his problem," he said. "I will try to do everything I can to assist him."

Mundy said he thinks it is important to relate to the youngster assigned to him as a person, not as an authority figure to an inferior.

"I hope I'll be somebody he can look up to," he said, "and talk freely with. That way we may be able to make some progress."

Mundy knows how it is to grow up a rough neighborhood, and he has felt the sting of the "color" barrier. He was raised in the "Black Hill" area of Central Park by his grandmother, whom he termed a strict disciplinarian.

"She had everything so well organized that

even the neighbors kept her posted on what I was doing," he recalled. "If I stayed out past the curfew, she came looking for me."

When he was 17, after graduating from Central High School, he joined the Air Force, which he said supplied him with goals and more discipline. He served as an air policeman and was discharged as an airman second class.

The only job he could find after leaving the service was that of delivery boy for a drug company. Later he became a salesman for the same company and learned barbering as a sideline. He also worked as a waiter for a catering service.

"I believe in hard work," he said. "That has meant the difference for me."

When he's not working, he spends his "free time" at home (2620 Dixdale Ave.) with his wife, Ella Marie, a school teacher, and their two children, Glenn, 11, and Katherine, 9.

He will use the same philosophy as a volunteer probation officer that he has used as "boss" at the skating rink, he said.

"I'm firm but fair, and I'm sure the youngsters who skate here (at Fontaine Ferry) know that. As a result we have very little trouble, maybe one serious outbreak a month. I handle each case as an individual case. I tell them: 'If you're wrong, just go on out. Lip doesn't bother me.'"

As a volunteer probation officer, he will be required to fill out a monthly report on his youngster and to be available should the juvenile encounter any further difficulties with the law or Juvenile Court.

Mundy attended 15 hours of training sessions to prepare himself for his new, non-salaried job. The courses included "History and Philosophy of Juvenile Court," "Legal Aid Society," "Drug Programs and Problems," and "Life Styles and Problems of Probation."

He feels he has the background and the knowledge now to plow ahead into his new challenge.

"It's a challenge type of thing," he said. "I'm really trying to help myself and somebody else at the same time."

**CLEVELAND ENGINEERING SOCIETY**

**HON. JAMES V. STANTON**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. JAMES V. STANTON. Mr. Speaker, the Cleveland Engineering Society has taken the lead in helping the Nation's professional engineers adjust to the shift in national priorities, from military and space spending to domestic needs, such as health, environment, and social programs.

The society is retraining engineers in a pilot program that will serve as a national model. The Federal Government will finance this initial effort with a \$20,000 grant. The program will prepare engineers for new jobs in half the time of similar programs. The Cleveland Engineering Society has already received requests to start similar programs in Detroit, Buffalo, Louisville, St. Louis, Baltimore, Atlanta, Houston, and Milwaukee.

In an address to the National Society of Professional Engineers employment conference last month in Washington, Dr. Myron Tribus, a senior vice president at Xerox Corp., described the

Cleveland program as an important grassroots effort to solve the "paradox of engineering unemployment." The following is an excerpt from his remarks:

Here is the great nation of ours, beset with all kinds of major problems, a shortage of housing, deterioration of our environment, increasing crime. . . . And yet, we are passing through a period in which thousands of technologically trained people are out of work . . .

The challenge to educators is clear: to provide a good theoretical foundation, a tough minded ability to apply knowledge, a sensitivity to human needs, and above all, an ability to see beyond technical achievement to comprehend the role of technology in the affairs of men . . ."

At this juncture in time, we should all applaud and support the grass roots attempts of several professional groups, who are trying to do something about the problem.

The Cleveland Engineering Society, for example, has just obtained a \$20,000 grant from the Department of Health, Education and Welfare for a pilot project to retrain unemployed engineering specialists who need to become generalists in order to be employable. It will help them to fill available jobs that require knowledge in areas such as economics, design for manufacturability, value analysis and methods engineering.

It is good to learn that a Government sponsor has been found for this significant experiment in re-education. This is only as it should be, for the Government did entice these men into jobs that were deemed to be necessary, and the Government held them there with promises of high wages and continued employment. The cost of this kind of retraining will be much smaller than the cost of supporting these men and their families on welfare.

It is devoutly to be hoped that if the Cleveland Engineering Society's experiment is successful, more Government funds will be made available to create a full-scale retraining program not only in Cleveland, but in every other center of engineering unemployment.

JOHN IRWIN, PH. D., EX-CON

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mrs. ABZUG. Mr. Speaker, one of our most pressing national needs is reform of our penal system. It is estimated that most crime is committed by recidivists—those who have previously served time in penal institutions.

Despite the liberal rhetoric of prison administrators, our penal system is oriented to punishment, not rehabilitation. There are many reasons for this; certainly one is our national reluctance to spend the money that would be necessary for programs which would actually rehabilitate. In most cases, too, the ex-convict finds no job available to him when he regains his freedom, even if he has a marketable skill. To many ex-convicts it must seem that society really expects them to return to crime, as it provides few other ways for them to make a living.

Under even the most difficult circumstances there are always a few exceptional individuals who manage to rise

above their limitations of opportunity. An exception to the sad tendency of ex-convicts to fall in reintegrating themselves into society is the case of John Irwin. The Christian Science Monitor recently published an article about this impressive man, which I insert in the RECORD. Particularly noteworthy are his comments on indeterminate sentences, an institution which may once have been a move toward modernization but which now seems highly questionable. This has been demonstrated in certain recent California cases where political beliefs or involvement of convicts seemed to play an important role in adult authority decisions to keep them incarcerated. The article follows:

JOHN IRWIN, PH. D., EX-CON

(By Charlotte K. Davis)

SAN FRANCISCO.—With his curly hair, engaging grin, and tall, spare frame, John Irwin is hard to place as a San Francisco State College professor of sociology and ex-convict.

Mr. Irwin, who cringes at the title doctor, spent five years in Soledad Prison for armed robbery. "I was 23 when I began to serve my sentence. Because I felt the enormous pressure of my ignorance, I made up my mind that I would obtain an education, regain my health, and learn Spanish.

"Like many cons, I wanted to learn another language so that I could leave the country, because I didn't think there would be any job opportunities when I got out. I also believed that America was facing many of the same problems that she is now. It was the Joseph McCarthy era and the time of the Korean war."

When asked about guards providing knives and dope to white inmates, as is frequently alleged by cons, Dr. Irwin said that he thought a few engaged in rackets on the side. He cited the case of a San Quentin guard who in 1967 was found to have smuggled in a gun.

If we had a less brutal system, the guards' behavior would be different. Even Christian monks would behave the same cruel way as guards if you erected a system which necessarily treats the client as a person without rights or dignity and will only grant him privileges if he becomes a compliant, sniveling being.

"You turn him into a hostile, hating person who in turn lashes back at the administration."

At Soledad, Irwin became one of the library's most frequent clients. He began by reading history—H. G. Wells, Gibbon, and Will Durant. He consumed classical fiction and literature—English, French, and American novelists.

All convicts try to feel out what are the important books. All read each other's lists. Malcolm X began by reading the dictionary because he felt so inarticulate when he was out on the yard with other inmates.

During his five-year incarceration, which ended in 1958 when he was 28, Dr. Irwin noted that prison administrators were obsessed with the need for rehabilitation of prisoners. When I was in, the guys thought that they were sick and that the administration would cure them.

"Group counseling was considered of prime importance. When I underrated its value, it was one of the reasons why my parole was refused. This was the era when all of the cons carried Freud or the Bible under one arm."

Dr. Irwin blames prison administrators' present problems on a tendency to isolate the leaders. "The attempts at isolation include counseling and the adjustment centers like X and O wing at Soledad. At present there are 800-1,000 people in adjustment

centers," Dr. Irwin says with a note of quiet bitterness.

In order to reform the prison system as exists, Dr. Irwin says it is necessary to do the following:

Return to a focus on crime, not the man. We don't have sick people, but rather people who commit criminal acts. They don't differ significantly from a random sample of the population.

Have flat sentences. There is no justifiable rationale for the present indeterminate sentence. It is simply a device to keep people who are considered dangerous incarcerated for longer periods.

Use restraint in sending a man to prison. A man should only be jailed when he has broken a law that society feels strongly about, i.e. murder. A man should be sent to prison only "when there is serious damage done to life, property, and the well-being of a person and not when someone's moral sensibilities have been offended.

Shorten sentences. Making people serve long periods is counterproductive because increasing the severity of the punishment does not serve as a deterrent. It is the certainty of punishment that is the deterrent. For example, when the Nazis occupied Denmark and removed police protection, crime increased.

Extending the length of a man's sentence increases recidivism because the inmate becomes less able to adjust to the outside world.

We need a uniform application of rules. To increase deterrence, you should apprehend as many people as possible who commit one kind of serious offense. As it is now, punishment is heaped on the few who are caught.

Prison walls should be made permeable so that medical and service organizations may have access to inmates.

Dr. Irwin has just begun to establish a California Prisoners' Union composed of ex-cons working together to try to promote racial unity.

"We want to try to organize convicts and establish a positive identity. We are working to bring about structural changes such as abolishing the indeterminate sentence and the Adult Authority board. We want to work with lawyers to obtain new legislation."

For his Ph. D. thesis, Dr. Irwin wrote "The Felon," a book about prison life. In 1968 he started the Rebound program for convicts at San Francisco State College. Rebound offers an alternative life style to former cons.

Dr. Irwin stresses that higher education is not a cure, but simply another path for the former criminal. Since 1968, 31 prisoners have been accepted for the program. Of these, only four have left before completing the first semester.

When asked if there was anything positive about a prison experience, Dr. Irwin answered: "There were plenty of books in the Soledad library."

#### FAMILY PLANNING PROJECTS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. SCHEUER. Mr. Speaker, the administration has long been in favor of spinning off operating programs of the Office of Economic Opportunity to other executive departments, leaving OEO as merely a poverty research and evaluation organization. This spinoff concept causes considerable concern in the Congress and in the Nation at large insofar as it aban-

dons the concept of an active advocacy agency for the poor within the Federal Government.

There is ample reason to fear that other executive agencies will not operate transferred programs with the same attitudes, expectations, and guidelines developed by OEO in the 1960's. For example, OEO's family planning projects, initiated as a result of an amendment which I sponsored to the Economic Opportunity Act in 1966, are being transferred to the Department of Health, Education, and Welfare, OEO has operated its programs with a unique degree of citizen participation which may disappear under HEW administration. However, the following memorandum of understanding between OEO and HEW, listing the projects to be transferred, acknowledges all the major goals for family planning service delivery championed by OEO. It gives me some reason to hope that these projects will continue to be successfully implemented under HEW administration, but HEW's performance in the coming months will be the real measure of the success of the spinoff concept.

The memorandum of understanding follows:

FAMILY PLANNING PROJECTS  
MEMORANDUM OF UNDERSTANDING

The Director of the Office of Economic Opportunity (hereinafter referred to as the "Director") and the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary"), in order to facilitate the exercise by the Secretary of authority and responsibility under the Public Health Service Act for the Administration of a grant program for the provision of assistance to selected family planning projects now assisted by the Director under Sections 222(a) and 222(b) of the Economic Opportunity Act of 1964, as amended, hereby agree as follows:

I. Policies

The goals of OEO family planning projects will be furthered by HEW in its administration of grant programs for the support of the transferred projects. These goals, in accordance with the concepts of OEO program guidelines, will be the maintenance of programs designed to:

(a) Aid in developing and carrying out comprehensive family planning information and services focused upon the needs of the urban and rural poor, particularly in areas of marked inadequacies of such health services for the poor.

(b) Continue to provide for comprehensive family planning information and services to the low income residents of the target area of the transferred project. Priority, however, will be given to those residents whose family income falls within the OEO Poverty Index.

(c) Ensure the active meaningful involvement of the consumers of health care, including full participation of low-income persons eligible to receive services, and the community in implementing the program of the transferred projects as described in Section VI(d).

(d) Continue to maintain as an integral part of its operation an outreach program which will assign top priority to providing outreach services to those persons whose annual income falls below the OEO Poverty Index.

(e) Employ low-income residents of the target area in paraprofessional and clerical positions, and administrative positions whenever feasible.

(f) Maintain a training program in which low-income residents of the target area re-

ceive training which will enable them to occupy positions with built-in upward mobility either within the project or in another position in the health care field.

II. Availability of funds

The Secretary will provide assistance to each of the projects selected for transfer from funds made available to him for this purpose.

III. Selection of projects

(a) The selection of projects for which responsibility is to be assumed by the Secretary (hereinafter referred to as the "selected projects") will be made by the Director with the concurrence of the Secretary on the basis of the following criteria and priorities, provided that the total of the grants required in the fiscal year ending June 30, 1972, for the support of the selected projects may not exceed \$10 million:

(1) Grant programs of \$1,000,000 or more which are at the time jointly funded by OEO and HEW and whose program has been in operation at least two years.

(2) Other programs which are presently jointly funded by OEO and HEW and programs presently funded by OEO which operate in the same geographic area as HEW funded programs.

(3) Projects whose program has been developed for a large metropolitan area or state and which contains a coordinating mechanism for planning, funding and/or operating family planning projects in that area.

(4) OEO-funded research and demonstration projects whose major demonstration features have already been achieved.

(5) Small projects in those geographic areas in which HEW places high priority for expansion of services.

(6) OEO-funded Planned Parenthood affiliates.

(7) Projects funded to and administered by community action agencies.

(b) Selection will be made no later than March 15 and the projects selected for transfer notified by April 15, 1971.

IV. Transfer date

(a) The effective date of transfer of responsibility for the selected projects shall be the day after the end of the current or adjusted program year. In accordance with provision of paragraph (b) all transfer dates shall be between August 1, 1971 and January 1, 1972, subject to the availability of funds for the projects to be transferred.

(b) Projects whose current program year and date is between March 15 and June 30, shall have that program year end date extended six months; those whose current program year end date is between July 1, 1971 and July 30, 1971, shall have that program year end date adjusted to July 31, 1971; and those whose current program year end date is between January 1, 1972 and June 30, 1972, shall have that program year end date adjusted to December 31, 1971.

V. Responsibilities during transfer period—  
March 15–December 31, 1971

(a) Within 15 days after the selection of a project for transfer in accordance with Section III(a), the Director will notify the project grantee, the delegate agencies, and the policy advisory committee of the planned transfer of responsibility for such project. Upon the issuance of such notice, representatives of the Secretary shall have access to the project and to all records relating to it.

(b) The Director shall make the adjustments in program years of projects set forth in Section IV(b).

(c) All project grantees selected for transfer that seek continued funding after the transfer date shall apply to HEW in accordance with HEW procedures. At the Secretary's request, the Director will assist in the review of the applications.

(d) On the effective date of the transfer of a project, the Director will transfer to the Secretary all OEO project files, correspondence files, and all other records and materials relating to the project.

VI. Post-transfer responsibilities

(a) At the request of the Secretary, the Director will make available to the transferred projects and to the Secretary technical assistance resources which OEO makes available to family planning projects which are supported by OEO grants and contracts.

(b) A cooperative program for the appraisal and evaluation of the transferred projects will be developed by the Director and the Secretary.

(c) HEW will ensure that any changes it approves in the size of the target area of the transferred projects or in eligibility criteria for services which are within its authorities will not be made in a manner which results in exclusion from services of previously eligible individuals or in a reduction in the range and nature of services provided to such individuals.

(d) HEW will continue to require each transferred project to ensure the active meaningful involvement of the low-income consumers of health care in implementing the program of the transferred projects and to maintain an organizational structure in which either:

(1) The governing board of the grantee or delegate agency administering the transferred project is structured so that at least one-third of its members are low-income persons eligible to receive services from the project and at least one-half of its members are either low-income persons eligible to receive services or are representatives of community groups, such as social service organizations and labor or business organizations; or

(2) A family planning council is established which acts as a policy advisory board to the administrative agency and is structured so that at least 51% of its members are low-income persons eligible to receive OEO health services. The neighborhood residents selected for the governing board and health council shall be democratically selected and their terms normally shall not exceed two years. The family planning council shall participate in such activities as the development and review of applications for federal funds, the establishment of program priorities, the selection of project director, the location and hours of the project's services, the development of employment policies and selection criteria for staff personnel, the selection of neighborhood residents as trainees, the evaluation of suggestions and complaints from neighborhood residents, the development of methods for increasing neighborhood participation, the recruitment of volunteers, the strengthening of relationships with other community groups, and other matters relating to project implementation and improvement.

(e) (1) No personnel of transferred projects shall be discharged solely because of the transfer. If personnel changes become necessary preference shall be given to the employment of low-income individuals in outreach, clerical, and other paraprofessional jobs.

2. In instances where a transferred project is to merge with a program presently funded by HEW,

(i) Employment priority will be given to low-income individuals presently employed by both projects.

(ii) HEW shall not without first consulting with and soliciting the views of OEO approve any discharge of an employee of the OEO funded project.

(iii) In general the merged project shall continue to employ all individuals employed by the OEO funded project if their performance has been satisfactory and if the

job position continues to exist in the merged project.

(iv) Subject to paragraph (i) of this subparagraph, separations by reductions in force will be based on length of service with the Federally supported project.

(f) HEW will provide the grantee and delegate agency with reasonable notice and opportunity for a full and fair hearing prior to terminating assistance for cause and with reasonable notice and opportunity to show cause prior to refusing to provide continued financial assistance to any transferred project.

(g) For a period of three years after the transfer date, HEW will not approve the transfer of a project grant from a grantee or delegate agency which presently receives assistance to operate the transferred project to another grantee or delegate agency without the concurrence of the Director unless:

(1) Such grantee or delegate agency agrees to such transfer, or

(2) Assistance is terminated for cause after reasonable notice and opportunity for a full and fair hearing in accordance with paragraph (f) of this Section.

(h) The staff of the OEO, Office of Health Affairs, will work with HEW staff in facilitating the administration of grants to support the transfer projects.

(i) Upon the effective date of the transfer of a project, the Secretary will, except as otherwise provided herein, succeed to all functions, responsibilities, and authorities which the Director may have with respect to the project pursuant to any grant or agreement related thereto.

Dated April 29, 1971.

ELLIOT RICHARDSON,  
Secretary, Department of Health, Education, and Welfare.

FRANK CARLUCCI,  
Director, Office of Economic Opportunity.

LIST OF FAMILY PLANNING PROJECTS  
TO BE TRANSFERRED

The following Family Planning Projects have been selected for transfer in accordance with the Memorandum of Understanding of April 29, 1971 between the Director, Office of Economic Opportunity and the Secretary, Department of Health, Education, and Welfare. The effective date of the transfer of each

project is the day after the end of its current or adjusted program year as shown.

Date: April 29, 1971.

ELLIOT RICHARDSON,  
Secretary, Department of Health, Education, and Welfare.

FRANK CARLUCCI,  
Director, Office of Economic Opportunity.

AMENDMENT TO MEMORANDUM OF  
UNDERSTANDING

CONCERNING FAMILY PLANNING PROJECTS  
Section III Paragraph (b) of the OEO-HEW Memorandum of Understanding relating to the transfer of responsibility for certain family planning projects from OEO to HEW is hereby amended to state:

(b) Selection will be made no later than May 1, 1971 and the projects selected for transfer notified by May 15, 1971.

Date: April 29, 1971.

FRANK CARLUCCI,  
Director, Office of Economic Opportunity.

ELLIOT RICHARDSON,  
Secretary, Department of Health Education, and Welfare.

END OF PROGRAM YEAR

Grant number	City	Grantee	Original	Adjusted	Estimated amount
6393	Laramie, Wyo.	Snowy Range C.A.A.	Feb. 28, 1972	Dec. 31, 1971	\$46,000
0810	Pueblo, Colo.	Pueblo's War on Poverty, Inc.	Jan. 31, 1972	do.	28,387
6105	Colorado Springs, Colo.	Pikes Peak C.A.A.	Nov. 30, 1971		40,000
6108	Boulder, Colo.	Boulder County Economic Opportunity Council	Dec. 31, 1971		16,470
8803 <sup>1</sup>	Denver, Colo.	Colorado State Economic Opportunity Office	July 31, 1971		299,307
3004	Flagstaff, Ariz.	Northern Arizona Development Council	Feb. 28, 1972	Dec. 31, 1971	49,500
0357	Las Vegas, Nev.	Economic Opportunity Board of Clark County	Dec. 31, 1971		95,000
7015	San Diego, Calif.	Economic Opportunity Commission of San Diego County	Feb. 28, 1972	Dec. 31, 1971	74,200
0416	San Bernardino, Calif.	Dependency Prevention Commission of San Bernardino County	May 31, 1971	Nov. 30, 1971	75,000
0490	Sacramento, Calif.	Sacramento Area Economic Opportunity Council	Dec. 31, 1971		75,000
0629	Vallejo, Calif.	Solano County Economic Opportunity Council	Mar. 31, 1971	Sept. 30, 1971	87,000
0300	Oakland, Calif.	Oakland Economic Development Council, Inc.	Dec. 31, 1971		49,800
7022	Kahului, Maui, Hawaii	Maui Economic Opportunity, Inc.	June 30, 1971	Dec. 31, 1971	164,000
9812 <sup>1</sup>	Los Angeles, Calif.	Los Angeles Regional Family Planning Council	Sept. 30, 1971		938,000
0274	Portland, Ore.	Portland Metropolitan Steering	Dec. 31, 1971		28,800
0681	Seattle, Wash.	Seattle-King County Economic Opportunity Council, Inc.	Mar. 31, 1971	Sept. 30, 1971	67,500
1050	Montpelier, Vt.	Central Vermont Community Action Council	Sept. 30, 1971		100,000
0483	Hato Rey, P.R.	Puerto Rico OEO	May 31, 1971	Nov. 30, 1971	750,000
1064	New York, N.Y.	Community Development Agency	Sept. 30, 1971		996,502
0622	Garden City, N.Y.	Economic Opportunity, Commission on Nassau County, Inc.	July 31, 1971		65,403
0818	Utica, N.Y.	Utica Community Action, Inc.	Dec. 31, 1971		27,500
0317	Trenton, N.J.	United Progress, Inc.	July 31, 1971		38,371
9868 <sup>1</sup>	Hartsdale, N.Y.	do.	do.		48,914
0133	Pittsburgh, Pa.	Community Action Pittsburgh, Inc.	Sept. 30, 1971		96,000
2054	Lancaster, Pa.	Community Action Program of Lancaster County	May 31, 1971	Nov. 30, 1971	51,949
2071	Reading, Pa.	Economic Opportunity Council of Reading and Berks County	Dec. 31, 1971		37,234
2106	York, Pa.	Community Progress Council	May 31, 1971	Nov. 30, 1971	31,360
0365	Nashville, Tenn.	Metropolitan Action Commission	Feb. 28, 1972	Dec. 31, 1971	150,000
3093	Birmingham, Ala.	Jefferson County Committee for Economic Opportunity	Dec. 31, 1971		52,000
0306	Atlanta, Ga.	Economic Opportunity Atlanta, Inc.	do.		162,882
3194	Jackson, Miss.	Community Service Association	do.		108,000
3201	Memphis, Tenn.	Memphis-Shelby County	do.		99,000
0234	New Bern, N.C.	Coastal Progress, Inc.	Sept. 30, 1971		47,694
0574	Edenton, N.C.	Economic Improvement Council, Inc.	May 31, 1971	Nov. 30, 1971	77,200
2159	Buford, N.C.	Carteret Community Action, Inc.	Apr. 30, 1971	Oct. 31, 1971	33,000
2170	Asheville, N.C.	The Opportunity Corporation of Madison-Buncombe Counties	Dec. 31, 1971		24,996
2172	Rosehill, N.C.	Community Action Council, Inc.	Mar. 31, 1971	Sept. 30, 1971	65,501
2178	Carthage, N.C.	Sandhills Community Action Program	Nov. 30, 1971		23,000
2191	Whitehill, N.C.	Senland Community Action Program, Inc.	do.		20,529
2262	Snowhill, N.C.	Green Lamp, Inc.	Feb. 28, 1972	Dec. 31, 1971	19,000
2294	Carrboro, N.C.	Joint Orange-Chatham Community Action, Inc.	Jan. 31, 1972	Dec. 31, 1971	43,270
4319	Franklin, N.C.	Community Service Association	Sept. 30, 1971		37,500
2142	Greensboro, N.C.	Guilford County Economic Opportunity Council	May 31, 1971	Nov. 30, 1971	5,008
8583 <sup>1</sup>	Raleigh, N.C.	Shaw University	Sept. 30, 1971		114,096
4028 <sup>1</sup>	Atlanta, Ga.	Economic Opportunity Atlanta, Inc.	Aug. 31, 1971		739,856
4026	Chicago, Ill.	Cook County OEO, Inc.	Mar. 31, 1971	Sept. 30, 1971	112,000
4000	Gary, Ind.	Lake County Economic Opportunity Council, Inc.	Jan. 31, 1972	Dec. 31, 1971	171,000
0847	Kalamazoo, Mich.	Kalamazoo County CAP	Aug. 31, 1971		40,000
0808	Flint, Mich.	Committee to Promote Action	July 31, 1971		75,000
4065	Muskegon, Mich.	Muskegon-Oceana Community Action Against Poverty, Inc.	Nov. 30, 1971		16,000
0201	Cincinnati, Ohio	CAC of Cincinnati Area	Sept. 30, 1971		27,000
0607	Dayton, Ohio	Supportive Council on Preventive Effort (SCOPE)	Nov. 30, 1971		51,000
0783	Columbus, Ohio	Columbus Metropolitan Area Community Action Organization	Sept. 30, 1971		176,000
0707	Lake Charles, La.	Gulf Assistance Program of Southwest Louisiana, Inc.	do.		55,155
5002	Alexandria, La.	Cenla Community Action Committee, Inc.	Mar. 31, 1971	Sept. 30, 1971	197,785
5007	Baton Rouge, La.	Community Advancement, Inc.	Dec. 31, 1971		424,706
5278	Shreveport, La.	CAP-CAB, Inc.	Jan. 31, 1972	Dec. 31, 1971	239,829
5299	Minden, La.	Webster Community Action Association, Inc.	Dec. 31, 1971		40,000
5664	New Orleans, La.	Family Planning, Inc.	June 30, 1971	Dec. 31, 1971	519,121
5016	Holdenville, Okla.	Hughes County Development Foundation, Inc.	Mar. 31, 1971	Sept. 30, 1971	3,515
5019	Altus, Okla.	Southwest Oklahoma Community Action Group, Inc.	Dec. 31, 1971		23,172
5038	Stillwater, Okla.	Payne and Noble Community Action Foundation, Inc.	Sept. 30, 1971		29,708
5075	Okemah, Okla.	Okfuskee County Community Action Foundation, Inc.	Apr. 30, 1971	Oct. 31, 1971	14,739
5107	Muskogee, Okla.	Muskogee County Community Action Foundation, Inc.	Feb. 28, 1972	Dec. 31, 1971	31,097
5119	Okmulgee, Okla.	Okmulgee County Community Action Foundation, Inc.	Apr. 30, 1971	Oct. 31, 1971	12,809
5652	Stigler, Okla.	Ki Bois Community Action Foundation, Inc.	Sept. 30, 1971		72,460
5662	Chandler, Okla.	Redland Community Action Foundation, Inc.	Oct. 31, 1971		84,850
5670	Frederick, Okla.	Rural Enterprises Community Action Program, Inc.	Nov. 30, 1971		3,636
5686	Wagoner, Okla.	Wa-Ro-Ma Tri-County—Community Action Foundation, Inc.	Sept. 30, 1971		50,722
5690	Pawnee, Okla.	United Community Action Program, Inc.	Oct. 31, 1971		114,686
5694	Picher, Okla.	Northeast Community Action Agency, Inc.	Sept. 30, 1971		38,378

Footnote at end of table.

END OF PROGRAM YEAR—Continued

Grant number	City	Grantee	Original	Adjusted	Estimated amount
6008	Tishomingo, Okla.	Indian Nations Community Action, Inc.	Jan. 31, 1972	Dec. 31, 1971	106,924
8054 <sup>1</sup>	New Orleans, La.	Total Community Action, Inc.	Dec. 31, 1971		863,916
0401	St. Louis, Mo.	Human Development Corp.	Nov. 30, 1971		121,712
0884	Des Moines, Iowa	Greater Opportunities, Inc.	July 31, 1971		27,276
6081	Topeka, Kans.	Kansas State Economic	June 30, 1971	Dec. 31, 1971	56,059
Total					10,000,000

<sup>1</sup> OEO funding through Family Planning Division, Office of Health Affairs, others through OEO regional offices.

THE BIG PUSH IS ON

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. ARCHER. Mr. Speaker, I would like to share with my colleagues an article by the distinguished journalist, Allan Brownfeld, which appeared in the April 1971, issue of *Private Practice* magazine.

In view of current proposals in Congress for sweeping new legislation, I feel Mr. Brownfeld's discussion of the pitfalls of nationalized medicine is particularly apropos.

The text follows:

THE BIG PUSH IS ON  
(By Allan Brownfeld)

If there has been any doubt that the effort to achieve national health insurance in the 1970s is one of the major political issues to be decided in the public arena, the publication of *Don't Get Sick In America* by Daniel Schorr, with a foreword by Senator Edward M. Kennedy, eliminates such misgivings. In a sense, this volume, based on a two-part CBS television broadcast, is one of the opening guns in the campaign.

"America," writes Senator Kennedy "is an also-ran in the delivery of health care to people. In areas like infant mortality . . . America lags far behind almost every nation in Western Europe."

If a premise is incorrect, then everything following from it, although logical within a closed system of reasoning, will be wrong. This is the case with Senator Kennedy's analysis, and it appears on the book's very first page.

Virtually every critic who states that American medical care is inferior to that of the countries which practice socialized medicine in Western Europe use as their basis the comparison of infant mortality rates, as did Senator Kennedy. The statistics which are used as the basis for this charge come from the World Health Organization, although neither Mr. Schorr nor Senator Kennedy felt the need even to quote such statistics. Somehow, they seemed to feel that the validity of the charge was self-evident.

The charge, upon more careful examination, turns out to be completely inaccurate.

Statistical methods of recording infant mortality are not uniform even within the United States. There is even more disparity between reporting methods in the United States and other nations. In many countries, for example, infant birth and death reports are the responsibility of the parents and there is no compulsion for them to report. In the United States, on the other hand, the attending physician is responsible for certifying births and deaths. In Sweden, which is close to the top of the WHO table, birth reports are not required until five years after the event and many neonatal and pre-

natal deaths are probably never reported. In addition, while one country would consider a seven-month fetus a "viable" infant and its death part of the infant mortality rate, another country would not. There are major variations in the weight required for designation as a viable newborn, and such a difference clearly makes a significant alteration in the percentage of statistical arrivals. And those countries which have legalized abortions would, of course, have lower infant mortality rates than a society in which abortions are generally illegal.

It is clear that such a comparison of infant mortality rates has little to do with the relative merits of a country's medical care delivery system.

But Senator Kennedy is not asking about the relative merits and demerits of the American system of private practice and the European system of socialized medicine. He has already determined that our system is inferior and, as the sponsor of National Health Insurance legislation, he is searching for ways to "revolutionize" American medicine. He understands, however, that the insurance system he is proposing is not really the "answer." The real answer, he says, is an end to the private practice of medicine; national health insurance is only valuable as a means to achieve that end.

In the Senator's own words: "We must use the financing mechanism to create strong new incentives for reorganization and delivery of health care. Thomas Paine, declared at the founding of our American Republic, echoing the words of the ancient Greeks, 'Give us a lever and we shall move the world.' I say, give us the lever of national health insurance, and together we shall move the medical world and achieve the reforms that are so desperately needed . . . only the catalyst of national health insurance will be able to produce the sort of basic revolution that is needed."

In his text, Schorr notes that the federal government is now spending \$19 billion a year on health—more than the whole country spent 15 years ago. The government's share of the national health budget rose from 25 to 37 percent in three years. Medicare and Medicaid are costing the Federal Treasury \$14 billion a year, double the expected figure, and could easily reach \$20 billion by 1957. Yet, the author somehow believes total government control would cost less.

While this volume presents brief bits of material which would challenge its major thesis concerning the negative aspects of American medical care, both with regard to quality and cost, such information does little to blunt the attack.

Dr. Gerald Dorman, then president of the American Medical Association, is quoted, for example, as saying the following:

"There were many times when we used to care for our older patients at a lower fee, or free. The government said that there shall be no more free medicine. Everybody must be paid for it. And we have doctors, not only under Medicare but also in Medicaid, who have made a large income because they are working with the people who are poor,

who come under these programs of government care. We have one doctor out in Oakland, California, for instance, who made over \$100,000. That was checked over, and it was found that he earned it . . . There's another doctor up in Hartford who made over \$25,000, and the government down in Washington said that anyone over \$25,000 should be investigated. He says 'Let them come in and look at me,' because his practice is in the poor area."

Describing the manner in which government involvement in medicine has increased, rather than decreased, the cost of medical care, Dr. Dorman noted that ". . . in the old days before Medicare and Medicaid, these people would have been treated free or for a minimal fee. We've had people up in Harlem who were treated for a fifty-cent office fee, which seems incredible . . . But these things have changed. We want to see the poor treated as anybody else in the country, as private patients, so that they can get the best possible care."

Mr. Schorr, while presenting views such as those held by Dr. Dorman, quickly bypasses them and advances to his own position which, simply put, holds that what Dr. Dorman says is true only so long as government helps to finance patients within the private practice system. Then, it is true, that government involvement increases costs. But if government controlled the whole system and set the fees, he argues, it would be different.

What this book calls for is not government aid to assist the poor with their medical bills, but a government-controlled system of medicine. How Mr. Schorr thinks this will be less expensive is difficult to say, for our experience with government bureaucracy in other areas, such as welfare, education, and agriculture, shows mounting rather than decreasing costs, and gross inefficiency. Conveniently, he does not even attempt to confront the issue.

The title of the book, *Don't Get Sick In America*, derives from the case of a Dutch emigre in this country who, faced with a kidney ailment, returned to take advantage of the socialized medical system in his own country. The author, in his chapter "How They Do It Over There," extolls the virtues of nationalized medicine in Sweden, Germany, Great Britain and France. He admits that in England, under socialized medicine, "Getting into the hospital is sometimes difficult since admission is based on a waiting list. It may take a week or two in fairly urgent cases, up to a year for elective surgery. At any given time a nationwide waiting list of half a million is not uncommon," but he still concludes that "few of the doctors who agitate for improvements in the system and even fewer patients would today want to replace that system."

Mr. Schorr quotes from an important series of articles comparing American and European medical systems which appeared in *The Philadelphia Inquirer*, written by Donald Drake. The conclusion of the series would be a surprise to the readers of Mr. Schorr's book. Drake wrote:

"None of the European systems studied of-

ferred substantial incentives to doctors to do a superior job. In England it is traditional for a British GP to swiftly send a patient off to the hospital if his care requires anything more than superficial treatment. In Sweden and Germany, patients are kept in expensive hospital beds for excessively long periods—more than twice the U.S. average—simply because there is no need to move them out and tradition says this is how it should be done. British hospital doctors are reluctant to discharge patients because they are afraid the overworked GP is not up to the task of handling post-hospital care."

Throughout the book, Mr. Schorr cites "authorities," but they are frequently the same ones, and they tend to agree with his own view that American medicine needs to be taken over by the government as rapidly as possible.

In truth, socialized medical systems are far from ideal. Sweden provides a case in point. Schorr notes that "Individuals have a free choice among doctors, and all doctors participate in the program." He says little more, and the reason is that anything more would disprove his own case. Today there is hardly a single hospital in Sweden where there are not long waiting lists for all kinds of hospital care. It is estimated that in Stockholm alone there are more than 4,000 persons waiting to enter hospitals, 1,800 for operations. In some cases, waiting periods for minor operations may be more than half a year.

The same situation exists not only for surgery, but for internal medicine, out-patient clinics, neurological sections, and various specialization clinics. The situation is worse in state-administered mental hospitals where there were 800 patients waiting for entrance in 1964, a situation which has since become even more critical. Extended-care hospitals and nursing homes for the aged are desperately understaffed and overcrowded. In some cases there are waiting lists numbering 2,000 persons.

The reader is told that socialized medicine would lower hospital costs and Schorr uses the European systems as his example. But he fails to tell his readers the financial state of France's system. The cradle-to-grave system of social security started in its present form in France just after World War II. The system runs three funds, one to cover health costs, one for old age pensions, and one for family allowances. The health fund will run a deficit of \$165 million this year. According to experts of the Government Planning Commission, the deficit will rise to \$1.8 billion in 1975 if left unchecked.

This volume is a political tract, filled with slogans, attacking the American system of health care and hailing that of Europe, without ever presenting the facts, figures, and statistics which tell a far different story. In an appendix, the author does present several views contrary to the CBS television series he directed. One came from Dr. Morris Fishbein who stated: "While there are slum areas with only one or two doctors to care for many thousands of people, at close hand are the medical services of such giant hospitals as Johns Hopkins, New York Hospital, Massachusetts General, Billings Hospital, Michael Reese Hospital, and literally a thousand others. The people who use these outpatient services know about them. Unfortunately, some either are unaware of their availability or, through apathy, never reach them. But the inclusion of this kind of information in the CBS presentation would have defeated the sensational approach."

What Dr. Fishbein was really commenting upon was the tendency of Schorr to blame the system of private medical practice for slums, environmental decay, poor diets, alcoholism, narcotics addiction, and other problems inherent in a mass, urban, industrialized society.

It may be true that in order to have a truly healthy society, all of these problems must be dealt with, but to attack the private practice of medicine for such difficulties is much like condemning policemen because there is crime. Doctors as doctors cannot and should not be participants in the political process, where the problems of urban living and rural poverty must be analyzed and discussed. Their mission is to cure sick people and assist those who are not sick to remain healthy. The discussion of poverty, slums, and the environment were interesting indeed on Schorr's CBS television special, but bear little relationship to doctors and medicine.

The informed reader looks in vain in Schorr's book for objective assessments such as that of the British Health System by Professor John Jewkes, who served on Britain's Royal Commission on Remuneration of Doctors and Dentists. That Commission concluded that "The average American now has more medical services than the average Briton and the gap between the two has been widening" since Britain's adoption of socialized medicine.

If this volume is the major ammunition in the camp of those who urge a "revolution" in our system of private medical care, the ammunition is faulty and weak.

Senator Kennedy clearly intends to use this issue as one of his major arguing points for the 1972 Democratic Presidential nomination. CBS and Daniel Schorr have provided him with a slick vehicle through which to advance this campaign and, unless those who know better make the real facts clear, its chances for success are becoming dangerously better all the time.

#### ENFORCEMENT OF THE EQUAL EMPLOYMENT OPPORTUNITY ACT

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. ERLBORN. Mr. Speaker, judging from the number of communications and inquiries that have come to me concerning H.R. 9247 and H.R. 1746, proposals aimed at ending job discrimination, I believe it would be helpful to our colleagues in the House to have some clarification of this important issue.

H.R. 1746 is a bill reported by the House Education and Labor Committee. H.R. 9247 is a bill which our colleague from Kentucky, Mr. MAZZOLI, and I will offer as a substitute to H.R. 1746. The Rules Committee on July 14 approved a 3-hour open rule for consideration of H.R. 1746, making H.R. 9247 in order as a substitute. Indications are that the question may be brought to the House floor any time after July 25.

In the way of background, with the intent of bringing about equal employment opportunity, title VII of the Civil Rights Act of 1964 prohibits discrimination in employment based upon race, color, religion, sex, or national origin. The same statute created the Equal Employment Opportunity Commission to help those people who believe they have been denied employment, promotion, union membership or other job-related opportunity for any of these reasons. As prescribed by law, the job of the EEOC is limited to investigation, mediation, and conciliation. With this authority, the

EEOC has made some progress in attaining the goal implicit in its name. Few, however, would argue that sufficient progress has been—or can be—made under existing law. Thus, the primary purpose of both H.R. 1746 and H.R. 9247 is to provide the Commission with enforcement authority.

Beyond that point, however, the two bills part company. In its simplest form, the issue is: Should the Commission be empowered to take its discrimination cases into Federal courts as we recommend in H.R. 9247, or should it be permitted to issue cease and desist orders as recommended in H.R. 1746?

We are convinced the stability, expedition, and protection afforded plaintiff and defendant alike in the judicial approach are preferable to providing a Federal agency with authority to act as investigator, prosecutor, and judge. A separation of powers is inherent to our system of justice; it assures due process of law.

By combining cease and desist powers with authority to issue back pay and affirmative action orders, as H.R. 1746 would do, the EEOC would be transformed into a quasi-judicial body. A quasi-judicial body may be appropriate when competing interests are involved, but we do not believe discrimination occupies the status of an "interest" under our system. It is an injustice which should be eliminated in as quick and efficient a manner as possible. A look at the record clearly demonstrates that judicial enforcement is more expeditious than administrative enforcement. It seems more sensible to us to proceed in the forum offered by judicial enforcement. There, not only can preliminary relief be made available at the outset; but also, if circumstances warrant, further relief can be obtained as the case proceeds, with permanent relief embodied in a self-enforcing decree issuing at the culmination of trial.

Another significant difference between the committee bill and our substitute is that the former would extend the jurisdiction of the EEOC to employment in State and local governments. While we by no means hold that these units of government are innocent of discrimination, we question whether a Federal administrative agency, armed with cease-and-desist power as proposed in H.R. 1746, should be allowed to exercise its powers within their realm of activity. Importantly, such an extension of the Commission's jurisdiction would represent an unprecedented interposition of a Federal administrative agency into the internal administration of State and local government.

These, then, are the major issues between H.R. 1746 and H.R. 9247. There are others. So that you may examine all of them, a comparison of the two bills and existing law follows, as does a summary of H.R. 9247. Additionally, you may wish to refer to the separate views, page 69, and the minority views, pages 58 to 67, of House Report 92-238. And, of course, either of us would welcome an opportunity to answer any questions you may have:

COMPARISON OF PRESENT LAW, H.R. 1746, AND H.R. 9247

Category	Present law	H.R. 1746	H.R. 9247
Number of employees.....	Employers of 25 or more; unions with 25 or more members.	1st year, same as present law; after that, 8 or more.	No change in present law.
Employees of State and local government.....	Not covered.....	Covered.....	Not covered.
Federal and District of Columbia employees.....	do.....	Transfers Civil Service Commission authority in discrimination cases to EEOC.	Do.
Office of Federal Contract Compliance.....	do.....	Transferred from Department of Labor to EEOC.	Do.
Authority of EEOC.....	Limited to persuasion, conference, and conciliation.	Extended to issue cease and desist orders, which can require payment of back pay and affirmative action. Enforceable by U.S. Court of Appeals.	Extended to give Commission attorneys authority to file suit in Federal district courts which can require temporary or permanent relief, including back pay and affirmative action. Appealable to U.S. Court of Appeals and Supreme Court.
Filing of charges.....	Charge must be filed within 90 days of alleged unlawful act or if a State or local Fair Employment Practice Agency is involved within 210 days.	Increases time limitations to 180 and 300 days respectively.	Increases time limit for filing charge to 180 days of alleged unlawful act.
Service of charge to respondent.....	Any time within above limits.....	Same as present law.....	Charge must be filed within 5 days after filing with the EEOC.
Who may file charge.....	Person claiming to be aggrieved must file charge in writing under oath. Commissioner may also file where has reason to believe violation has occurred.	Charge may be filed in writing by or on behalf of person claiming to be aggrieved. Commissioner may file written charge; no requirement of reasonable cause.	Charge must specify person or persons claiming to be aggrieved.
Class action.....	By administrative decisions and Federal court cases, it has become the practice to establish that every individual charge is necessarily a charge on behalf of a class of persons similarly aggrieved.	No change in present law.....	Limits granting of remedies to persons who have filed or been specifically named in timely charges.
Exclusive remedy.....	Employment discrimination proceedings now being filed under title VII, the National Labor Relations Act, the Civil Rights Act of 1866 and other laws.	No change.....	Provides that charges filed under title VII shall be the exclusive Federal remedy (does not displace authority of the OFCC or the Attorney General's right to initiate pattern or practice suits).
Pattern or practice litigation.....	Deferred to the Attorney General for action.....	Responsibilities of the Attorney General transferred to the EEOC.	No change in present law.
Limitations on liability.....	May reach back to the effective date of the act, July 2 1965.	No change.....	Limits liability to 2 years preceding the filing of a complaint in court.

EXPLANATION AND ANALYSIS OF THE EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1971

Title VII of the Civil Rights Act of 1964 makes it unlawful for certain private employers, labor unions, and employment agencies to discriminate on the basis of race, color, religion, sex or national origin. It established the Equal Employment Opportunity Commission to administer the law by investigating charges and, when reasonable cause is found, by seeking to obtain voluntary compliance.

The major purpose of this bill is to provide the EEOC with enforcement powers. By authorizing the EEOC to take discrimination cases into Federal District Courts and to obtain temporary or preliminary relief, the bill provides the approach proposed by the Administration during the 91st Congress. This proposal, however, makes the following additional amendments to title VII:

1. *Service of Charges.*—The bill amends section 706(a) to require service of charges within a five-day period and identification of persons aggrieved in order that respondents (employers, employment agencies, or labor organizations) will be speedily informed of the nature of the charges. Such information will enable respondents to evaluate the charges, thereby encouraging respondents and complainants to settle their difficulties without waiting for EEOC action. Currently, because respondents are unaware of the existence of charges while witnesses and documentary evidence are fresh, respondents who wish to comply with the law have no opportunity to resolve cases until substantial liability has built up. Private settlements of disputes will serve to reduce the already enormous backlog facing the EEOC. Relief should be granted where discrimination is found to exist and good cause is shown to merit such relief; but such relief must be applied within reasonable limitations.

2. *Exclusive Remedy.*—Section 3(b) of the bill adds a provision that charges filed under title VII shall be the exclusive federal remedy for persons claiming to be aggrieved by discriminatory practices of covered respondents. This does not, however, displace the authority of the Office of Federal Contract Compliance, the Attorney General's statutory right to initiate "pattern or practice"

litigation, or proceedings under state fair employment practice laws. With a strengthened EEOC enforcing title VII, recourse to other federal agencies and statutes won't be necessary. One effect of this section is to supersede employment discrimination proceedings now being filed under the Civil Rights Act of 1866 and the National Labor Relations Act, amongst others. Additionally, the present 90-day limit for filing a charge is extended to 180 days.

3. *Temporary and Preliminary Relief.*—Section 706(f), as changed by the bill makes clear courts may grant temporary restraining orders and other forms of preliminary relief upon a showing that substantial and irreparable injury to the aggrieved parties will occur if such relief is denied. Such extraordinary remedies are warranted only in circumstances which clearly establish their necessity because such relief is granted before a trial on the merits.

4. *Class Action.*—Through EEOC administrative decisions and federal court cases, class actions have become increasingly more common, by calling the complainant a "private attorney general," referring to the statutory right of the U.S. Attorney General to bring "pattern or practice" suits under title VII. With a current backlog of over 25,000 charges, the practice of the Commission and the courts to establish that every individual charge is necessarily a charge on behalf of a class of persons similarly aggrieved prevents the speedy determination of the individual's complaint and enormously complicates the settlement or litigation of the basic charge.

The bill amends section 706(h) to limit the granting of remedies for past discrimination to persons who have filed or been specifically named in timely charges or amendments thereto.

5. *Limitations on Liability.*—As indicated in testimony before the House General Labor Subcommittee by EEOC Chairman Brown, remedies for discriminatory acts may reach back to the effective date of the Act, July 2, 1965. Arguments that the threat of enormous back pay liability will encourage conciliations are simply attempts to coerce employers and labor organizations into surrendering to the administrative process fundamental rights to a fair hearing and due process of law. Back pay awards should

measure compensation, not punishment. Section 706(f) has been amended by the bill to limit liability to two years preceding the filing of a complaint in court, following the pattern of the minimum wage law.

AMERICAN POW'S

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. HORTON. Mr. Speaker, today is July 20, 1971. Seven years and 116 days ago, Capt. Floyd Thompson was captured by the enemy in South Vietnam and became one of our first POW's. Across our land there has been a growing concern over the welfare of Captain Thompson and the several hundred men who share his situation. This concern has been reflected in Congress.

Regrettably, the POW's—brave men, who served their country and now suffer for it—have become political pawns in a diplomatic struggle which promises to be as exasperating and frustrating as the military effort which preceded it.

Of those many proposed solutions to the war and the POW issue, I have been disturbed by proposals which purport to insure that our men will be released, and would like to take a few minutes to put the matter in perspective.

There are over 1,500 servicemen missing in Indochina; the North Vietnamese say they have 338 in captivity and have furnished a list of names. Our Government has reason to believe at least 450 are held prisoner in North Vietnam. The rest are in Laos, Cambodia, or South Vietnam, either dead or in bamboo prison camps under unspeakable conditions.

The immediate question which comes to mind is "How can we get these men home to their families?" Various solu-

tions have been attempted. Diplomatically, there is no matter of higher importance. Efforts have been undertaken in Paris, in our embassies around the globe, even with friendly governments acting as intermediaries, and the answer from Hanoi until recently, has been discouraging. Militarily, missions have been undertaken to raid known POW camps. The Son Tay mission last year was probably the best publicized, but the results there—as elsewhere—have been disappointing.

The President dispatched Astronaut/Colonel Borman on a worldwide tour last year, also with disappointing results.

In short, official efforts have not had an impact on Hanoi. Unofficial efforts—in the form of letter writing campaigns, newspaper ads, private delegations to Paris, the news photos of weeping wives outside the North Vietnamese delegation general in Paris—all this publicity has placed pressure on Hanoi, and resulted in better treatment for the Americans they hold prisoner. Mail is more frequent. There have been some prisoner releases. The recent seven-point Vietcong plan also seems to be a response to this pressure. In short, a compelling humanitarian plea and its attendant publicity have created pressures for better treatment and negotiated release that official efforts were unable to bring to bear.

In Rochester, the Jaycees started a campaign to obtain letters and signatures on petitions last December. By April, the "Remember Rochester POW/MIA's" campaign had 110,000 expressions of support, and a delegation took them to Paris. It took over a week for them to see the North Vietnamese. They made dozens of telephone calls to get their appointment; they stopped counting after 70 calls, but it took about 100 calls to get their meeting, and they had a frank discussion with the North Vietnamese for over an hour.

Upon their return, I invited this group to Washington. They met with a group of over 30 Congressmen, Senators, or their representatives. They met with the State Department and with White House officials. The main concern this delegation communicated was the need to keep the pressure on Hanoi.

Congress has made its contribution to this cause. On the opening day of the 92d Congress, I cosponsored a bill to establish a national week of concern for POW's/MIA's. I have written several articles on the subject, and recently signed a petition with over 125 of my colleagues, requesting that COSVN, the organization that controls Vietcong political and military decisions, extend the same treatment to its prisoners in the South that Hanoi claims to provide our men in the North.

It is obvious that the POW question is of paramount importance to our side; I need hardly add that it is part of the strategy and policy of Hanoi as well.

President Nixon has said that there will be American soldiers in the South as long as there are POW's in the North, and Hanoi has focused on this policy for most of its current effort.

There is growing American acceptance of the repeated North Vietnamese assurance that the POW's will be released

when a withdrawal date for our troops is set, even when the only firm promise has been that discussions on this matter will ensue. Discussions, not release.

The North Vietnamese have also said that replacement of the government in Saigon was an inseparable condition from the withdrawal of American troops, before the POW's could be released.

In short, I find it difficult to commit myself to a position, based on ambiguous assurances from Hanoi. These same people assured us that there would be progress at Paris, if we only agreed to seat the Vietcong delegation in 1968. They assured us of their agreement to a holiday truce during Tet of 1968. They assured us that the cities of South Vietnam would not be rocketed or attacked if we ceased the bombing. There is no doubt that there are things Congress can and should be doing to express the will of the people and bring this tragic chapter in our national life to a close. Brilliant legislation has been produced, the result of months of research, writing and re-writing. But I think it is important to keep in mind that Congress has an independent responsibility, involving evaluation and judgment. It does not conduct the foreign policy of the United States; however, it does provide the authority for the President and our diplomatic corps to carry out our national policy.

I submit that no amendment or legislation introduced by a Congressman or Senator, can claim to provide a sure-fire solution to the release of our POW's. No Congressman or Senator is qualified to make such an assurance.

This becomes increasingly apparent, as we read of Hanoi's desire to have the United States replace the Saigon government, of their possible concern for reparations from the United States for bomb damage, of their displeasure with our air bases in Thailand and the proximity of the 7th Fleet. Any one of these demands could be offered after total withdrawal to delay even longer the release of our men. Even the Vietcong seven-point proposal, which indicates some flexibility on their side, has required detailed study and its discussion will take weeks and months of negotiation.

Let us make no mistake about it. The return of our POW's is going to be a difficult, agonizing, lengthy experience, and it is going to require patience, determination, and the confident kind of toughness that our negotiators will have to sustain in the most discouraging atmosphere.

I think it is a disservice to our men held prisoner, to their families, and to this Nation, to pretend otherwise.

#### TURKEY TO END OPIUM PRODUCTION IN FALL OF 1972

**HON. JAMES H. SCHEUER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. SCHEUER. Mr. Speaker, on June 30, the Turkish Government announced

its decision to end opium production in the autumn of 1972. This announcement marked a significant contribution to cutting down the flow of heroin into this country and the Nixon administration is to be congratulated for the success of the negotiations which led the Turks to take this step.

Now the administration must take the next step to build upon the policy adopted by the Turkish Government.

First, the President should offer law enforcement aid and technical assistance to the Turks to guarantee the enforcement of the prohibition.

Second, now that we are on the way to solving the problem of illegal opium production in Turkey, we must move immediately and forcefully to stop production in the region which supplies most of the world's illegal opium—Southeast Asia.

Third, to accomplish these ends the President should appoint one individual to exercise determined leadership over all State Department activities in foreign drug control—in order to create a comprehensive integrated program to eliminate illicit opium production abroad.

This individual should develop a well-conceived plan of attack for implementation by the international community which would be presented to the 24th session of the United Nations Commission on Narcotic Drugs in September. He should also take immediate steps to strengthen the United Nations Special Fund for Drug Abuse Control. Finally, the activities of this individual should be coordinated by an Office of Drug Abuse Control within the White House as proposed in the bills which I and a number of my colleagues have suggested.

While I hope to see these new steps taken in the very near future, I want to compliment the administration for the first of what must be many successful efforts to cut off the international flow of illicit narcotic drugs. To that end, I commend the attention of my colleagues to President Nixon's statements on the opium cultivation ban in Turkey, and the statement of Turkish Prime Minister Nihat Erim.

#### REMARKS ON TURKISH CESSATION OF OPIUM POPPY PRODUCTION BY PRESIDENT NIXON

Even though only a minor part of the world's opium is grown in Turkey, more than half of the heroin entering the United States originates in Turkish poppy fields. Opium is the base from which heroin is obtained, and in order to stamp out the supply of heroin, it is essential to eliminate the production of opium. I can report to you today that the Prime Minister of Turkey has announced that within one year, in accordance with the law of his nation, the opium poppy will no longer be planted.

This step by our close friend and ally is taken in the interests of helping to end the narcotics menace in the world. It is, let me say, a courageous and statesman-like act on the part of Turkish Prime Minister Nihat Erim.

Opium is a cash crop, and a legitimate crop in Turkey. The Turkish people do not use it for drugs—heroin or opium addiction is virtually unknown there. So it is a difficult thing to explain to the Turkish farmers—who use the seeds for seasoning, the oil for cooking, the stalk for fodder and fuel—that they can no longer grow it. We applaud that sort of unselfish and statesmanlike conduct, and we stand ready to help the Turkish

people make the necessary adjustment from poppy growing to some other means of making a livelihood.

I would hope that other nations will follow the example set by Turkey, and end the cultivation of the opium poppy. I believe that full cooperation between nations in this manner is the key to solving this problem. Cooperation, and not coercion, is the preferred approach here. But let there be no mistake about the strength of our resolve in this matter. We intend to end this traffic in human misery. We do not intend to lose a generation of young Americans to drugs. I intend to take every step necessary to insure that we do not.

The significance of the Turkish undertaking should be clear—not only to law-abiding American citizens, but to drug traffickers in America and elsewhere.

This is a beginning—it is only a beginning. I know that there will be a strong effort on the part of traffickers to find a substitute source of opium. And when they move, we are going to move. But we are going to move faster.

When we have teenagers dying of heroin addiction in our cities—and we do, then I think we must agree that no step is too drastic if it will help to end this menace in our national life. So we appreciate Turkey's action, we appreciate the difficulty involved, and we call on other nations to show the same sense of international responsibility. We are prepared to help them do it—we will go anywhere, we will extend assistance to any nation, we will cooperate with any government in the effort to end drug abuse in America, and in the world—because ultimately, this is not just an American problem. It is an international problem.

TEXT OF PRESIDENTIAL STATEMENT  
JUNE 30, 1971

In today's world, declarations of statesman-like intent are not difficult. But, instances of courageous statesmanlike action are few. Prime Minister Niha Erim of Turkey has just combined the two. Today, he declared that the Republic of Turkey, our friend and staunch ally within the North Atlantic Treaty Organization, would abandon a traditional agricultural practice in order to make a significant contribution to the well-being of the world in the decree of his government, he announced that within one year, in accordance with the law of his nation, the opium poppy will no longer be planted. This farsighted step will provide an example which we trust will soon be followed by other nations.

For hundreds of years, tens of thousands of Turkish families have raised the opium poppy as a legitimate cash crop and for its edible oil and seed. Under a United Nations convention, Turkey is one of those few nations permitted legally to grow poppy for export; yet, Turkey is one of the few opium-cultivating countries in which the use of opium or heroin as an addictive drug is virtually unknown. Since the opium farmer has little, if any knowledge, of his part in the spread of a frightening international epidemic, a ban on opium production is a particularly difficult decision. These circumstances accentuate the vision and wisdom of this very important step. We know well the importance of the agricultural sector of Turkey's economy and we are prepared to put at the disposal of the Turkish government our best technical brains to assist Turkey's program to bring about a better life for the Turkish farmer. We are proud to assist in a program from which we will all benefit.

Secretary of State Rogers told me about his discussions in April with Prime Minister Erim and Senior Turkish officials. Secretary Rogers understood fully the range of problems confronting the Turkish government and its people, and he was impressed by the

efforts being made to solve them. We in the United States are obligated to a friend and ally whose firm military and political commitment to the welfare and defense of the Atlantic community is well known. My administration is committed to aid nations and peoples prepared to help eliminate the narcotics menace. I pledge continued cooperation with Turkey in its efforts to increase the well-being of its people and to maintain its independence and security.

STATEMENT OF PRIME MINISTER ERIM,  
JUNE 30, 1971

In recent years the abuse of narcotics in the world has assumed a very serious and dangerous condition. This situation has been described by the United Nations as almost an "explosion." Several times more production is made of narcotic drugs than is needed for legitimate and medical needs. For this reason, the lives of millions of persons who use narcotics end. In some countries, this deadly disaster is spreading rapidly, particularly among youth. It is noted that even 12-year old children are drawn to drugs. Countries which never used drugs ten years ago are now its victim. The tragedy has spread even as far as the African countries. Furthermore, addiction has begun to threaten all the members of the community. Youth in particular must be protected from this addiction as a great duty for the sake of mankind.

We have seen what a great danger the world is facing. We touched on this in the government program which our Parliament passed: "And indicated that the problem of opium smuggling, which has become a destructive tragedy for all young people in the world, will be seriously undertaken by the government, which believes before all else that this harms sentiments of humane consideration. Opium growers will be given support by showing them a better field for earning their living."

Indeed, Turkey has not remained a stranger to the development of the problem of narcotic drugs, to the international agreements made in this matter since the beginning of the 20th century, and to the work of the United Nations. On the contrary, she has joined in the agreements and has taken decisions to end this disaster.

Turkey has participated in all the international agreements made on the subject of narcotics beginning with the Hague Agreement of 1912; those concluded agreements in 1925, 1931, 1936, 1946, 1948, 1953 and 1961.

An important provision of the 1961 Narcotics Single Convention, signed by 78 nations, is the article which binds the production of opium to the permission of the government.

Governments coming before us have fulfilled their commitments to international agreements and furnished all types of statistical information to the authorized organs of the UN. However, the needed law establishing a licensing system for planting in Turkey, which is the key point of this agreement, for some reason was not passed until this year. Our state was continuously asked by internationally authorized organs to fulfill this commitment. This shortcoming was criticized in the parliaments of many countries and by their public opinion. The UN Secretary General in the report he presented on this subject in 1970, based on these criticisms, said that an extensive amount of smuggling was being made from Turkey.

After this, matters took a rapid turn. In the summer of last year the matter was first taken up at the UN Economic and Social Committee. The Committee on Narcotic Drugs was called to an extraordinary meeting. There, the critical situation in the world was taken up and it was decided to start a struggle by taking exceptional measures in the three stages of the problem: production, supply and demand, and smuggling. It

was stipulated that a fund was to be established to assure the financial means for this purpose. The subject was agreed upon at the General Council meeting of the UN too.

In a law passed by the Turkish Grand National Assembly in 1966, Turkey ratified the international agreement signed in 1961. In this way, international commitments became a part of our national law. Accordingly, "In the event one of the parties fails to implement the provisions of the agreement and through this, the object of the agreement is seriously harmed, the control body will ask that the situation be corrected and can go so far as to set up an embargo against this country."

Smuggling made from our country in recent years has become very distressing for us. Governments, which were unable to prevent smuggling, decreased the number of provinces where poppies were planted from 1960 on and gradually moved the planting of opium from regions close to the border to the center of Anatolia. Now planting has been decreased to four provinces. In this way it was hoped to prevent smuggling.

However, unfortunately, this system did not give results. During 1970 many things developed in favor of the smugglers. Although the soil products office obtained 116 tons of opium from the poppies planted in 11 provinces in 1969, in 1970 the opium which reached the office from nine provinces was only 60 tons.

The whole world is asking where the difference is going. The contraband opium seized by our security forces, which we learn about in radio and newspaper reports, shows everyone the extent of the problem.

It is certain that a smugglers' gang organized on an international scale, constitutes a political and economic problem for Turkey. They will not be permitted to play around with the prestige of our country any further.

This horrible network of smugglers fools our villagers either with the wish to make extra money or by force and it tries to use them for their own ends. Of the tremendous sums which revolve around these transactions, the poor hard-working Turkish villager actually does not get much. The smugglers pay 400 or 500 liras for an illegal kilo of opium to the villagers whom they force to break the law. By the time this opium reaches Turkey's borders, the smugglers have made a profit many times multiplied. After it leaves our country and throughout its route, the value of the drug becomes augmented more and more; in the end it reaches an unbelievable price. International smugglers are earning millions from the raw opium produced by the villagers, but the Turkish farmer gets only a paltry sum. In countries where health is endangered through this opium, because smuggling cannot be prevented in Turkey, anti-Turkish opinions are created.

The Turkish villager also naturally feels bitter against this problem created by the smugglers who make millions from the back of our farmers. All Turkish citizens also feel a moral pain that our country is blamed for smuggling which is poisoning world youth.

The measures to be applied to control smuggling are extremely expensive. In general, poppies are planted in one corner of the field. For this reason, it is necessary to establish an organization which can control an area ten times that of a total poppy farming area of 13 thousand donums which may actually be planted. Vehicles, gasoline, personnel and their salaries must not be forgotten. Smugglers on the other hand, it must be remembered, will resort to any means. Until now, foreign assistance was obtained for control purposes; even an airplane was obtained for our organization. But, unfortunately, the matter was impossible to control by these means, in spite of all the efforts

which were made. Our nation, which is known for its honesty and integrity, is now under a grave accusation. The time when we must end the placing of blames for deaths in other countries on Turkey is long overdue.

We cannot allow Turkey's supreme interests and the prestige of our nation to be further shaken. Our government has decided to apply a clear and firm solution. It forbids completely the planting of poppies; they have already been reduced to four provinces. The agreement ratified in 1966 also stipulates this arrangement.

Poppies will not be planted in Turkey beginning next year. However, we have given careful consideration to the fact that the farmers have until now obtained a legitimate and additional source of income from the planting of poppies. For this reason, in order that the poppy growers will not incur a loss in any way, the necessary formula has been developed. The formula is: in order to make up for the income farmers who are planting in provinces at present will lose, they will be given compensation beginning from the coming year. This compensation will work this way; the basis will be the value of the international market of the whole produce, such as opium, seeds, stems, etc., that the planters will sell to the soil products office this year.

Furthermore, in order to replace the income lost by farmers by other means, and to provide them other means of earning a living, long-term investments will be made in the region. Until these investments give fruit, villagers will continue to be given compensation. From among those who would normally plant this year, those who voluntarily give up planting in the coming Autumn will be given compensation on the same basis.

I am now addressing my villager citizens, in order that this plan may be successful and that it will be possible to establish real values for future year compensations and the criteria for investment, please turn over all your produce to the Soil Products Office. You will receive the necessary assistance in this respect. We have also raised our purchasing price. The larger the amount turned over to the office by all the poppy producers, the larger the compensation they will receive in the coming years without planting. Besides, by selling all his produce to the TMO, the producer will prove that he is not the tool of the smuggler, that the Turkish farmer at no time had the object of poisoning the whole world, nor that he encouraged this knowingly. Dear Farmer Citizens, you will be the ones to save the prestige of our nation. The Government will also henceforth give special importance to your problems. Our Government has taken precautions in order that, in the end, not a single farmer family will incur a loss. Your income will be met without allowing any room for doubts; at the same time, it is planned to establish necessary installations to open new sources of income in the region. I ask you to carry out this plan and to sell all your opium products for this year to the Office at the high price established last month, thereby you will give this program a good start.

#### TURKISH OPIUM DECREE, JUNE 30, 1971

On the basis of the letter of the Ministry of Agriculture dated 26-6-1971, Number 02-16-11-01/342; per law 3491 as amended by law 7368, Article 18; and per Article 22 of Appendix Agreement dated 27-12-1966 to Law 812, the Council of Ministers has decided on June 30, 1971: Definitely to forbid the planting and production of poppies within the borders of Turkey beginning from the Autumn of 1972. This will be done by specifying the provinces shown on the lists attached hereto.

1. To forbid poppy planting and opium producing in provinces where warning is given as of the Autumn of 1972—Afyon, Burdur, Isparta, Kutahya.

2. To forbid poppy planting and opium producing in the provinces where a warning has been given from the Autumn of 1971—Denizli, Konya, Usak.

3. To give a suitable compensation as proposed by the Ministry of Agriculture and by decision of the Council of Ministers to the planters in these seven provinces where poppy planting and production have been forbidden. This will be on the basis of the opium they deliver this year to the Soil Products Office and on the basis of other poppy by-products so that the farmers will not incur any loss of income.

4. To grant to the planters in the areas indicated in Paragraph 1, who voluntarily give up planting in the Autumn of 1971, the right to benefit from the compensation set forth in Paragraph 3.

C. SUNAY,  
President of the Republic.

### NATIONAL ENERGY POLICY—PART VI

## HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. COUGHLIN. Mr. Speaker, the July issue of Nation's Business carries an article on our current energy crisis. It is instructive from several points of view: first, because it gives the reader a good idea how businessmen view the problem, a view with which I do not always agree, and, second, because it includes what appears to be useful statistics. Rather than highlight them here, or repeat the information contained therein, I submit this interesting article for my colleagues' perusal:

[From the Nation's Business, July, 1971] (Shortages amid plenty—that's the story on the power supplies that keep our country going; here is a fact-packed report on the situation now and on the outlook for the years ahead)

#### HEADING OFF AN ENERGY CRISIS

(By Sterling G. Slappey)

Mankind has consumed more energy in the past 30 years than in all history before 1940. And in the next 30 years we will use far more than that.

Six per cent of the world's population is in the United States. Yet the U.S. consumes 32 per cent of the world's energy production. More gas, oil, coal and nuclear power are used in this country than in the Soviet Union, Britain, West Germany and Japan combined.

Can anyone wonder that Western Man—and particularly *Homo Americanus*—has marched to the brink of an energy crisis? Indeed, some executives and economists in the energy field say there is a crisis now.

The predominant opinion, however, is that—although there may be temporary shortages—we are not yet in a crisis, and one can be avoided. An amplitude of the energy sources we now use is available, and dramatic new ways to produce energy are in the offing.

Certainly, we may have brownouts in some areas this summer, when demand for electricity outpaces supply. And next winter we may have some failures in heating supplies due to mechanical breakdown or human error, or because supplies simply weren't in the right place at the right time.

But a crisis?

Not where that prime supplier of energy, the U.S. electric power industry, is concerned—according to one spokesman, Presi-

dent W. Donham Crawford of the Edison Electric Institute.

Mr. Crawford, whose organization is the principal trade association for the nation's investor-owned electric power companies, says that "on an over-all basis, reserve generating capacity is on the upswing."

He adds, however, that in some areas "reserves are less than desirable," and explains: "These shortages of reserves are basically attributable to an inability to bring in planned capacity additions on time due to construction delays, strikes, late equipment deliveries and, in a few instances, prolonged regulatory proceedings or opposition from conservationists."

The energy-environment conflict is an old one. After all, the first time a settler at Jamestown in the Virginia Colony cut down a tree in 1607, he was opting for energy over scenery.

But it was inevitable that there would be a greater ruckus during a period when energy consumption is soaring as it never has before.

#### THE CLEANING OF AMERICA

The conflict continues despite the many measures businessmen take to lessen the environmental impact of their efforts to meet the demand for energy:

Their replenishing of the earth where strip mining of coal has sheared it off, their improving of techniques for removal of sulfur from oil and coal emissions, their perfecting of devices to cool water which pours from nuclear plants, their efforts to quiet the machines which roar and clatter while doing man's work. . . .

In speech after speech, U.S. business leaders tell with pride how much money, time and effort their companies have invested in the great cleanup. Some feel the cleaning of America will be as great an accomplishment in the '70s as the landing of man on the moon was in the '60s.

Many executives argue that what the U.S. energy producer needs most right now is the cooperation of government in forming an over-all American energy program which will permit him to increase energy sources without undue interference of the ecologists.

Says M. A. Wright, chairman of the board, Humble Oil & Refining Co.: "We have reached the point where a more coordinated, consistent approach to energy policy issues is essential. We will not be able to resolve our energy problems by continuing to manage our individual energy resources each in isolation from the other."

It seems reasonable, Mr. Wright goes on, "that the objective for the coordination of United States energy supply should be to provide an adequate supply of energy for both present and longer term needs, at a reasonable balance between cost, dependability and protection of the environment."

"A critical corollary to this is the development of contingency plans for disruptions in foreign supply which recognize the probability and possible nature of such disruptions."

A national energy program seems to be in the making as various government and industry leaders discuss and study the matter.

Meanwhile, the demand for energy and the effort to supply it grow and grow.

Edison Institute Chairman D. Bruce Mansfield, who is also president of Ohio Edison Co., reports that during 1970 the electric power industry put more than 200 new generating units on the line. This, he says, "represented some 26 million kilowatts of new capacity, a record amount to be added in a single year."

He continues: "As of the beginning of 1971, total electric capability in the contiguous United States was 339,050 megawatts. By the end of 1975, estimated capacity is expected to be 533,500 megawatts, an increase of 57 per cent over the five-year period."

Sen. Jennings Randolph (D.-W. Va.), one of the most knowledgeable legislators on energy matters, has some ideas about what's needed over a longer pull:

"In the next 20 years," he says, "we must triple our national power capacity to meet projected population and industrial demands. This may require 250 new power plant sites with an estimated capital need of as much as \$350 billion. Such an expansion will require approximately eight million acres of land and may require over half a million miles of transmission lines."

And those increases in capacity will have wide impact in the fuel supply field. Our electricity is produced from a variety of sources: coal (46.4 per cent in 1970), oil (11.8 per cent), gas (24.1 per cent), water power (16.2 per cent), nuclear power (1.4 per cent) and even from burning wood and waste (0.1 per cent).

#### SWEATING OUT THE SUMMER

While there is little government-industry argument over long-range need for electricity, there is disagreement over what might happen this summer.

President Nixon held a special Cabinet session last spring to study what could be done about what was called a forthcoming summer of power shortages. The meeting was an echo of events last Labor Day week when there was a temporary power crisis in the Northeast due to an unexpected, long, very hot, dry spell. Mechanical breakdowns added to the problems.

The Federal Power Commission and industry agree that reserve power of 20 per cent is needed to insure against power failure. But they do not agree on how much of a reserve is available this summer.

About 16.3 per cent, says the government; 18.3, says the Edison Institute. Last year the over-all reserve margin was actually 19 per cent—which means that while electricity supply has increased, the margin of reserve is down.

In 1972, the industry says, reserve margin will be 21.5 per cent, and it will rise to 23.9 in 1975. By then more nuclear reactors will be coming into service ending—hopefully—fears of vast blackouts and brownouts.

In any event, utilities have foreseen the possibilities of power disruptions this summer and have increased orders for turbines and transformers. Orders for equipment placed two to six years ago are now being filled and much of it is going on the line in the next few months. Utilities not only ordered equipment in the United States, they also placed huge orders with Swiss, German, British and Japanese firms.

New technology and better exchange of power between electric companies have also helped to increase peak-load current. To help make up for delayed equipment installations, utilities are installing large numbers of gas turbines—modified aircraft engines—along with the more conventional steam turbines.

In some cases, utilities—in addition to vigorously helping themselves—ask help from their customers.

Consolidated Edison in New York has an educational program, "Ten Ways to Save a Watt." Users are urged, among other things, to turn off air conditioners and other power consuming machinery when not actually needed, to wash dishes and clothes at night when power demands of industry have tapered off and to buy the right size—not necessarily the largest—air conditioner.

In the future, of course, the electric power people—and the suppliers of other forms of energy that move our vehicles and heat our buildings—hope it will be unnecessary to ask anyone to hold back on consumption.

#### "BURNING" THE OCEAN

They hope to be able to come up with plenty of the conventional fuels. And companies, government and others are working on a variety of energy sources, some of which sound very science fictional, some less so.

A fantastic source of energy could be the "burning" of ocean water—fusing hydrogen atoms and creating steam with heat generated by the fusion. (Hydrogen is fused now, in H-bomb explosions, but controlling the reaction is another matter). British and Soviet scientists are conducting experiments, and Americans are collecting data. It's pretty far-out, but so—a generation ago—was the splitting of the atom which made it possible to produce atomic power as well as atomic bombs.

Then there's the long-discussed possibility of harnessing ocean tides.

Geothermal energy—harnessed heat from the earth's interior—is being produced by Pacific Gas and Electric Co. north of San Francisco, and several other companies are well along in research on use of this energy source. Italy and New Zealand lead the world in geothermal energy production.

There's solar energy, too—already, Americans can buy radios which operate on power from the sun.

Tiny fuel cells, which may have great potential, are being tested in homes and stores by the Pratt & Whitney Division of United Aircraft Corp., and by 32 gas and electric utility companies.

Breeder reactors far in advance of present nuclear reactors—considered certainties before the turn of the Twenty-first Century—will actually produce more fuel than they consume.

Only last month, President Nixon sent a message to Congress asking increased funds for research on breeders, which have long been under development by the Atomic Energy Commission. He said they will have "far less impact on the environment than the power plants which are operating today," and could "extend the life of our natural uranium supply from decades to centuries."

Other hoped-for weapons in the fight to overcome energy shortages are widespread production of oil from coal, shale and tar sands, and large production of liquefied gas and of high-grade gas from coal.

The President's June message to Congress noted he was opening up oil shale fields in Colorado, Utah and Wyoming to private bidders, and asked funds to strengthen research on extracting gas from coal.

These are some of the energy sources of the future. In the meantime the U.S. must get along primarily on oil, gas, nuclear power and coal supplies which sometimes are short because of men's shortsightedness.

In the following four sections, NATION'S BUSINESS takes up in detail the situation for each.

#### OIL: NO NEED TO SCRAPE THE BOTTOM OF THE BARREL

The oil industry is in the predicament of settlers facing attackers coming over every wall.

The industry is under heavy siege in the Middle East, Alaska, South America, in Washington, and nearly everywhere there's a whiff of exhaust fume or an oil splotch on the water.

Fortunately for oil there's plenty of ammunition to fight back with. Besides, a relief column—in the form of growing recognition of the industry's value—is discernible on the horizon, riding hard to the rescue.

Oilmen can fight with figures: The industry's product accounts for 44 per cent of Americans' total energy needs. It provides one fourth of their industrial energy, almost half of their commercial and household heating requirements, virtually all of the energy they use to transport themselves and their goods. Americans use 15 million barrels of oil a day—half again more than 10 years ago. In another 10 years, the figure will be half again larger than that.

Oilmen are consoled by the knowledge that many Americans obviously realize how much their activities will be hampered if extreme environmentalists stop the Alaskan

pipeline and retard offshore drilling, if the government refuses to make more federal lands available for exploration, if petroleum-rich nations overseas send the price of oil out of sight.

Domestic reserves of this relatively cheap, convenient fuel are down to 39 billion barrels—enough for less than 10 years at the current rate of consumption.

That's a puddle compared to what's beneath the Middle East—at the very least, 319 billion barrels.

America presently gets only 4 percent of its petroleum from that corner of the world, where turmoil easily can interrupt or hinder the flow of oil, and has done so.

Why, it's often asked, should Americans worry about Middle Eastern oil, since practically all of it goes to Europe and the Far East?

#### THEIR TROUBLES ARE OURS

The answer is threefold: Our Western European and Far Eastern allies can't prosper without oil, and we need them in peace or war. Second, practically all major oil companies—British Petroleum and Shell are exceptions—are American owned. And finally, the U.S. will be using more Middle Eastern oil in the future.

Says Humble Oil Chairman Wright: "If we have a crisis and Middle East production is curtailed, we will all be in trouble. Europe depends about 85 per cent on Eastern Hemisphere crude. The United States isn't dependent on the Eastern Hemisphere at the moment, but we have no surplus capacity to aid Europe. . . ."

"Our present forecasts indicate that 10 years from now this country will rely on the Eastern Hemisphere for 30 per cent of its oil. This figure points out the need for accelerating exploration and development of our offshore and Arctic areas.

"We assume that Canadian and Venezuelan oil will be available to us, but in 1980 the demands of this country will be about 22 million barrels a day, of which six million must come from the Eastern Hemisphere."

Our inadequate domestic supplies and our insatiable appetite for oil are two principal reasons why oilmen were forced last winter to pay higher prices to Middle Eastern countries for crude.

In five years the over-all bill for crude will have been \$5 billion higher. This, of course, brings America much closer to the time when a gallon of gasoline may cost 60 cents or more, and Europe to the time when a gallon costs at least \$1.25.

With turbulence in the Middle East, oilmen turned to many other areas for exploration—Australia, Indonesia, Africa, the North Sea and Spitsbergen as well as South America (Venezuelan oil now flows at the rate of 3.7 million barrels a day, but that country's reserves are down to 2.6 per cent of the world's reserves).

Nowhere did they hit anything like the vast ocean of oil lying beneath northern Alaska and adjacent Canada. Exploration there has hardly begun and no one knows just how much will eventually be found. Already it's accepted that at least 9.4 billion barrels are waiting beneath Alaska which eventually will be added to American reserves.

The problems in Alaska include weather, mileage, demands of the ecologists and attendant need for billions of dollars.

The government is expected to give permission this fall for contracting for work on the \$2.3 billion dollar pipeline from Prudhoe Bay to Valdez, Alaska. The line would take two to three years to build and carry two million barrels a day, reducing dependence on Middle Eastern oil.

#### COZY CARBOU

Environmentalists have fought the pipeline for nearly two years, saying it would melt the tundra and foul up the fauna and vegetation. They were particularly concerned

that the pipeline would be a threat to the caribou in the area.

Oilmen produced new proposals, made new engineering studies, promised all sorts of favors for the caribou. It's now reported that the caribou would be a greater threat to the pipeline than the pipeline would be to the caribou. The animals can be expected to huddle close to the line and the warm oil it would contain.

Mr. Wright sums up this fight and others by saying: "Many environmentalists seem to feel industry should not look for oil off populated coastlines or in relatively untouched wilderness areas such as Alaska. They seem to feel we should find oil in locations where they would like it to be—rather than where oil actually exists. . . .

"But the evidence is clear that most of the large prospective reserves yet to be discovered in the United States are in the waters of the continental shelf or in remote frontier areas such as Alaska.

"The relative amount of flexibility granted to the petroleum industry in future years to explore for oil, to produce it, and to transport it from these areas—much of which are federally owned—may depend in large measure on our environmental performance.

"We think the record of our industry in handling the environmental issue may also affect our credibility with the public on other, unrelated issues of great significance to our business. Therefore we are working very hard to improve that record."

Environmentalists have been on the oil industry's neck, of course, not only when it comes to producing oil but when it comes to burning it. There is much public and private research on how to remove pollutants from emissions when petroleum is consumed. President Nixon last month asked Congress for an extra \$15 million to find methods of extracting sulfur dioxide from oil and coal stack gases.

From all sources the United States until recent years had a comfortable five million-barrel-a-day surplus producing capability. Now, the country just barely has a surplus capability. This is considered a dangerous situation, especially due to the needs of national defense.

Many oilmen feel the United States must find and develop 105 billion barrels between now and 1985.

(The heavy fuel oil situation is particularly bad. Until two years ago, consumption of this fuel, used in power plants, large industrial installations, schools and commercial heating, increased annually about 2 per cent. In 1969 it leaped 8 per cent and last year, 11 per cent. Practically all heavy fuel oil has to be imported).

Because we still manage to keep ahead by a nose, and because some experts say more than half of the discoverable oil in the United States is still waiting to be discovered, many oilmen avoid describing the situation as a "crisis."

#### "DISINCENTIVES" FOR DRILLING

But exploration within the United States has been drastically reduced. Says Frank N. Ikard, president of the American Petroleum Institute in Washington:

"While demand for petroleum products has reached an all-time high, the number of wells drilled in search of new petroleum supplies in 1970 dropped to the lowest point in 22 years. Over the past 15 years, the number of exploratory wells drilled per year has declined 48 per cent.

"And more than 80 per cent of the 8,400 exploratory wells drilled last year turned out to be dry holes.

"There is no question that the lack of adequate incentives is the primary cause of this sharp decline in drilling. In fact, we have seen a whole series of 'disincentives' laid in the path of petroleum producers.

"These have included the higher taxes imposed on petroleum companies during the

past year; the unrealistically low prices set by the federal government on natural gas sold interstate; the continuing proposals to undermine the domestic oil industry by permitting excessive amounts of imports; and the restrictions that involve offshore leases and the movement of Alaska North Slope petroleum.

Early in the Age of Oil it was realized that the United States would depend increasingly on petroleum. Government policies provided incentives for a strong oil industry.

More recently, the incentives became targets for criticism.

The depletion allowance developed into an emotional political issue. Congress reduced it from 27½ per cent, where it had been for 40 years, to 22 per cent. Along with other tax measures, this increased the oil industry's annual tax bill by \$700 million.

And the Mandatory Oil Import Program, established in 1959, has been under new attack. Oilmen acknowledge that oil importing is necessary, and also say it inevitably will increase. But they want controls so as to nurture the domestic industry.

The present Administration is sympathetic in many ways to the oil industry.

Although Dr. Hendrick Houthakker, of President Nixon's Council of Economic Advisers, called talk of a pending oil crisis "exaggerated," he said construction of the Alaskan pipeline is a "matter of high priority."

Interior Secretary Rogers C. B. Morton will be the man to decide if the pipeline will be built, and in mid-May he gave a hint of how he feels. He put energy ahead of ecology.

"Ecology," he said, "is the most important thing in the world until the lights go out."

The Secretary said he is not "altogether sympathetic to the oil industry's belief that outspoken conservationists are contributing to a world-wide energy shortage." However, he added, "some people" are "expressing totally unrealistic opposition to progress."

Talk of action that would "shut this important source of energy down or restrict it from developing," he said, is "'Alice in Wonderland' type rhetoric."

#### GAS: ENOUGH FOR PRESENT CUSTOMERS, BUT HOW ABOUT THE NEW ONES?

Natural gas producers say their big troubles began in June, 1954, when the Supreme Court affirmed that the Federal Power Commission had the right to regulate gas prices at the wellhead.

Prices were set so low, gasmen say, that producing companies could not get enough money to find and develop resources. Gas exploration became an adjunct of oil exploration. At the same time, consumers were turning to this type of fuel in increasing droves—one major reason being its cleanliness.

Last year the U.S. burned 22 trillion cubic feet. Usage of gas now goes up about 7 per cent per year.

Although low prices were a ready complaint of gasmen, as long as more natural gas was being located each year than burned, the industry looked like a winner for decades to come.

But that utopian situation of constantly increasing reserves has been a thing of the past since 1968. With exploration slowed due to lack of funding, additions to reserves fell five trillion cubic feet below production in that year. The gap was more than 10 trillion cubic feet in both 1969 and '70.

Today, the nation continues to use more gas than it finds, a situation growing more serious because the U.S. now has only a meager 12- to 13-year supply in reserve—some 265 trillion cubic feet.

It's known that there is a great deal more gas beneath the continental United States—estimates go as high as 1,500 trillion cubic feet—but companies say they lack the huge sums required to locate it, get it out of the ground and pipe it to customers.

Optimists in government point out that although the U.S. is using up its treasure trove of reserves—the supply was estimated to be enough for 22 years in 1955—more gas can be bought in Canada and there is plenty of gas in Alaska.

Actually, North Slope discoveries of the past three years have produced only 26 trillion cubic feet of proven reserves thus far. That's little more than a year's supply. Potential reserves are said to be enormous, but as of summertime 1971, they remain just that—"potential."

The shortage of reserves would be less serious if natural gas were merely a supplemental fuel. But it is second only to oil in the energy field, accounting for 32 per cent of all energy consumed.

#### HIGHER PRICES AHEAD?

There is hope down the road for natural gas because the FPC is relaxing the rigid price structure.

It is generally accepted in Washington that the FPC must move decisively, and soon too, or the gas industry will be permanently injured and a major energy crisis will be touched off.

The FPC is now looking into claims that the gas industry is keeping quiet about certain reserves so it can put pressure on the government for better prices. In effect, some government people say that reserves listed as "potential" are "proven."

The industry denies this and says the gas reserve shortage is all too real. Many companies, it points out, now must decline to accept new customers because they simply don't have the gas to service them with. One company has a waiting list of 17,000.

Shortages in immediate supply for existing customers are not unheard of.

In Cleveland, a number of factories halted operations when the fuel ran out in the winter of 1969-70.

Walter E. Rogers, president of the Independent Natural Gas Association of America, looks for a doubling of today's natural gas consumption, assuming supplies are available.

He warns: "Our basic energy resources are decreasing at an alarming rate. Unless this trend is reversed, this country could be in a very tragic situation well before the turn of the century."

G. J. Tankersley, president of the American Gas Association, urges higher wellhead prices to spur exploratory drilling and he wants the government to open more lands under its control for exploration.

At the same time, he says, "There is a misconception that we are running out of gas. . . . Most companies have adequate supplies for present users, are covered by long-term contracts, and are bringing some new gas to market or utilizing new storage facilities to improve load factor. The principal concern is in regard to potential future customers."

Various supply steps being advocated by the gas industry should start new gas flowing for new customers "within a relatively short period," Mr. Tankersley says.

#### NEW SOURCES OF SUPPLY

Two new sources of fuel are in the offing for the industry, though large supplies from either source are several years away.

A number of companies hope to get liquefied natural gas from Algeria, and possibly from other countries. U. S. gas men have been studying Canvey Island terminal in the River Thames, at which England for several years has been receiving ships bearing large quantities of Algerian gas.

Meanwhile, at least three processes are being developed (and others are under laboratory research) to make high-quality gas from coal.

Production of gas from coal is nothing new. The manufactured gas burned in much of the U. S. until the late '30s came from coal.

But it was more expensive, and didn't heat as efficiently as natural gas.

Now, the Hygas Process is being tested in Chicago by the Institute of Gas Technology, under contract from the U. S. Office of Coal Research. A plant to test Consolidation Coal a process developed by Bituminous Coal Research Co.'s Acceptor Process is under construction at Rapid City, S. Dak. And a pilot plant for search, Inc., and the Office of Coal Research is planned at Homer City, Pa.

It is anticipated that gas produced from these sources would be more expensive than most natural gas but that it would be competitive in price with Alaskan or Algerian gas.

The supply of gas can hardly improve appreciably by next winter, although there may be slightly more of it. So it is toward the winter that gasmen are looking, hoping it won't be a winter of discontent.

**COAL: "YOU CAN PAINT A ROCK BLACK AND SELL IT"**

The words "blackout" and "brownout" have been unwelcome additions to millions of American conversations during recent summers—especially the long, hot one of 1965.

The situation they describe—when lights and air conditioners go off, elevators and transit system trains halt and stoves won't cook often stems from inadequate use of a magnificent black treasure, the nation's almost inexhaustible supply of coal.

Ecologists are partially responsible. Their onslaughts have retarded mining. It makes human lives grubby, they claim, and drives away animal life. Strip mining wrecks the landscape and causes flooding, they complain; underground mining causes acid drainage.

Coal men admit there's truth in much of what they say.

But ecologists fail to nominate a substitute source for the needed energy derived from coal. And, they fail to give the coal people credit for making tremendous strides in allaying ill effects of mining.

Progress is being made in the way land is cut for strip mining, in beautifying and restoring terrain after the coal is removed, in filling in low places to turn useless valleys into useful level lands, in nullifying mine acid with lime.

Another reason for coal shortages we have had, and still have, is that during the '50s and early '60s much misinformation was published about nuclear energy. It was claimed that atomic power was prepared to do all things for all men and right away, too. Coal was made to appear a faltering source of energy and much mining activity was curtailed, because utilities were reluctant to sign long-term contracts for coal.

Three or four years ago it became obvious that nuclear energy was still largely something for the future. Coal mining began to come back and today it's a booming business.

As one mine owner puts it: "In this market you can paint a rock black and sell it."

#### UP, UP—AND STILL NOT ENOUGH

Last year 596 million tons were mined and still there was a shortage. This year 615 million tons are expected to come out of the earth, and still there may be a shortage.

In 1961, 403 million tons were mined. Coal's all-time record year was 1947, when 630 million tons came up. That, however, was in a period when coal was far more widely used for heating than it is now. Its big use today is in generating electricity.

Electric utilities gobbled up 320 million tons last year; coking coal took 96 million tons; 91 million tons went to general industry; 10 million tons were retailed.

In addition, 71 million tons were exported—an amount second only to the 76 million tons sent abroad in 1957. Uncle Sam's balance of payments problem was eased by

very nearly \$1 billion in 1970, thanks to coal.

If there's a coal shortage at home, many ask, why are we shipping so much to Japan, Canada and Europe?

The answer is that shipments go out under long-term contracts, some for 20 and 25 years, signed in the days when some Americans were turning their backs on the ugly duckling of mining. Furthermore, most exported coal comes from mines opened specifically to fill foreign contracts.

The economics of coal mining point up why long-term contracts are sought after by mine operators.

Capital cost of a new underground mine is \$12 to \$14 per ton of annual production and a mine easily can yield one million tons per year.

#### HUGE RECLAMATION PROJECTS

Though it's less expensive than underground mining, strip mining isn't a cheap way to get coal from the earth either. Coal companies are now under reclamation bonds required by laws in the 21 main coal producing states. If the companies don't redress strip-mined land to the satisfaction of authorities, states keep the bond money and do the job themselves.

Last year 39 per cent of all coal came from strip mines and the figure will go higher this year.

A National Coal Association survey shows that 58,000 acres were reclaimed in 1970, 64,000 in 1969, 72,000 in 1968 and 57,000 in 1967. More acreage has been reclaimed in some years than others because of catching up on a backlog of stripped land.

Despite progress in reclamation, there are bills in the House and Senate in Washington to ban strip mining altogether. The Coal Association, which favors redressing stripped land, says passage of the bills would be disastrous.

Ecologists jump on coal from all directions.

One favorite attack is to charge that burning coal pollutes the air. This is true, but here again progress is being made in cleaning up.

Fly ash from burning coal can now be collected by electrostatic precipitators and other devices which are more than 99 per cent effective. Therefore, fly ash is less of a problem.

Sulfur in coal is a tougher obstacle. Some states want it removed before burning, which people in the industry say is nearly impossible. The industry is now setting about proving that the way to cleaner energy is to regulate the sulfur dioxide content of the emissions.

A wide range of removal processes are being developed and some of the best already are installed in full-scale demonstration plants at electric utilities. In the next five or six years this problem should be very near solution.

There is plenty of coal with less than 1 per cent sulfur content in the West but unfortunately it is far from markets and costly to transport. Low sulfur coal is scarce in the East.

#### HOPPERS ARE A HURDLE

A big contributor to the coal shortage last year was a shortage of railroad hopper cars. Railroads have somewhat relieved the situation by installing a "permit system" under which they won't haul a producer's export coal unless he supplies the name of the ship for which the coal is destined and the vessel's arrival date. This bars a producer from sending coal to a port on speculation, and then storing the coal in hoppers until somebody buys it.

As a result 7,500 hoppers have been freed this year for hauling coal to domestic users. The Interstate Commerce Commission is helping by requiring prompt return of hoppers to the owning railroad as soon as they

are unloaded. And the railroads have beefed up their hopper fleets.

Looking eight or 10 years down the road, there are interesting developments in coal which should go far toward heading off an energy crisis.

Eventually, synthetic petroleum will be obtained from coal—one reason, undoubtedly, why oil companies have bought into the coal industry and now account for 21 per cent of production. And, as noted previously, gas will be obtained from coal. Both processes are known to be entirely achievable.

The United States has far more coal than any other source of energy—in fact, at the present rate of consumption it has more than 1,000 years of supply in proved reserves. Reserves amount to 88 per cent of those of all energy fuels, including oil shale and uranium. Almost half the known coal in the world is in this country.

#### MEN AND MONEY

Huge amounts of it will be coming out of the ground in the next generation or two. Herbert S. Richey, president of Cleveland's Valley Camp Coal Co. says that in a few years we will be mining 900 million tons yearly—up nearly 50 per cent over the projected 1971 total.

Money will be needed.

In addition to the capital costs of opening a new mine, there's the United Mine Workers of America. W. A. Boyle, UMW president, says he will demand \$50 a day per miner, instead of the current \$37, in the next contract (the present one expires Oct. 1) as well as 50 cents a ton for the union's welfare fund instead of the present 40 cents.

Men will be needed too.

Besides the \$24 million to \$30 million needed in capital expenditures to launch a deep mine producing two million tons a year, Mr. Richey says, "The most serious problem is hiring and training approximately 500 employees to operate the mine. Included in this group would be highly skilled supervisors, engineers and technicians. Today there is a distinct shortage of such people, as well as a shortage of skilled miners.

"One reason is that many trained mining people are retiring. Secondly, the lack of a long-term energy policy in this country permitted the government to make various statements regarding the ease and economy of converting the national energy sources from fossil fuels to nuclear fuels. This has failed to materialize.

"This lack of national policy thoroughly discouraged the coal industry from acquiring and developing properties and training men to supply the fuel now needed."

#### NUCLEAR POWER: A BRIGHTER POWER SOURCE TOMORROW

The prospects for nuclear energy were being oversold as long ago as 1914.

In his book, "The World Set Free: A Story of Mankind," H. G. Wells outlined what could be done with the atom. The noted British visionary and writer told not only of the atom bomb, but of peaceful uses of atomic power, at a time when few men knew what he was talking about.

Mr. Wells was on the mark in a great deal he said. But he was off on his time element, and subsequent writers have been, too.

Many times they have had us on the threshold of the Atomic Age. Soon, they have predicted, the atoms would "heat, operate, fuel, cure, create."

Today, total U.S. nuclear power production is only a fraction of the latest one-year increase in over-all electricity capacity.

One reason for the disappointment of so many nuclear power fans has been a misconception about how long it takes to get a nuclear plant into operation. It's now realized that from seven to 10 years are required—and not three to five years, as once was supposed.

Another reason has been worry. During the 1960s, we were steadily warned—often incorrectly—that nuclear plants could cause immense trouble.

People stewed about radiation, about what would happen if there were accidents at the plants, or earthquakes. Ecologists claimed that injection of heat from the plants into the air or bodies of water would muck up the environment. Others said the huge, bubble-shaped reactor buildings, and the cooling towers and ponds would mar the landscape.

The financial community was troubled because nuclear installations are so expensive in their early stages; many men wondered if they would ever pay off. And finally, nuclear plant builders were asked, "What will be done with radioactive waste materials?"

Such attitudes have built up approval to build several nuclear plants which otherwise would now be contributing massive doses of electricity to regional grids. Three major plants which were delayed for months for some of these reasons are located in Michigan and Minnesota and on Long Island.

#### DEACTIVATING THE DOUBTS

The Atomic Energy Commission is working on safety measures while also licensing reactors and trying to get more production—as it has in the past two decades. The AEC's attention to safety is notable. It says no member of the general public ever has been endangered by radiation at a nuclear plant it licenses—and all U.S. nuclear plants must be AEC-licensed.

Advocates of nuclear power contend it has less effect on the environment than other forms of power generation. As for worries in the financial community, money outlays now planned or under way indicate a lot of confidence in nuclear energy's fiscal feasibility.

And the radioactive waste disposal problem seems to be on the way to solution. The plan now—it's meeting some opposition—is to solidify liquid waste, transport it in huge stainless steel canisters within lead and cement containers, and bury the canisters far underground in an abandoned salt mine near Lyons, Kans. The area is isolated, dry, and free of earthquakes. And salt is an excellent shield against radiation.

During the last 10 to 15 years the word periodically has gone out that we were running out of uranium. Not true. And, before the uranium in Utah, Colorado, Wyoming, Texas, New Mexico and other states is gone, the uranium-stretching breeder reactor should be coming into its own. Also, we should be using more thorium, which is in plentiful supply.

There is every indication that we are finally launched on the age of widespread development of nuclear energy sources. Already this year 13 reactors have been ordered—as against 14 during all of 1970 (peak year was 1967, when 31 were ordered). In 1969 only seven were ordered.

Bigger reactors are being built than heretofore.

Early in May, for example, the Carolina Power & Light Co. ordered the first of four reactors of 900,000 kilowatts each for a plant near Raleigh, N.C., which will cost \$1 billion and should begin operation by 1977 (and be fully completed in 1980).

Westinghouse Electric Co., which landed the reactor business, says the order is the largest ever placed in the industry. The reactors and the initial fuel supply will cost \$175 million.

At present, 21 U.S. nuclear plants have a combined capacity of 8.3 million kilowatts. By 1980 nuclear electric generating capacity will have reached about 150 million kilowatts, which should then be almost one fourth of our nation's total power capacity.

How much will expansion cost between now and 1980? By today's reckoning, \$25 billion. Inflation can send the figure far higher.

#### APPROACHING THE ULTIMATE

Farther down the road, breeder reactors should be commercially available by about 1985. They will approach the ultimate for them, in effect, recycle old fissionable materials and—through an enriching process—actually produce more fuel than they consume.

By 1985, nuclear energy is expected to furnish 11 per cent of our total energy requirement, as against only 3 per cent now.

Atomic Energy Commission Chairman Glenn T. Seaborg, commenting on the financial payoff of breeders and their ability to stretch fuel supplies, says that if certain breeders are available in the mid-1980s—and he thinks they will be—the "gross benefit to the nation from electrical energy savings in the 35-year period following could be more than \$350 billion in terms of today's dollars."

By the year 2,000, Dr. Seaborg says, electricity generated in this country will be six times as much as at present, and half of this will be produced at nuclear plants—about 1,000 of them.

Half of those nuclear facilities, he adds, will be powered by fast breeder reactors.

And many of the reactors will have been operating long enough to produce sufficient new fuel to refuel themselves and an equal number of other reactors.

Since Dr. Seaborg feels America will need coal, oil and gas, far into the future, he cautions the country to develop its fossil fuel resources.

However, those in the nuclear energy industry—both the government and private sectors—feel they have the power source of tomorrow.

For a sign of the times, they point to the Tennessee Valley Authority. Created to harness hydroelectric power, and forced by the burgeoning demand for electricity to turn increasingly to coal, it is now converting to nuclear energy at several plants.

#### THE INVISIBLE JEWISH POOR

### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. SCHEUER. Mr. Speaker, while surveys continue to find that the median income of American Jews on the whole is higher than the general national median income, recent studies have indicated that the proportion of people living in poverty is as large among Jews as among other major religious and ethnic groups.

This fact was discussed in a recent speech by Mrs. Ann G. Wolfe, a social welfare consultant of the American Jewish Committee, in a speech delivered at the annual meeting of the Chicago chapter of the committee.

Mrs. Wolfe's speech, entitled, "The Invisible Jewish Poor," is detailed and well supported and I commend it to my colleagues:

#### THE INVISIBLE JEWISH POOR

(By Ann G. Wolfe)

The difficulty of addressing oneself to the subject of Jewish poverty has to do with its invisible nature. Some 7 years ago, America was startled to learn that there were, among us, 30 million poor people living below a level that was considered the poverty line by government standards. It took a man of insight and vision, Michael Harrington, in his book, *THE OTHER AMERICANS*, to alert most of us to the fact that we were a country in

which poverty, in its extreme, existed side by side with affluence. For a reason that is not altogether clear, the Jewish community did not recognize the relevance of this phenomenon to its own people. To be sure, from time to time, we would read about a group of Jews living in extreme poverty, but these groups seem to be few and far between, and with an occasional exception, did not arouse either passion or anxiety. It is difficult to explain why it took so long for us to come to the realization that we too, have our poor—our "others"—a situation which now presents us with a new and urgent challenge.

A recent issue of *Jewish Week*, an Anglo-Jewish publication—the April 22, 1971 issue—has as its lead editorial, an item with the caption, "Belated Recognition of a Problem." In it the editorial states:

"Better late than never is the utmost of enthusiasm earned by the announcement of the Central Conference of American Rabbis (Reform), that its incoming President, Rabbi David Polish of Evanston, Illinois, is proposing a far-reaching program of service to the Jewish poor in America.

"It is not merely neglect that the American Jewish poor have suffered. They have been the victims of prejudice and discrimination as well, and they have suffered from these attitudes at the hands of fellow Jews. Let the Reform rabbis be allotted a disproportionate share of the blame for past error because of their present decision to take action, let it be recorded that the whole of the affluent Jewish community, including even much of the Orthodox establishments, is to blame.

"Because the myth that the American Jew has conquered poverty has been generally accepted by the affluent Jewish majority, we do not even have reliable statistics on the extent of Jewish poverty."

The publication carries a news item that quotes from Rabbi Polish, to the effect that thousands of Jewish poor families do not have a place in the Jewish community and he went on, "We have swept the Jewish poor out of sight and acted as though they didn't exist."

In order to understand the dynamics of change that characterizes the Jewish community in the United States, a look at our history is illuminating. From the end of the 1900's to the mid 1960's, the Jewish population increased rapidly. In 1880, American Jews numbered less than 250,000, and represented less than 1/2 of 1% of the total population. By 1970, the Jewish population had increased twenty-five times in 90 years, compared to a four fold increase for the total United States population during the same period. Now, at the beginning of the 1970's, the American Jewish community is the largest concentration of Jews in the world; more than two and a half times the number of Jews in Israel, and accounts for half of world Jewry.

Secondly, look at the source of our population growth. The tremendous increase in the number of Jews in the United States was not the result of natural growth, as was true for most of the rest of America, but was rather due to heavy migration of Eastern European Jews between 1890 and 1924.

Before the 1870's the American Jewish community was composed largely of first and second generation German Jews, who had come to these shores between 1820 and 1870, with the rest—some of Sephardic origin—descendants of the original Spanish and Portuguese settlers of the colonial period. There were smaller groups from central Europe who were descendants of a pre-19th century migration. As a result, the striking feature that defines the character of the American Jewish community evolved out of the Jewish immigration, from Eastern Europe at the turn of the century. However, the character of the American Jewish community is now

changing, as a result of internal forces at work among native-born American Jews. The transition from a foreign-born, immigrant group to an Americanized second and third generation community has important consequences for the structure of the Jewish community, and for the ways in which American Jews live. For the first time in the history of the American Jewish community, a third generation Jewish population faces the American scene without large-scale outside reinforcement. We are now on our own, so to speak. It is this that sets the framework for an understanding of the phenomenon of our Jewish poor, and the invisible character of Jewish poverty.

Another interesting historical fact should be noted. In part of his study of the social and religious history of the Jew, Salo Baron observed that as early as the middle 17th century, it was already noticeable that "great destructive forces, contagious diseases, and wars, seem to have claimed fewer victims among the Jews than among their gentile neighbors." Whether the health and mortality differentials noted by Baron for the mid 17th century characterizes the American Jewish community today, has not been fully explored. However, what skimpy data is available from some community studies, indicates that there does appear to be differences that exist in the survival pattern of Jews, and of the total white population. There appears to be lower death rates of Jews at younger ages. The lower birth rate in the Jewish families result in a Jewish population today with a larger number of elderly than in the general population. One out of 10 Jews is over the age of 65.

We have no up-to-date scientific data on many of the characteristics of the Jewish population in America. We have pieces of information on income, occupation, age distribution, education, etc. Studies done at different times, in different cities; surveys of special functional agencies, census reports—these help us put together the pieces of the puzzle. Hopefully, more accurate information will be forthcoming from the national population study, currently being conducted by the Council of Jewish Federations and Welfare Funds.

So, age is an important and basic demographic feature. At the present time, and until the national population study of the CJFWI is completed, the only national information on the age composition of the Jewish community is the 1957 census survey. Changes have undoubtedly occurred since then. However, the data clearly indicates that the Jewish population is, as I have said, on the whole, older than that of the general white population of the United States. The youngest age group, under 14, make up 23% of the total Jewish population, compared to 28% of the total white population. Also, there is an interesting figure in the 1957 census—28% of U.S. Jews are in the age range of 45 to 64, as against 21% of the U.S. white population in that age group. We can expect therefore, that the Jewish population in the next decade will continue to have an increasing proportion of older people.

In American society, the problems associated with an aged population are serious. During the next few decades, such problems may be even more serious for the Jewish community than for the population as a whole. It is expected that the proportion in the Jewish population, 65 years of age and over will increase from 10%, at the present time, to 17% in 1978.

Overall, therefore, it would seem that the Jewish age structure requires continuous assessing, not only for its impact on births, deaths, and the economic structure of the community, but also because of its broader sociological implications; and because of the need to plan services for the future. In an as yet unpublished demographic profile of the American Jew conducted for the AJC,

Dr. Sydney Goldstein, of the Department of Sociology at Brown University, states as follows:

"While recognizing that the general trend is toward an aging population, with its associated problems of housing, financial crises resulting from retirement, more illness, one must also be aware that changes are taking place at other points in the age hierarchy and that the needs for schools, playgrounds, camps, and teenage programs, also vary as the age profile changes. Too often, the Jewish community has been guilty of planning its future without taking account of the basic considerations of the probable size distribution and age composition of the population."

I have devoted so much time to a discussion of some of the demographic features of the Jewish community because these have direct and immediate relevance to our understanding of the dimensions of our problems relating to our invisible poor. These members of our community have been obscured during the last decades because we have, in some measure, been part of an incredibly fast changing society. We now live in an age where we speak of generations of computers as we once spoke of generations of men, and it may well be that progress is becoming our most serious problem.

The years of the past decade have moved along with increasing technological advances, leaving behind institutions and people who have become both out of fashion and ill-equipped to deal with changing needs. Some of us believe that many of our most serious national problems stem from the failure of our institutions to adapt to change. In the Jewish community, we see a larger aging population unable to adapt to a new and different society, and if we are candid, the same failure of national institutions to take cognizance of these changes, holds true for some of our Jewish institutions.

Part of the blame lies with the institutions, but the greater blame lies with us. For more than a decade after World War II, until the 1960's began to shake us out of our complacency, many of us were content to sit back and take comfort in the fact that we never had it so good. It was during this period that we became aware, and the country as a whole was convinced of the affluence of the Jewish community; it often created problems for us. All the statistical figures on income showed the Jewish community enjoying higher average incomes, and a higher median income than that of the general population.

The researcher encounters the greatest difficulty in collecting information on income. Not until 1940 did the federal census include such a question. Among the large numbers of Jewish communities surveyed, very few collected information on income, and some of the information which was collected is often questionable. However, a small number of national surveys did include such questions. These clearly documented the fact that the income level of Jews is above that of the general population. A study conducted at the University of Michigan in 1956, indicated that 42% of Jewish families had incomes of \$7,500 and over, compared to only 19% of the general population. The National Opinion Research Survey conducted in 1955, had similar data. The median income for heads of Jewish households was just under \$6,000 compared to just over \$4,000 for the total population. Somehow, these facts hid some others, less pretty.

It is in these studies that we find significant indications of the extent of poverty in the Jewish community. The National Opinion Research Survey on income related to religion reported that 15.3% of Jewish households had incomes under \$3,000 a year; 15.6% of Catholics had incomes under \$3,000 a year; and 22.7% of Protestants had incomes under \$3,000 a year. If we were to add the figures for the near-poor—those earning un-

der \$4,500 a year, the figure for the Jewish community would be much greater. 15% of 6 million people is a large number.

Who are the Jewish poor? Who are those in the Jewish community who have not made it, who are not making it, and who live their lives in quiet desperation, out of the mainstream of the Jewish community?

We have blind spots in our vision of ourselves and it is time to look at the facts. An interesting example of a blind spot relates to wealthy Miami Beach. In a study done in that community called South Beach, it was learned that 40,000 people were clustered in an area of some 30 square blocks. Of these, 80% are over 65, and 85% are Jews. The average annual income is \$2,460; thousands are living on less than \$28.00 a week for rent and food.

Elderly Jews, the remnants of the vast immigration of the beginning of the 20th century, constitutes the largest group of Jews living in poverty. In spite of all the figures I have given, we do not know, accurately, what proportion of the poor in our community are elderly. The 8 or 9 community studies which we have reviewed reveal that something like 60 to 65% of Jews living in poverty are over 60 or 65 years of age. An impressionistic look at the needs of the elderly poor—discloses that the major problem facing the elderly poor is housing. Their living conditions are often inadequate, in various stages of dilapidation or disrepair. Frequently, they need help in improving their current housing, or assistance in relocating. They often find themselves the last hold-outs in areas that have ceased being Jewish. Loneliness and isolation are perhaps the most poignant characteristics of old age, and these are reinforced for the Jewish elderly who are locked in to neighborhoods that no longer offer them the support and security they need. More than emotional insecurity is the sense of physical fright that the deteriorating neighborhood induces.

The aged often live alone (one report says 2 out of 3), as widows or widowers, in housing arrangements that do not allow for much meaningful social contact with others. In the survey of the Miami Beach area, to which I referred earlier, the people need financial help. They need to be able to pay the skyrocketing rents and have some money left from the Social Security check so that they can eat adequately.

In addition to this they ask for simple things; some said the best thing would be to get a hot lunch in a congenial setting where they could meet others and spend a few pleasant hours. Some of these people who were interviewed said they had inadequate cooking facilities. Others asked for drop-in centers where they could sit and talk to others, or where they might have some group activities that were not, as one man put it "children's games for old people". One man who was interviewed said rather matter-of-factly that he had come to Miami Beach for a "warm death bed" and now found himself on a picket line protesting the increasing rents in the area.

Late in 1969, the Los Angeles Chapter of the American Jewish Committee expressed an interest in sponsoring an apartment project for indigent Jewish aged in Los Angeles county. A study was conducted to determine the possible demand for such housing and the number of locations needed for those who might want such housing.

The study used material from the Los Angeles County Department of Public Social Services files of persons receiving Old Age Assistance. It identified Jewish individuals and families throughout the Los Angeles region. The report surprised many people, because we learned that there were more elderly Jews who are poor than anybody had ever believed. There are about 8,000 elderly Jews receiving public assistance from the Los Angeles County Department of Public Services.

The study also found that a large number of elderly Jews would be eligible for Old Age Assistance didn't apply for it for a variety of reasons: pride, lack of knowledge of what is available, physical inability to get to the welfare office. These make up a figure of 18,306 indigent elderly living in households on incomes below \$4,000 a year.

Miami Beach and Los Angeles are perhaps the most dramatic examples of problems the indigent elderly face. The warmth of the climate drew the old and the retired to those cities in the hope of a comfortable and secure old age. These cities did not turn out to be the land where the streets were paved with gold, and this second disappointment is one that can almost not be corrected. There is almost no time left.

We owe a great debt to the present population of the elderly in our community. They were the ones who helped build our community. The vast numbers managed on their own—some had some help, but for the most part they were a vigorous, powerful, independent force. It should be possible for them to live out their years involved and cared for, and we should make it clear by what we do that we value their lives, their experience, the work of their hands, their humor, and their constant hope.

In a recently published book about the elderly Jews in an old age home—*Home Life*, by Dorothy Rabinowitz and Yedida Nielsen—this hope is etched sharply by one resident of the home who said:

"I don't talk about the past . . . I don't want to think I am getting older. I want to think about living. Now the world is altogether different. I like to know about the future. I want to look through a window to see how it will be after I am gone. I want to know about this world."

The aged who make up about two-thirds of our poor are perhaps easier to see, and evoke sentiments that all of us feel. But there are significant numbers of poor who are not old folk, and I think it is important to explode the myth that the Jewish poor are all the Jewish old.

There is less sympathy for this other group—30-35% of our poverty group—which is made up of single, unrelated people or families, many with young children, some headed by one parent. There are Jewish families receiving Aid to Dependent Children—a fact that is usually greeted with disbelief. In New York City alone it is estimated—although here, too, we wonder why it has not been possible to get more accurate statistics about the Jewish poor—that one quarter of a million Jews subsist below the level of \$3,500 a year, and another 150,000 live at near-poverty on incomes below \$4,500. A study undertaken in 1963 and '64 by the Columbia University School of Public Health and Administrative Medicine, show that 10% of the Jewish population is sustaining itself on \$3,000 a year or less. For the foreign born Jews in New York City, this figure rises to 15.7%. A figure fairly similar to the Puerto Rican community where 16.3% are living under \$3,000 a year. 75% of the foreign born Jews in New York are 50 years of age and older, but in addition to this aging population, there are Orthodox and Chassidic poor, many of them with young families. There are 80,000 Chassidic Jews in New York City, and this group is the third largest poverty group in New York.

In Philadelphia, a study conducted by the Jewish Employment and Vocational Service of that city, reveals what some of us have long suspected—that we are like anybody else. Unemployed Jews who came to this agency reflect the same problems that the poor of any group have. The study covered a sample of Jewish men and women representing an active caseload of more than 700 persons. The age range was from 17 to over 65 years, and about half of them were in their prime work period, in the ages between

21 and 50. One-third of the persons coming to the Vocational Service were older than 50, and 17% were under 20. About two-thirds of the persons coming for help with employment had incomes in the previous year below \$2,600, and one in six had an annual income of \$4,000 or more.

Up until the very recent past we have had a long period of full employment in America. During such periods, jobless persons are usually people with severe problems of a personal nature, or were those against whom society discriminated. In the Philadelphia study, it appeared that six out of ten of the Jews coming for help with employment had disabilities classified as primarily emotional, but this group overlapped another group of four out of ten who had problems relating to aging or physical health. Limited education was found to be an important factor among poor Jews, half of the job seekers having less than 11 years of schooling, and one in five with less than an eighth grade education. Here, too, our blind spots operate. Because of the high proportion of young Jews in college today, and our tradition as the "People of the Book", we tend to overlook the earlier generation that has had a less impressive education.

In commenting on this study the Executive Director said:

"The conditions of impoverishment in spirit as well as economically, which is typical, and the social dependency among other minority groups which stems from exclusion, rejection and chronic failure are operative in the Jewish population as well."

He went on:

"It seems apparent that—in the case of Jewish Employment Vocational Service clients, at least, vocational handicaps underlie their separation from the mainstream of the self-respecting, self-supporting members of society."

One might consider too, current situations of economic recession and rising unemployment and its effect on that part of the Jewish community which lives marginally.

In summarizing the problem of the Jewish poor—estimated at 700,000 to 800,000 in the United States—we must make the point that their problems are common to all poor, but that there are problems peculiar to Jews, problems in inter-group relations, problems related to a Jewish identity which exist in a society whose image of the Jew is not altogether accurate, an image which the Jewish community persists in perpetuating. The problems include poor housing, inadequate medical care, neighborhoods that are undesirable in terms of emotional and physical security and outside the Jewish cultural mainstream.

There are special needs in the Orthodox community to which we must pay attention. There are demands which Jewish ritual makes—the need to buy Kosher food, for example. The Chassidic community has a built-in resistance to secular education, particularly at the high school and college levels. Few Chassidim have a college degree—an impediment to benefiting from the economic advantages which higher education normally bring. Jewish education for this group drains the resources of the Chassidic family. On religious grounds, the Orthodox and Chassidic communities are opposed to birth control and tend to have large families. In Williamsburgh, in New York City, the median family size is 6.3 children, as opposed to the average Jewish family size of 2 children.

My thesis is a plea to "raise our consciousness"—a phrase borrowed from Women's Liberation—about what we have been unconscious about. What, then, is to be done and who is to do it?

Future historians may likely assess the pattern of Jewish community organization as the unique characteristic of 20th century Jewry. It has become a model for the struc-

ture of voluntary organizations of other religious and ethnic groups. Students from all corners of the globe come to study the complex of Jewish health, welfare, and other agencies. We have the structure and the processes for rational planning. What may need some doing, in my opinion, is the use of our structures in a way more responsive to needs which we now perceive. And in moving toward this responsiveness, I suggest that some basic questions need to be asked:

Who decides what service gets how much money?

What process is used in making the decision?

Do all elements in the Jewish community share in this decision-making process?

How are priorities set? Where is the power? Does the Jewish community need to re-order its domestic priorities?

Are we paying enough attention to our domestic Jewish needs?

A word about the American Jewish Committee and its role in this field. Our organization is constantly changing. For those of us who work for AJC, it is revealing to look back on our jobs and realize that what we do today is vastly different from what took up our days five, ten or twenty years ago. It is a characteristic that makes working for AJC so exciting, and it is the quality that makes our membership so knowledgeable and so challenging in the Jewish community. From a "defense agency" in the early days, we grew in knowledge and understanding of the fact that Jewish security could not be achieved in a society which did not protect the rights of all groups. In the 1940's we moved into areas of scientific research, to understand the nature and dynamics of prejudice. In 1947 we took our place in the civil rights movement, placing our resources and knowledge at the disposal of all America in its great struggle for equality. We became what we now call a community relations agency.

We have been refining our understanding of equality, and in the early 1960's we recognized for example, that we could not continue to call for fair employment without also calling for full employment. We perceived a truth which is becoming even more apparent today, that economics has a great deal to do with equality.

In 1969, our Executive Board took a step which may in its long-range implications be as important as the steps we took in 1947 when we moved into the field of race. In 1969, after 3 summers of turmoil in our cities, we recognized that the domestic tranquility which we believe to be an ultimate goal, cannot be achieved in a society in which a large number of people subsist on incomes inadequate to maintain health and decency. We moved to help in public welfare reform, and in a rather curious by-path, discovered a truth which had been buried for too long. In our activity around welfare reform in behalf of the poor, we "discovered" our own poor. We also discovered that many of our poor had little or no contact with the existing institutions we take such pride in. In cities across the country—Dallas, Philadelphia, Boston, St. Louis, Los Angeles, Miami, Chicago—our Chapters began to view their own communities with a diagnostic eye and the questions that I have suggested are questions being asked by our own membership. As a result of this growing interest we are beginning to define our role. Today, the AJC is moving to become more of a Jewish "civic" agency, expressing the views of our members on the major issues that touch the Jewish experience today, and which affect the quality of Jewish life.

We have just received a grant from the Baron DeHirsch fund—a fund with an illustrious history in helping the immigrant Jew become a productive and self-supporting citizen—to convene a consultation on the

nature of Jewish poverty which will be held in New York in the fall of this year. The consultation will, we hope, bear the hallmark of AJC—with scholarly papers and analysis by experts that will help to clarify the situation of Jewish poverty today, and project for us the needs of the next decade. We hope to enrich the whole Jewish community's knowledge by publications that will result from this consultation. Under consideration are some pilot and demonstration programs that will attempt to get at an understanding of the blocks that stand in the way of communication between the Jewish poor and those of us who are in the mainstream of Jewish communal life. This will involve work in transitional neighborhoods, which may yet be saved for those Jews who wish to remain in a familiar and congenial environment and where supportive services may help in this process.

In all of our work, we do not intend to become a competing agency with those in the Jewish community that are responsible for on-going and direct services to people. We do not intend to set up agencies. We see ourselves as supporters and stimulators, and we hope to develop the closest and most cordial relationships with Jewish organizations in those fields in which we have mutual concerns. If in this process, we all heighten our awareness, and refine our skills to do what needs to be done we will consider our undertaking to be successful. In several of the communities around the country, we now have on-going discussions with the local Jewish Federations and their affiliate agencies so that our work may go forward in an atmosphere of understanding and cooperation.

In conclusion, it is gratifying to note that within the past two weeks, the Chicago Jewish Federation reported the results of a study conducted in this city, analyzing the extent of Jewish poverty. It is to be hoped that this study will be the first step in a continuing process of renewing the spirit which motivated the formation of Jewish services during the early years—the underlying belief that we must care for each other, and that the suffering and pain of any group in the community affects us all.

DR. JOHN J. COSTANZI

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. McDADE. Mr. Speaker, in an age where we are witnessing an astonishing and almost miraculous advance in every field of medicine, a distinguished son of the 10th Congressional District, Dr. John J. Costanzi, Lt. Col., U.S. Air Force, has been singled out for particular recognition in a field of medicine where he has been acclaimed as one of the Nation's most knowledgeable investigators.

Today Dr. Costanzi will receive the Air Force Research and Development Award in a ceremony at the Pentagon, and it is an award which he richly deserves.

Dr. Costanzi was born in Old Forge, Pa., attended school at the Old Forge High School, graduated from the University of Scranton, and went on to pursue his medical studies at the Georgetown University School of Medicine here in Washington.

He interned at Walter Reed General Hospital as a member of the U.S. Air Force, served a residency in internal

medicine at Wilford Hall USAF Medical Center, then became chief resident in internal medicine at that same hospital. He was appointed a fellow in hematology-oncology at Wilford Hall; and has served since then as assistant chief, hematology-oncology service, as director of intern education, both at Wilford Hall USAF Medical Center, and as clinical assistant professor of medicine, University of Texas Medical School at San Antonio, San Antonio, Tex.

During those years since his work in medicine began, he has published dozens of articles in the learned journals of medicine in America, most of them in very specialized fields of the study of blood.

As reported in the Lackland Talespinner, for the past 4 years Dr. Costanzi worked in collaboration with Col. Charles A. Coltman, chief of hematology-oncology in the medical center of Wilford Hall, researching medical illnesses related to cold which render airmen unqualified for worldwide assignments, or eligible for discharge.

Such illnesses include blue fingers, toes, ears, nose, blocked circulation, or hives. Dr. Costanzi examined the protein content of the patient's plasma, and found that it did not remain the same in the plasma solution upon exposure to cold. He isolated and categorized the abnormal protein and compiled an identification system for it and other substances in the plasma.

The significance of the research transcends the matter of the tolerance of cold. Indeed, Dr. Costanzi has noted the presence of the abnormal protein in cases of cancer, especially cancer of the bone marrow and lymph glands. Because of this, he has recommended that any person whose blood exhibits the abnormal protein be kept under regular medical observation as one who has a higher probability of developing cancer than those with normal protein.

I know that every Member of this House joins with me today in offering our warmest congratulations to Dr. Costanzi. He has pursued a career with the Air Force with distinction. He has added to that distinction in the pursuit of his medical career, where he has become one of the outstanding authorities in the field of blood in this Nation.

With your permission, Mr. Speaker, I will append here an article from the San Antonio News of Friday, July 16, 1971:

LOCAL A.F. DOCTOR CITED FOR RESEARCH

A lieutenant colonel at Wilford Hall Air Force Hospital has been chosen one of five officers from throughout the nation to receive the Air Force Research and Development Award in a Tuesday ceremony at the Pentagon, Washington, D.C.

Dr. John J. Costanzi, assistant chief of hematology and oncology, will receive the award for research on abnormal blood protein. The research was done with Dr. Charles A. Coltman Jr.

Hematology and oncology are medical specialties dealing with the study of the blood and tumors, respectively.

Presenting the citations in Washington will be U.S. Air Force Chief of Staff Gen. John D. Ryan.

Dr. Costanzi's research began several years ago with a study of certain persons whose bodies have trouble coping with cold, or even cool, environments. Such persons usually can tolerate cold weather or an air conditioned room, but upon entering warmer surroundings, they immediately develop a blue color in the fingers, toes, nose and ears, indicative of poor blood circulation. Occasionally an individual will be found who even breaks out in hives after emerging from the cold.

Dr. Costanzi said, "A lot of people have this condition, but some of them have it associated with abnormal protein."

He added, "It's an acquired disease. Something happens to a person during his life so that his body starts producing this abnormal protein. We all have this protein in our bodies, but something happens to it to change its physical properties."

It was this unusual form of blood protein that most interested Costanzi and Coltman. Through various clinical and laboratory studies, they found that the protein, when exposed to cold, actually separates from the rest of the blood and thickens, producing a sort of sludge which hinders the flow of blood.

In cases where hives appear, it was discovered that an antibody reaction was involved. The blood, identifying the precipitated protein as a foreign substance, produces antigens against it, and the resulting chemical combination of the two substances attaches itself to the capillary walls and breaks them. When the capillaries are broken, the blood serum seeps into the skin, causing it to swell and itch. Other conditions, such as swelling of the throat and diarrhea, can also result, Dr. Costanzi said.

He said the high point of the research came when it was proved that other proteins in the blood—called complements and numbered one through nine—also take part in the antigen-antibody reaction. This was an important finding, since by knowing that all nine complement proteins must play a part in the reaction before damage will occur, it is probable that by interrupting the reactive process anywhere along the line will prevent the formation of hives.

A further important finding in Costanzi's studies is that abnormal protein is usually associated with cancer, especially cancer of the bone marrow and lymph glands. Dr. Costanzi said that though many persons with the deviant type of protein in their blood are found to be without cancer, they should be kept under long-term observation because they apparently have a high probability of eventually contracting the disease.

A major difficulty in the research, as pointed out by William Hall commander Brig. Gen. E. H. Underwood Jr. in his recommendation of Costanzi for the award, has been that so little information on abnormal blood proteins is available.

In his brief submitted to the Air Force high command, Underwood stated, "A major difficulty encountered by Dr. Costanzi in performing the laboratory studies required were on the absolute outer fringe of our knowledge concerning protein structure and complement interaction."

The general also said, "As Dr. Costanzi proceeded through each step to determine what is pathologic and results of that specific abnormality on subsequent steps, he was required to learn for himself through correspondence and occasionally through visits with centers performing these techniques, the precise technical means for proceeding to each subsequent stage of his research."

Gen. Underwood said Dr. Costanzi is now recognized as one of the nation's "most knowledgeable investigators" of abnormal protein reactions in the blood.

**MATSUNAGA SPEECH ON CHINA  
POLICY RAISES THE QUESTION:  
WILL PRESIDENT NIXON TAKE  
THE NEXT STEP?**

**HON. ROBERT L. LEGGETT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. LEGGETT. Mr. Speaker, President Nixon's nationwide television announcement of last Thursday that he had accepted an invitation from Premier Chou En-lai to visit mainland China sometime before May 1972, seems to fit into the pattern which certain Members of Congress have been advocating in recent months—the early seating of the People's Republic of China in the United Nations and the adjustment of our own diplomatic relations in accordance with such United Nations recognition.

Although it is true that Mr. Nixon's announcement did not go beyond a general statement of plans to visit mainland China, it is not pure speculation to believe that the President's quest for "normalization of relations" with mainland China will definitely include an early recognition of the People's Republic of China and our consent to its admission to the United Nations.

Closely related to the China question is the equally urgent problem of Taiwan's independence. I use the word "Taiwan" in its most accurate sense, meaning not the Nationalist Chinese Government or any of the two million followers of Generalissimo Chiang Kai-shek who, with their leader, sought refuge on the island from mainland China more than 20 years ago, but referring to the 12 million native Taiwanese who, since the end of World War II, have been denied the right of genuine self-determination.

This is clearly the next step that President Nixon ought to take: An announcement that the United States supports the holding of a UN-sponsored plebiscite on Taiwan. Such a step will definitely be in accord with his announced peace-seeking motive that underlies his proposed visit to mainland China. Will he take it?

Nowhere, in my opinion, has the case for an independent Taiwan been more clearly and effectively stated than in a speech delivered in Honolulu, Hawaii, on July 10, 1971, 5 days before President Nixon's announcement, by one of our own distinguished colleagues, the Honorable SPARK M. MATSUNAGA. Believing that many of our colleagues and other readers of the CONGRESSIONAL RECORD will find the speech of the gentleman from Hawaii (Mr. MATSUNAGA) informative and helpful, I am submitting it for inclusion in the RECORD at this point, together with a Honolulu Star-Bulletin editorial of July 13, 1971 containing comments on the Matsunaga speech.

WHICH WAY OUR CHINA POLICY: A CASE FOR AN INDEPENDENT TAIWAN

(Address by Hon. SPARK M. MATSUNAGA)

Mr. Toastmaster, Ladies and Gentlemen: I am especially pleased to address you this evening, for the Japanese Junior Chamber of Commerce is known throughout Hawaii as an

active, live-wire organization. In fact, this reputation has spread as far east as our Nation's Capital, where it has been my great privilege and pleasure to host the Chamber-sponsored Cherry Blossom Queen annually. Such an enviable reputation, I am sure, is not the result of chance. It is earned—earned by the hard work of dedicated members. This fine reputation has not been diminished in any way during the past year; if anything, it has been enhanced. So, to the outgoing officers, I extend my commendation for a job well done!

To the incoming officers, I offer my congratulations on their election. I am confident that under their leadership the Japanese Junior Chamber of Commerce will continue to occupy a place of high esteem in the Hawaiian community.

I would like this evening to examine with you an issue which I believe will soon become one of paramount importance. Aside from the Vietnam war and the recent disclosure in *The New York Times*, *The Washington Post*, and other newspapers of parts of a secret Pentagon study, perhaps the area of international relations which is commanding increasing attention in Washington is our China policy.

It is generally agreed that the revival of this issue is attributable in large part to the cordial reception that the American ping-pong players enjoyed during their visit to mainland China last April. The visit was highly significant because it was the first time that a group of Americans had been to the Chinese mainland since the People's Republic of China was established in 1949.

For more than 20 years, the existence of the two Chinas—the People's Republic of China, often referred to as Red China, and the Republic of China, often called Nationalist China—has posed a major diplomatic dilemma. Nationalist China is a member of the United Nations; Communist China is not. The People's Republic, on the other hand, is coextensive with the vast Chinese mainland which today has a population of some 800 million people. In contrast, Nationalist China, after being driven out of mainland China in 1949, sought refuge on Taiwan, a relatively small island, where approximately 2 million of its citizens now live. In speaking of the Chinese nationalists on Taiwan, I am not including any part of the native Taiwan population, numbering some 12 million people.

In the United Nations, the dilemma of the "two Chinas" as closely related to the question of which of the two Chinas is entitled to representation in that body. The question has also been debated in Congress with increasing frequency, with the view, of course, to providing some guidelines which the executive branch of our government might follow. Many members of Congress believe, as I do, that there ought to be a "normalization of relations" with the People's Republic. This means that in the United Nations Mainland China would be admitted as a full-fledged member nation. It also means that there would be U.S. diplomatic recognition of the world's most populous country.

Unpleasant as the proposition is to some of our citizens, it is time for the United States to stop playing like an ostrich with its head in the sand and acknowledge the fact that the control of Mainland China and its 800 million inhabitants is vested in the communist government in Peking, and that the Nationalist Chinese Government on Taiwan controls only the people of Taiwan. In short, we ought to acknowledge, as a nation a situation which has existed for more than 20 years and adjust our diplomatic relations accordingly.

The two-China issue, looming larger today than ever before, tends to obscure the Taiwan question, which could be stated simply as

*The Case For An Independent Taiwan.* Many Americans are unaware that such a problem exists. Nationalist China, Taiwan, Formosa—these words have been used interchangeably and mean the same thing to those who equate them with Chiang Kai-shek and his followers.

The names *Taiwan* and *Formosa* take us back in history to two different periods involving the settlement and development of the island. The name *Formosa* comes from "Thia Formosa," meaning the Beautiful Isle, the name given by the Portuguese to the island. The Portuguese, who arrived in the 17th century, did not establish any permanent settlement on the island.

*Taiwan* was the name given much later by the Manchus who ruled the island, as a part of Fukien Province, from the Chinese mainland, where the Manchu dynasty was in power for over 200 years. Although the first inhabitants of Taiwan or Formosa are believed to have come from Malaya or the islands of Indonesia, many of the natives of the island can trace their origins to settlers who came from Fukien in the 16th and 17th centuries. For centuries, therefore, the Taiwanese have been living in an environment different from that of the Chinese people and undergoing experiences distinctly Taiwanese. They have established their own identity and perspective in seeking to be masters of their own destiny.

These historical events are of great significance in reaching a full understanding of today's Taiwan situation. It would be helpful for us as Americans to have in mind the geographical separation of the homeland of the Taiwanese from the Chinese mainland, and their long history as a people separate and distinct from the land of their forebears. A strong nationalist feeling, as we shall see, was to develop in comparatively recent times.

It was not until the early 1900's, after Japan had obtained control of Taiwan, that a set of conditions evolved which did much to foster Taiwanese nationalism. Taiwan and the Pescadores, a group of small islands about 25 miles from the southwest coast of Taiwan, were ceded to Japan in 1895 by the terms of the settlement of the Sino-Japanese war. Whether the result was intended or not, Japan contributed in a major way to the growth of nationalism which today appears to have as its ultimate goal the complete independence of Taiwan.

Japanese rule of Taiwan was far from smooth or exemplary. However, the Japanese did contribute a few of the plus-factors which exerted considerable influence in shaping Taiwanese thinking as we know it today. For example, the Japanese gave the island its first effective centralized administration. And by effectively breaking off ties with mainland China and by ending Chinese migration, Japanese rule fostered a sense of common identity among the Taiwanese. Moreover, development policies of the Japanese, though aimed for the benefit of the Japanese Empire, did produce wealth that was partly shared by the Taiwanese, who came to enjoy a standard of living that was conspicuously higher than that on mainland China.

The Japanese also provided some degree of law and order and protection for person and property that was previously unavailable. The Japanese made valuable contributions to the development of agriculture, bringing order out of confusion in the old Chinese land system and land tax laws. The construction of irrigation facilities removed much of the uncertainty in agricultural planning and also reduced flood destruction. Taking advantage of the low cost of electric power, the Japanese developed a number of relatively large industries, including sugar, canning, textiles, paper, cement, and petroleum. An extensive building pro-

gram included the construction of factories, dams, communication systems, and transportation facilities.

To the credit of the Chinese Nationalist Government, it took over these facilities, improved and expanded them, and, with United States foreign assistance, it has transformed Taiwan into a modern and prosperous island state. Taiwan's economic well-being, however, has been perennially clouded by her uncertain and insecure status in the family of nations. She has always been, and continues to be, treated like someone's stepchild, without an identity of her own.

Taiwan's current legal status has been under serious question since the end of World War II, when allied decisions led to the imposition of Chinese Nationalist rule on the Taiwanese people. At the Cairo conference in November 1943, the United States, Great Britain, and China declared that Taiwan and the Pescadores "shall be restored to the Republic of China." The Potsdam Declaration of August 1945 directed that "the terms of the Cairo Declaration shall be carried out." Accordingly, General MacArthur required all Japanese troops on Taiwan to surrender to Generalissimo Chiang Kai-shek.

The wishes of the allied nations, however, have never been legalized. Under the Japanese Peace Treaty of April 1952, Japan renounced all "right, title, and claim" to Taiwan. Neither this agreement nor any other thereafter has transferred sovereignty over Taiwan to Nationalist China. The British delegate to the 1951 San Francisco peace conference said of Taiwan's status under the proposed peace treaty: "In due course a solution must be found in accordance with the purposes and principles of the Charter of the United Nations." In a similar vein, French Premier Georges Pompidou made it clear on April 23, 1964, that France's recognition of Communist China in no way implied French acquiescence to Peking's territorial claim over Taiwan. In the French view, "Formosa was detached from Japan, but it was not attached to anyone." Pompidou further stated that Formosa's status "must be decided one of these days, taking the wishes of the Formosa population into consideration."

Of even greater interest—and this may surprise most Americans—is the fact that the United States officially holds the same position. When President Truman ordered the Seventh Fleet into the Taiwan Straits in June 1950, following the outbreak of the Korean War, he stated then that:

"The determination of the future status of Formosa must await the restoration of security in the Pacific, a peace settlement with Japan, or consideration by the United Nations."

And as currently as April 28, 1971, a State Department spokesman, Charles W. Bray III, read the following Department statement:

"In our view sovereignty over Taiwan and the Pescadores is an unsettled question to future international resolution. Both the Republic of China and the People's Republic of China disagree with the conclusion. Both consider Taiwan and the Pescadores are part of the sovereign state of China."

Of course, these legal pronouncements mean very little if the United States is unwilling to give practical application to them. They mean even less to the 12 million Taiwanese who have endured Nationalist China's rule since 1945. Political observers generally agree that Chiang Kai-shek's regime on Taiwan rests upon discrimination against and oppression of the Taiwanese people and that this has fed the flames of a growing spirit of nationalism among the Taiwanese. After Chiang's forces took control of Taiwan in 1945, Taiwanese were dismissed from local government jobs to make room for Chinese mainlanders. At the same time, undisciplined Chinese troops reportedly took advantage of

the local population and committed numerous acts of violence against the person and property of the native Taiwanese.

The rage of the Taiwanese exploded after the Nationalist police beat to death a woman who allegedly had sold untaxed cigarettes, and on February 28, 1947, the Taiwanese successfully disarmed the Nationalist troops and presented a list of reforms to the Nationalist governor, Chen Yi. While promising to cooperate, Chen Yi secretly called in reinforcements from the mainland. The troops arrived on March 8 and began the systematic slaughter of dissident Taiwanese, estimated between 12,000 to 20,000.

While the Chiang regime has not repeated an atrocity of this magnitude, its policies today place the Taiwanese in the position of second class citizens. Nearly all political offices are appointive, not elective, and mainland Chinese are usually appointed. Only one of eight Cabinet members is Taiwanese. Only two of 21 members of the prestigious standing committee of the Kuomintang Central Committee are Taiwanese. Taiwanese are allowed only a three percent token representation in the legislative bodies: 32 out of 1,448 in the National Assembly, 17 out of 447 in the Legislative Yuan, and six out of 74 in the Control Yuan. In other words, 97 percent of the lawmakers are Nationalist Chinese who make up less than 15 percent of the total population.

Within the 600,000-man Nationalist armed forces, Taiwanese fill the bulk of the lower ranks, but less than 100 officers above the rank of major are Taiwanese. Elite units such as the Taiwan Garrison Command, the military police and fighter squadrons are almost solidly mainland Chinese in all ranks. While many Taiwanese have been successful in business, most companies are still segregated, staffed either all by Taiwanese or all by mainland Chinese, from owners down to workers. In short, Taiwanese interests have been completely subordinated to Chiang Kai-shek's desire to perpetuate his rule.

Nationalist suppression has done much to keep Taiwanese nationalism alive. For example, whenever elections have been allowed, Taiwanese candidates have defeated the Kuomintang in almost every election in the last half dozen years. While there is no known organized opposition on the island—due mainly to the repressive political atmosphere there—more than half of the 1,500 Taiwanese who go abroad annually to study join the Taiwan independence movement in the United States or Japan. Prominent intellectuals have been imprisoned or have left Taiwan for having criticized the government. Just last year, Dr. Feng Ming-min, former chairman of the Political Science Department at Taiwan University, escaped after five years of house arrest for his advocacy of Taiwanese independence. In 1969, Dr. Chen Chung-tung, a prominent cancer research specialist, was sentenced to 15 years imprisonment for having joined the independence movement while in Japan. There are an estimated 3,000 to 4,000 political prisoners on Taiwan.

These facts, I believe, constitute clear evidence that there is a deep-seated longing for political freedom and possibly independence among the 12 million Taiwanese. A plebiscite, supervised by the United Nations, offers the most democratic and feasible method of ascertaining the real wishes of Taiwan's "silenced majority." Such a plebiscite would give the Taiwanese a voice, for the first time in their long history, in determining their future. It would help bring to an end the 22-year myth, with which the United States has gone along, that Chiang Kai-shek represents the entire nation of China as well as Taiwan.

Nowhere have I heard a stronger refutation of this myth than from Dr. Lung-chu

Chen, a distinguished Formosan who is now serving as Research Associate at Yale Law School. In a speech delivered before members of Congress on April 28, 1971, he said:

"Contrary to the claims of Chiang and Mao and their supporters, Taiwan does not belong to China. Taiwan is Taiwan and China is China; they are two separate political entities."

"Taiwan is Taiwan and China is China"—the statement is simple and clear. And yet, even today, there are many Americans, including members of Congress, who advocate the taking of Nationalist China's seat in the United Nations and giving it to Communist China, and placing Taiwan under the political control of Communist China. There could not possibly be a more inhumane proposal in the cold and calculating game of international power politics. The advocates of such a proposal, in my opinion, show a callous lack of concern for the wishes of 12 million Taiwanese who yearn for self-determination, the very principle upon which this Nation was founded, and which it has since advocated.

As members of an active and enlightened civic organization in Hawaii, you who are members of the JCC can perform an incalculable service in helping to direct public opinion into the proper channels on the Taiwan question. Many of you have visited in Taiwan, as I did several years ago. However, we must not rely solely upon our visible impressions gained during a short visit to that island. Visitors to Taiwan, including members of Congress, are generally given VIP treatment by the Nationalist Chinese, who are careful not to offend citizens of the country from which millions of dollars have come in the form of aid of one kind or another. Visitors to Taiwan are supposed to leave with only a favorable impression of Chiang's regime and the Nationalist Chinese who rule the island. As informed citizens, we can help this Nation to bring to long-ignored Taiwan the justice and equality that we have helped to bring to other young countries.

Certainly, the first step towards such a goal is the holding of a United Nations-sponsored plebiscite on Taiwan. Moreover, such a plebiscite would be in total accord with the United Nations Charter and international morality. The United States, indeed, may hold the key to determining whether genuine self-determination for Taiwan will ever be realized. By acting this fall in the United Nations General Assembly, this Nation can embark on a new and fruitful policy that is morally just and may contribute a great deal toward peace in Asia. I will wholeheartedly support such a policy and will continue to work for its realization. I urge you to do the same.

Thank you very much.

[From the Honolulu Star-Bulletin, July 13, 1971]

#### POLITICAL GODSEND

Self-determination for the people of Taiwan or Formosa seems likely to gain increasing support within the United States for obvious reasons. It is an idea whose time has come.

Hawaii's senior congressman, Spark M. Matsunaga, committed himself to this solution of the "two Chinas" problem last week. Others will follow.

America more than ever after Vietnam needs moral justification for its political actions.

It is being pragmatic (but not immoral) in seeking better relations with mainland China, but the mainlanders are insisting that the price of good relations must be a severance of ties with the Nationalist Chinese government on Taiwan.

Having supported this government and boasted about its successes for so long America would be hard-pressed to suddenly drop it.

Thus the drive for self-determination for Taiwan's or Formosa's 14 million residents (including only two million Nationalist Chinese refugees from the mainland) is something of a political godsend.

What is more moral in the last third of the 20th century than national self-determination?

And what would be more likely to get the U.S. off its hook with the Nationalist Chinese?

The probable result of a self-determination referendum would be a vote for an independent Formosa.

This would amount to the legal dismantlement of the Nationalist Chinese government and leave us with only one China, not two.

That won't make everything all right with the mainland Communists. They still count the island as part of China.

But even if self-determination will not solve everything, it would at least move the U.S. away from its awkward and unrealistic recognition of the Nationalists as the legitimate government of all China and give America a moral position that will stand up domestically and internationally.

Rep. Matsunaga argues that the U.S. has kept its options open right along on the question of Formosa's long-term future.

When President Truman ordered the Seventh Fleet into the Taiwan Straits in 1950, he said that "the determination of the future status of Formosa must await the restoration of security in the Pacific, a peace settlement with Japan, or consideration by the United Nations."

The U.S. State Department said in April: "In our view sovereignty over Taiwan and the Pescadores is an unsettled question subject to future international resolution."

The case of the Formosans was presented in the Star-Bulletin last Friday in an article by Ming-min Peng, an absentee leader of the self-determination movement now at the University of Michigan.

The prospect that this case will gain an increased U.S. following is exceedingly strong.

#### RED CHINA TRADE—BEWARE OF THE ELIXIRS

**HON. JOHN E. HUNT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. HUNT. Mr. Speaker, if a recent news article is even a remote indication of what the American people can expect relative to the initiation of trade with Communist China, the consumer is going to have a mighty difficult time separating the wheat from the chaff.

Fortunately, in this case, an alert investigator for the Food and Drug Administration has determined that the labels on certain foodstuffs arriving from Red China are not quite up to the level of belief that Americans should expect of the products and commodities they purchase. For example, the label on a can of vegetable soup stated: "For strengthening the stomach and expelling rheumatism." The Chrysanthemum tea is even a better elixir than the vegetable soup with the claims of its being a "sedative, eye brightener, liver soother, anti-inflammatory, and heat reliever to

human health." The sugarcane tea fills in a gap "for refreshing and soothing the lungs." No doubt there are other foodstuffs and perhaps other products entering this new trade channel whose claims are just as boastful and far-fetched as the examples cited.

Mr. Speaker, while there may be a tendency on the part of some to keep hands off the new Red China trade so as not to cast the U.S. Government in the role of the "spoiler," the interests of the consumer demand that the commodities comprising this trade be examined with the greatest care at the expense of the doctrine of caveat emptor—let the buyer beware. No less is being demanded of our own producers and manufacturers.

#### UNIFYING AMERICA

**HON. DONALD M. FRASER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. FRASER. Mr. Speaker, I received a rare recording of a leading businessman's views and outlook on our country. Rare because Mr. Virgil C. Sullivan, director, Bemis Co., Inc., combines his practical firsthand knowledge of our Nation—its ideals and its problems—with the perspective of a philosopher-historian. It is American optimism:

We have many problems in this country with our attitude differences, but one of the good things about Americans is that when we get aroused, we jump into it with both feet and get something done."

I recommend most highly that Mr. Sullivan's remarks on our economy, our youth, our silent majority, our American way—our hope—be read by everyone.

#### UNIFYING AMERICA—A RECORDING

BEMISTORY. To start off, you're probably the most continental of our company directors, having worked abroad with the World Bank and done extensive traveling.

SULLIVAN. I've never actually lived abroad, but I have made many trips. I went to Southeast Asia twice a year for quite a few years for the World Bank and represented it on the board of directors of a number of development banks in some of those countries—specifically Malaysia, Thailand and Pakistan. But I also made at the World Bank's request trips to a number of other countries: India, Egypt, Lebanon and Greece to handle specific jobs with specific objectives.

BEMISTORY. You've also traveled abroad for pleasure?

SULLIVAN. Yes. But as a matter of fact, the World Bank jobs were frequently for my own pleasure, because I didn't do them as a source of income but because it was an interesting thing to do and perhaps of some assistance.

BEMISTORY. With all of your financial background maybe you could tell us what is happening with the economy. Are you optimistic about the future?

SULLIVAN. Basically I have to be an optimist because one has to believe that problems that are as serious as those we face can and will be resolved. I believe that the country, in terms of economics, has boxed itself in, through a series of foreign policy and financial decisions that have established a number of other countries as more than vi-

able competitors of the United States. Particularly Germany and Japan. So that, one by one, the advantages of the United States in the world markets have disappeared, and the number of areas in which we had superior techniques has declined in favor of countries that have not been preoccupied, financially and in use of their technical talent, in feeding the military.

BEMISTORY. Is the military the main culprit?

SULLIVAN. Obviously in times of Russian intransigence, particularly in earlier years, we needed a military establishment of sufficient power to carry out its function, but I don't believe that anyone who is well informed today denies any longer that a very substantial part of military expenditures in the last ten years has been completely wasted—and in amounts that make the so-called foreign aid seem like peanuts.

Foreign aid is no problem for the United States. As a matter of fact, foreign aid is such a small part of our budget that it's almost meaningless. Since the Marshall Plan projects, and that's a frightful advantage to the United States pursued the most progressive and generous policies that any nation has pursued, we have not been noteworthy for generosity or aid to anybody.

BEMISTORY. That's an interesting point, but go on.

SULLIVAN. From there on, it's been a matter of trying to serve our own interests and frequently serving those interests so badly that we have landed in a financial box, so to speak. We completely lost sense of what was important to the country. We reached a point where we were spending 10 to 11 per cent of our income on military gadgets, military establishments and military bases—half of them in countries which the American public wouldn't even be able to identify. Our competitors in the economic world, principally again Germany and Japan, spent less than 1 per cent of their income on military period, say ten years after the war, in which those countries.

But even more important than the financial expenditures was the wastage of talent. In Germany and Japan the young people were trained as technicians and engineers and used those talents in the production of useful items. You might say that Japan produced a better Toyota while we tried to produce a better bomber.

The third item in what I consider the three principal causes of our financial problem was the wastage of manpower. Several years ago there were serious employment problems in this country, in that there wasn't enough skilled labor. The reason there wasn't enough skilled labor is that we took the young in their best, most productive ages and had them idling, from an economic standpoint, around the world—over three million of them really doing nothing, while the young men in Germany and Japan were producing economic goods. Today we waste manpower in unemployment.

BEMISTORY. Have we learned anything from this?

SULLIVAN. It finally is beginning to dawn on our political leaders, I hope, that the United States cannot carry this burden of wasted manpower, wasted technical talent and an enormous wastage of money. When we hear of financial crises, monetary crises, when Americans try to cash checks in Europe and find out that the Europeans don't want dollars or won't even take dollars in some cases, it is, in my judgment, a reflection of the policies that I've just enumerated.

You cannot live like a drunken sailor, which the United States has done for ten years, and end up solvent. It's just as simple as this.

BEMISTORY. Do you think this is the cause of a lot of frustration in young people?

SULLIVAN. I don't think there is any ques-

tion of this. I can't imagine that these young people enjoy what they've had to do. I believe that, specifically, the universities were used to do research work for better methods of killing Asiatic peasants and for any other purposes that the military had. The young men who have these research talents were funded by the military through the universities.

I don't doubt for one moment that the majority of those young people would much prefer to be doing research work in something that was useful to business, useful to medicine or useful in pollution control.

**BEMISTORY.** *Is there any way we can harness the talents of all those people? For instance, there are so many unemployed Ph. D's and thousands of other educated people who were working in defense.*

**SULLIVAN.** Three or four years ago when all of this talent was being employed in the universities and funded by the government through the universities for purposes I consider hardly a proper employment of your best talent, nobody objected to it. Now, when it is proposed that the same talents might do something useful, immediately the same congressmen who rubber-stamped requests for the military now say we can't afford it.

Now, why shouldn't the same government that was able and willing to fund this research work for the military have at least as large a funding through the universities for young people and others pursuing worthwhile objectives? I see no reason why not. If anybody posed these alternatives and said you could afford one and not the other—that it was vital to the American future to have a better way of destroying peasants in Asia but it wasn't vital to the United States to have better ways to clean up our rivers—anybody who listened to such a comment would inevitably conclude that we were insane.

**BEMISTORY.** *The priorities certainly seem mixed up.*

**SULLIVAN.** You asked me about the effect on the young people. This is what, in my judgment, is driving the young people wild. They see these needs. They see how ludicrous our military objectives are in other parts of the world. You can't sell them the same tired clichés that sell the older people.

I think that funding of research with proper objectives through the universities is worth a substantial amount of money, a substantial amount of effort. In addition to anything else that it produces, it will produce a sense of worthwhile purpose in the young. The thing that completely frustrates them is that they don't think they have any purpose. I think that their enthusiasms could be harnessed; the same enthusiasms that older people get so exercised about, because they're termed destructive, could be turned to useful purposes.

**BEMISTORY.** Maybe one of the big problems is that they see all of the domestic turmoil, such as welfare inequities.

**SULLIVAN.** This is the first requirement, helping this class of unemployed. I think that in a country such as the United States nobody should be at the starvation level. It is one of the tragedies of our industrial society. Industrial civilizations do a lot for their people but they destroy a lot of people. And the people they destroy are part of the price and I see no reason why we shouldn't see that they don't starve.

**BEMISTORY.** Does business have any responsibilities to try to harness the talents of these people for some of these worthwhile goals, like stopping pollution?

**SULLIVAN.** I would think that pollution control, environmental control, is of such vital importance that it has to be a government function. It's impossible in many businesses to operate without some adverse effect on the environment.

I think the goal of business is to reduce that violation of the environment to the mini-

mum possible, and the only way that business as a whole can be expected to do that is through a government that sees to it that business knows what the limits of tolerance are and insists on them living up to it.

**BEMISTORY.** Perhaps one of the reasons why there is so much criticism of the whole business system is that they don't voluntarily do many things.

**SULLIVAN.** I think many businesses do. The problem is that they are often penalized because somebody else doesn't and gets cost advantages by operating this way. It's an expensive business to control some of these emissions. Many of the objections, particularly of the young people, are warranted but the degree of guilt put on business is frequently exaggerated and unfair. Violations of the environment by business were often done in ignorance, an ignorance which the same young people could have shared at the time. It's just that we all of a sudden have realized what we are doing to the environment and we're going to have to do something about it.

I don't object to the young people being unfair about it. Philosophically, this is the only way things get done. If you don't have a needle jabbing into the human being, he doesn't do anything. My philosophy is that nearly all progress is made by reasonable people, but only when goaded by unreasonable people. And I really believe that. I don't think reasonable people would do anything unless they were goaded by unreasonable people. And therefore while I might not like the unreasonable individuals, I always to myself justify their performance on the theory that if it weren't for them, nothing would ever be done.

**BEMISTORY.** Do you see room for people like this within the system? Can there be agitators within the business system?

**SULLIVAN.** I don't see why not. I think the most successful businesses have been built by unorthodox people in the beginning. I think that you really have to assume that society is a broad spectrum in which nearly everybody has a useful function.

But the majority of the progress is made by the element in the center, goaded by the idealists, mostly the young, who in an unreasonable way see all the faults of that center and of their elders and don't understand any of those faults until they get to the same ages, when they will be committing similar faults. I can remember most of the people who goaded our society in the 30's into reforming, becoming somewhat better than it had been before. By the 50's all of them were so conservative that they were being damned by the young people.

**BEMISTORY.** One of the things today that might be unique is the discontent of the people in the middle. In one of our surveys a few months ago we had a question on the feeling of helplessness that people have over changing things in this country. We found that the vast majority of people feel completely helpless about taking action because they don't know what to do. They are aware of problems and want to change things but have no route to take to go about it.

**SULLIVAN.** I would certainly agree that this is one of the major problems of the country. What the solution is I haven't the faintest idea. Some of those people do have routes open to them if they work at it.

This same feeling of helplessness apparently was one of the problems of some of the young dissidents for a period of time and resulted in their resorting to extravagant and violent methods. But there already are beginning to be some signs that they are aware that they do have more power than they thought. In talking to young people, I often make the point that they don't use the power they have. A far larger percentage—over twice as high—of the people over 50 or 55 vote, compared to those in the voting ages under 30.

**BEMISTORY.** Don't you think it's primarily political power that they can channel their discontent into?

**SULLIVAN.** They can. I've said to some of them: You talk about revolution and the necessity to change the system. Well, this is the only system I've ever read about that provided the means to overthrow it right in the system. You don't have to tear it down. All that these young people who want to change the system would have to do would be go and vote. I realize it's more complicated than this—the nominating process and ending up with bad choices—but until they have exhausted the methods that are open to them, they really have no right to resort to the violence.

**BEMISTORY.** Probably that's a growing movement. You can tell from the last election results.

**SULLIVAN.** That's right, and you can even feel it in the air. I not only went to, but was one of the sponsors of, the peace rally here. They were mostly young people but some older people, too. And these young people had made up their minds—you could just feel it. They're no less determined to change the system than they were before, but they've decided that the political route is open to them. I think this is clear all around the country.

**BEMISTORY.** Before, it was a little more anarchistic, but now they're channeling their power.

**SULLIVAN.** And they'll be able to use it. I think many things like that lead one to be hopeful. But there are other things that are far more disturbing: the black problem. Even though there has been substantial progress, you simply cannot flaunt that in the face of the black population when a very high percentage of them are unemployed. Even if we had the work here, many of them are not trained for employment. Here again, a wealthy country like this is not using these resources. Yet there is no market that I ever saw that could equal the potential buying power of the underprivileged, whether black or white, in this country—if they were brought up to a decent level. It's one of the biggest markets in the world.

**BEMISTORY.** If you could choose a career again, would you choose the same or would you branch out into something a little more toward social service?

**SULLIVAN.** I think that is almost impossible to answer. I ended in my work by accident—ended in it for the simple reason that my father was a drama critic and journalist, and it was hard to really make a respectable living at that in those days. I looked at banking and decided that it was the easiest way to make money. I went into it just in time for the big depression in 1929 and found that in the 1930's newspaper people were making more money than bankers. So as a matter of timing I couldn't have done worse.

But I found that investment banking, as contrasted to commercial banking, is a highly imaginative business, and even commercial banking is moving along more imaginative lines. There is no problem that any business has that doesn't come to investment bankers, and as a result it has the potential of being one of the most constructive businesses in the world. I don't believe it is, as it's conducted now, but it could be. And it has done far more for the country than the critics of the system would realize. The United States is probably the only country in the world where anybody who has an intelligent commercial or economic idea could get it financed.

Many people who can't get things financed wouldn't agree with that, but I'm dealing in broad generalities, and investment banking finances more poor ventures than the good ventures it overlooks. This is one of the secrets back of American economic power.

**BEMISTORY.** Could you tell us how the pollution you've seen elsewhere compares

with the United States and how much hope you see for the United States solving its problems?

SULLIVAN. I have read a great deal about it, but a great deal of it is also right there to see. In Japan, particularly, the pollution is indescribable. It's worse than the United States—certainly as bad as the worst in the United States and worse than most of the United States. For one reason, we have a larger country, less densely populated. And it's much newer.

I'm somewhat of an optimist as far as the United States is concerned for two reasons: one, that while we have really destroyed a beautiful country and done a characteristically American job of it, a very thorough job, it hasn't gone too far because it hasn't gone so long. Secondly, the real reason I'm more optimistic is that the public is so aroused to the problem.

BEMISTORY. Is that sufficient?

SULLIVAN. We have many problems in this country with our attitude differences, but one of the good things about Americans is that when we get aroused, we jump into it with both feet and get something done. I don't see why American genius shouldn't be used for this, instead of announcing the other day, as we did, a new kind of bomb which scatters nails over large areas. Why couldn't that same talent be working on pollution?

I think that the United States will do something. When I say the United States, I mean the people of the United States who make the politicians act. A politician won't be able to stand in the way if there are enough people pushing. They may make some unreasonable rules, but this is better than no rules at all.

BEMISTORY. In every possible way, from pollution and other regulations to taxes, business is controlled by the government more than ever. Do you think this has restricted private industry to the extent that it can't make a reasonable profit?

SULLIVAN. Generally I don't believe that the problems that most companies have in making a reasonable profit relate to the government. Usually there are other problems, some within management's control and maybe some outside of it, but no company has ever been taxed out of existence. I think there's a problem when one state taxes you more than another state and you have businesses moving. But the consumer pays the taxes in the end anyway.

BEMISTORY. Everybody wants to point a finger at somebody. If people don't like things, there has to be a scapegoat, and next to government the best target seems to be business.

SULLIVAN. It's a convenient target, yes. But I must say that when you compare the social conscience of most American businesses with what you find in any other country, you could conclude that it's better, or less bad, in the United States. Most of these undeveloped countries are being exploited by their own business people to a degree that was maybe done a hundred years ago here. I think that the American businessman generally speaking has more social conscience than any in the world. That's not to say I'm satisfied—I don't think he's done nearly enough.

BEMISTORY. So, by comparison, then, the situation in America is pretty good?

SULLIVAN. I often get in the position of having people think I'm an overly severe critic of this country, but it's only because I think that we have the potential for doing so much more than we do. Well, I consider myself an optimist, but a lot of people don't. Again I come back to the theme: it's the people whom we consider unreasonable today who will get results. They'll never get the

credit for it; somebody else will. But if they hadn't been raising the roof, nobody would be doing anything. You might have read the "Story of San Michele" by Alexis Carrel about a Swedish doctor who lived on Capri. He was quite a philosopher as well as a medical man, and he made the comment that the human being accomplishes something in direct ratio to the obstacles he overcomes in his life. This is really true. You take those hurdles away, and we don't do anything.

BEMISTORY. You seem to have a very logical attitude toward life.

SULLIVAN. I've just read a lot of history and philosophy.

BEMISTORY. I wonder if you could tell us your feelings about young people today.

SULLIVAN. You know, if anybody is going to stand up and say our young people are hopeless, which some people really do, they are saying that the country has no future, and you know it's not possible. I have sons and I've talked over these things with them and some of their friends a great deal, and I find they have an attitude that is totally constructive and refreshing. When I compare what we did when I was in college and what these kids do today, I don't see how you can come to a negative conclusion. And I'm not being sentimental. I think a lot of them are crazy. They waste their talents so much, but maybe that's the price of it.

You see, what really bothers this center segment of society, this silent majority, is that they think they are being asked to repudiate everything that they have grown up to believe in, and they don't really get the point. What the young people are doing is not asking them to give up those standards; the young people are asking them to try to live up to them. That's all they're asking. What unfortunately confuses the issue is this war. I think if we ever get out of the mess and get the issues concentrated on ecology, then all will be different. You'll find an alliance between this center group and the younger element. I'm sure of that.

BEMISTORY. We had thought of presenting ecology as a unifying issue in the magazine but we realized that for minority groups it isn't their top priority.

SULLIVAN. Well, naturally the black has more important things on his mind right now. His priorities are different—first of all, to get enough to live on. No society is interested in anything else until they meet that basic requirement. But I see no reason to assume that once the basic needs are satisfied, the blacks wouldn't be as interested in a livable environment as anybody else.

BEMISTORY. That probably is true.

SULLIVAN. It's the one hope for this country: have a national object that unifies it. Find something that we can get people mutually interested in, and I don't know anything better than ecology. This country needs that unity because it won't ever amount to anything until we get it.

In Kenneth Clark's book, "Civilization," he comments that civilization is a matter of self-confidence or purpose on the part of the people, a belief in themselves. And this is why we don't have a civilization today—because Americans no longer believe in their purpose, they don't believe in what they are doing. They have to get it back, and to get it they have to have some general purpose like ecology. With the American capacity for accepting challenges, they've got to have something they can ride, something they can concentrate on. When they do that, there's no people in the world who ride anything any harder. And once we decided on this job of cleaning up this country and making it a fit place to live, I believe the resultant unity of purpose will bring out the best in us.

## NEW TOOLS OF HISTORY

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. WALDIE. Mr. Speaker, an important trend in the development of historical study was analyzed in an article by Robert Reinhold which appeared in the International Herald Tribune on July 9.

The subject is one of considerable significance, and I am including it in the RECORD as I am sure my colleagues will be interested in its contents:

#### THE NEW TOOLS OF HISTORY

(By Robert Reinhold)

CAMBRIDGE, Mass.—A new scholarly publication, the Journal of Interdisciplinary History, was organized last year to provide an outlet for new approaches in research, and its first three quarterly issues carry some unusual fare for historians.

The articles include a "psychohistory" of Richard M. Nixon, a highly statistical analysis of social mobility in Old Boston and, in the current issue, a computer study of voting patterns in mid-Victorian England.

The journal is dedicated to the "cross-fertilization" of what its editors see as an inbred profession: history. As such it represents the institutionalization of a growing trend among historians to borrow the increasingly precise methods and expertise of the social scientists—the psychologists, economists, political scientists, sociologists, anthropologists, demographers and others—for the solution of historical problems.

Armed with computers, statistics, psychoanalysis, sampling techniques, economic models and other tools of modern social science, younger historians have established a wide beachhead in the discipline that Prof. C. Vann Woodward of Yale, former head of the American Historical Association, calls "a living fossil from the pre-scientific age." They have come up with findings that have challenged some long-held historical assumptions.

#### RESISTANCE

While some would dispute Prof. Woodward's view, history—straddling the fence between the humanities and the social sciences and clinging to its literary roots—has long resisted the inroads that rigorously objective method and quantification have made on its sister disciplines.

But this resistance is withering under the leadership of men like Sigmund Diamond of Columbia, Charles Tilly of Michigan, Stephan Thernstrom of UCLA, William O. Aydelotte of Iowa, Samuel P. Hays of Pittsburgh, Lawrence Stone of Princeton, E. A. Wrigley of Cambridge, François Fuert of Paris, Robert Jay Lifton of Yale and others.

The new techniques have emerged partly in response to a growing emphasis on "analytical" history. Though most historians continue to write largely narrative, or descriptive, history, scholars today are placing growing stress on "problem solving," on explaining the events of history and unearthing the underlying forces that have motivated men.

Though narrative historians have often engaged in intuitive analysis, much of it very cogent, many historians are seeking more stringent scientific means of testing theories and verifying conclusions.

At the same time, historians have taken a broader view of political history. There have always been historians who have dealt with

political history as more than the episodic chronicle of kings, ministers and heroes.

But the significance of such factors as social class and mobility, urbanization, geography, population growth, disease and economics as determinants of human events is now almost universally recognized.

BLOCH

Historians trace this development largely to the great French historian of the 1930s Marc Bloch, a leader of the so-called "Annales" School.

Together, these developments have forced the historians to look beyond state archives and other traditional sources to seek the aid of the social scientists, who have built elaborate techniques and theories to explain human behavior.

One technique gaining wide currency is prosopography, or collective biography. A prosopographer studying the United States Senate at any time would attempt to interpret its actions in terms of the economic, social and even emotional background of its members as a group.

At the same time, political historians are beginning to reap benefits from the computer. At the University of Michigan, all American election results, Congressional roll-calls and census data since independence have been fed into computers.

In the article on mid-Victorian voting in the current *Journal of Interdisciplinary History*, the author, Michael Drake, of the Open University in England, argues that the nonsecret balloting of the period provides a fertile field for computer analysis.

Such quantitative methods have made their greatest impact on economic and political history because prices, industrial production and voting records are easily susceptible to measurement. But the techniques have also taken firm hold in social history, and to a lesser extent, cultural and intellectual history.

That impact has been such that some experts feel that many historians may soon be unable to read some of the new work even in their own specialties.

All are not happy about this. Prof. Carl Bridenbaugh of Brown has cautioned historians not to "worship at the shrine of the bitch-goddess quantification."

Such is the split, in the view of Lawrence Stone of Princeton, who is using computers to study 300 years of housing patterns in England, that "there is danger of sectarian warfare."

Interesting or not, historical questions on many fronts are coming under the scrutiny of the quantifiers. The possibilities are illustrated by the work of Prof. Emmanuel Le Roy Ladurie of Paris, who has been building a social and cultural picture of early 18th-century France by statistically analyzing the country's very detailed military recruitment records.

For example, tallors were drawn maps of the regional differences in occupation, height, physical defects, literacy, delinquency and other factors listed in the records.

For example, tallors were found to be concentrated in the northeast and southwest. Shorter men were concentrated in the economically depressed southern and western provinces, while those with "elite" professions tended to come from the northern regions and Pyrenees in the south.

In economic history, econometrics, or the mathematical expression of economic history, has been used to explore the influence of economics on the flux of history.

Econometric models developed some time ago suggest, for instance, that railroads were not as crucial to American industrial growth as once thought and that slavery was an economically viable system when the civil war broke out.

Possibilities and limits of this approach are suggested by the work of Dr. Peter D. McClelland of Harvard. He has estimated that the economic burden of British taxes on commerce by the American colonists was only 3 percent of gross national product.

While this implies that economics was not as great a cause of the American revolution as many have thought, historians have noted that it is often small irritants that move men—and this is a matter that does not easily lend itself to analysis by numbers.

Perhaps the fastest-growing of the new techniques is psychohistory. Analysts and historians with psychoanalytic training have adapted Freudian analysis in the search for the hidden psychological forces that have motivated men.

They cull the writings, speeches and biographical data of great leaders for clues. Woodrow Wilson, King George 3d, Joseph Goebbels and now President Nixon are among those so studied.

For example, in an article in the *Journal of Interdisciplinary History*, Dr. Bruce Mazlish of MIT argued that Mr. Nixon "compensates for his lack of native abilities, where this is the case, by enormous hard work and persistence," and that he has had "a serious problem with death wishes and anxiety: in relation to his brothers, himself and Eisenhower."

Though highly controversial, this method is gaining acceptance.

All of this has caused unease among some who fear that history as art and literature will be lost in a rising tide of equations, computer punch cards and psychological jargon.

Prof. H. Stuart Hughes, the intellectual historian at Harvard, views history as a kind of mediator between the arts and science. He feels historians should take advantage of scientific method when appropriate, but preserve history as literary art.

"One of the tricks we have to master is translating social science terminology into ordinary language," he said in an interview.

The new methods have caused some to wonder if history won't eventually be cannibalized by other disciplines. One who is not overly concerned about this is Dr. Woodward of Yale, who said:

"History is a very old craft. It has adjusted to all kinds with the theologians, the biologists, the physicists, and we can live with the social scientists, we welcome all comers—we try to civilize them."

#### FACTS AND FIGURES ON SPIRO T. DE MILLE

### HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. LEGGETT. Mr. Speaker, some of the quantitative dimensions of Vice President AGNEW's current world tour have come to my attention:

The Vice President's entourage consists of 141 persons plus 11 newsmen.

Although 152 people could normally travel in a single Boeing 707, Mr. AGNEW and his entourage travel in a caravan of four 707's.

An additional cargo plane is used to carry the two bulletproof Cadillacs used by the Vice President to commute between airport, hotel, and golf course.

Should the bulletproof limousines prove incapable of protecting him, he is accompanied by 80 Secret Service men.

The hotel bills for the entourage run about \$3,000 per day.

Mr. AGNEW's high-level diplomatic meeting with the President and Cabinet of Kenya was accomplished inside of 15 minutes, during which the participants exchanged souvenirs.

His meeting with Haile Selassie of Ethiopia was somewhat less efficient, requiring almost an hour. It is not known whether this delay was due to a larger number of souvenirs in need of exchanging, or whether other factors were involved.

There is nothing classified about these statistics. In fact, I got them all from the current issue of *Newsweek*. But I feel they are worth repeating.

#### TWELVE THOUSAND FIVE HUNDRED SIGN ALBANY PETITIONS AGAINST PUBLIC SCHOOL BUSING

### HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. MATHIS of Georgia. Mr. Speaker, I want to call the attention of the House to an event that has occurred in the past few days in my hometown, Albany, Ga. The citizens of Albany have felt the brunt of the rulings from the courts of this Nation regarding the busing of pupils for the sole purpose of achieving ratios, and I believe the action that has occurred in Albany reflects the feeling of a vast majority of my constituents, not only in Albany-Dougherty County, but all across the Second District of Georgia.

A group of citizens formed an organization, called the Concerned Taxpayers and Parents Incorporated of Dougherty County, for the purpose of making known the feelings of the community in regard to the latest court edicts on busing. The group was headed by responsible leaders in the community, not rabble-rousers, but solid, God-fearing, hard-working men and women who are concerned about the future of public education in our State, and indeed, across this Nation.

The president of the group was a white businessman—Earl Sheely—and the group's vice president was a black businessman—Thomas Chatmon. Mr. Chatmon, I might point out, was a candidate for Congress in last fall's primary, and is held with respect by both the black and white communities. Under the leadership of these two men, approximately 500 black and white citizens of Dougherty County canvassed the community, seeking the feelings of other citizens and taxpayers. The result was a petition signed by an estimated 12,500 persons protesting the busing of children to achieve equal racial ratios in the schools—and I believe it significant that of the 12,500 some 4,500 of those who signed were black.

Mr. Speaker, I believe that the actions of this group says with more eloquence than I can muster that my people are sick of court edicts and senseless rulings. We are concerned for the education of our

children, black and white, and we would like to see our Government share our concerns.

I include for the RECORD a news article dealing with this subject that appeared in the Friday, July 16, edition of the Albany Herald, written by Mr. Sam Pruitt. I hope each and every Member of this distinguished body will take the time to read this article and try to understand the frustration that prompted the action of this group.

**12,500 SIGN ALBANY PETITIONS AGAINST PUBLIC SCHOOL BUSING**  
(By Sam Pruitt)

A biracial group of 12,500 "Concerned Parents and Taxpayers Inc. of Dougherty County" has petitioned U.S. District Judge Robert Elliott to give educational quality priority over integration demands.

Claiming to represent approximately 30 per cent of the adult Dougherty County population, the group said 4,200 of the 12,500 signatures represent local black opposition to busing merely to achieve racial balance in all schools.

A group spokesman said black participation in the effort was documented through name and address checks of each signature as they were returned during the past two months.

**HOMES CANVASSED**

Approximately 500 black and white citizens were responsible for circulation of the petition in a house-to-house canvass throughout the community.

The group's president, Earl Shealy, a white insurance agency owner, and its vice president, Thomas Chatmon, a black businessman, announced the group's objectives as follows:

1. To combine the efforts of all citizens, black and white, in promoting greater understanding and harmony in order to progress toward those objectives which will benefit all Dougherty County citizens.

2. To keep the public informed of the actions and policies of the Dougherty County School Board in order to promote equitable distribution of educational assets of the Dougherty County school system with emphasis on facilities, teachers and materials.

3. To keep the appropriate legislative and judicial branches of government informed, as necessary, of the majority feeling of the concerned parents and taxpayers of Alabama and Dougherty County.

**COMMENT ON KING**

Shealy and Chatmon said C. B. King, attorney for the plaintiff in eight-year-old local desegregation suits against the Dougherty County Board of Education, "is not as powerful before the court as he may seem to be."

"He is not the final arbiter of Dougherty County desegregation plans, he is only the attorney for Shirley Gaines et al., and he is not the Dougherty County black people's spokesman," they said.

The group's 14-member board of directors is composed equally of black and white local teachers, professional men and women, businessmen and citizens.

Shealy and Chatmon said the petition signatures by both black and white Dougherty Countians "represent a unity of purpose shared by local black and white people in a common effort to solve a community problem."

**QUALITY EDUCATION FIRST**

"We believe we have collected sufficient evidence on the petition to show the court that the local black and white communities agree that quality of education must take precedence over racial demands," they said.

Second District Congressman Dawson Mathis called the group "highly significant," and expressed hope that the aims of quality education ahead of classroom ratios would be achieved.

"I would like to commend the officers and directors of this fine group and all those who have participated in this undertaking," he said. "Such unity of purpose is rare indeed in today's confused world."

Mathis said he hopes the court "will be cognizant of the sincerity, dedication, concern and sheer numbers of this project."

**TALMADGE SUPPORT**

Sen. Herman Talmadge, in a July 9 letter, offered his support to the group. He said he had argued in the Senate against "busing simply to change the racial composition of a school."

We have argued and cajoled and repeatedly pointed out the hypocrisy of the coercion that has been brought against schools in the South while those in the North and other parts of the country are allowed a higher rate of racial segregation than anything we have in the South at the present time," Talmadge said.

**THE VETERANS OF FOREIGN WARS:  
PUTTING MEANING INTO THE  
IDEA OF COMMUNITY AND NA-  
TIONAL SERVICE**

**HON. NICK BEGICH**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. BEGICH. Mr. Speaker, the Veterans of Foreign Wars, individually and collectively, at the post level and the national level, have never failed to speak out on the issues that concern their communities and their Nation. But, most important, this organization has maintained a long tradition of action on behalf of the needs of veterans and, indeed, the real needs of the people of America. Commander in chief Rainwater, in his acceptance speech, announced "Our Heritage" as the theme for the Veterans of Foreign Wars in 1971. He spoke of the American heritage as one of the "constructive idealism of man" providing a legacy of "freedom and opportunity for every American who respects it." To be constructive and protect our heritage of freedom and opportunity with responsibility requires an awareness of the problems we face and the willingness to act on them—in our own community and on a national scale.

Over almost 70 years, the Veterans of Foreign Wars have shown that acute awareness and readiness to act. None will dispute that the VFW has led in establishing, expanding, and supporting major veteran benefits, rights, and programs. In the 1920's, the VFW was in the forefront of the drive which culminated in a cash payment of bonus certificates to World War I veterans. The VFW has strongly advocated the establishment of the Veterans' Administration in the 1930's, thus, providing a one-stop single agency to serve the interests of veterans and their dependents.

The VFW, in conjunction with other groups, persuaded the Congress during World War II to enact the most comprehensive benefit program ever approved by any government—the GI bill of 1944. It was this outstanding organization's initiative and leadership that convinced this country to give terminal leave pay

for all veterans of World War II, and, in the 1950's, brought about the establishment of Loyalty Day. Since 1960, the VFW has been in the forefront of one of the areas most crucial in our inflated economy—the provision of hospital and medical services. In Congress last session alone, this drive resulted in an important new law—Public Law 91-500, providing medical benefits for older veterans—and a House-passed bill—H.R. 692, increasing the authorized period of community nursing home care. More recently, the VFW has spoken out opposing the planned reduction in the average number of patients treated in veterans' hospitals. I wholeheartedly support their concern and hope that the capability of veterans' hospitals to serve all those who need care will not be reduced. For the coming decade, one focus of their attention is the employment problem of the returning veteran. A bill that I have co-sponsored—H.R. 7833, providing increased unemployment compensation for Vietnam era veterans—will take a first step in meeting this new problem.

The national concern of the VFW has been equaled by its dedication to the resolution of the problems faced by communities and individuals across the Nation. Many have called for an advocate for the individual American in his relationship with the Government, the VFW has led in providing a voice through their assistance in handling veterans' claims. Others have emphasized the importance of volunteers helping those in need in the community, the VFW has provided a model in their efforts in hospitals, and establishing contracts and volunteer programs to get returning veterans in touch with employers.

In Alaska, there are over 30,000 veterans, 6,000 having served in Vietnam. These men are owed a special obligation by this country and I hope that the VFW will continue to keep their concerns in front of Congress and the Nation. In our community and in Washington, this organization has shown the leadership that reflects the VFW objective of promoting Americanism through constructive service to the communities in which we live. The members of the VFW did not end their service to this country on leaving the Armed Forces but have re-dedicated themselves to the assistance of our fellow man and acting as the conscience of our country and individual communities.

**MAN'S INHUMANITY TO MAN—HOW LONG?**

**HON. WILLIAM J. SCHERLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 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 TIME FOR HOPE

## HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. ROBISON of New York. Mr. Speaker, although my optimism is restrained and cautious at this time, my enthusiasm is very high indeed for the leadership and initiative now provided by President Nixon in reaching out toward the People's Republic of China. The President's decision to visit Peking before May of next year gives new substance to the "Nixon doctrine," whereby the United States works for a safe and sane world not only by maintaining our strength, but also by increasing our communication with all nations, irrespective of ideology or social order.

Naturally, this is only a first step toward establishing a sense of normalcy between China and the United States, and I caution anyone from thinking that this step guarantees peace in Southeast Asia. But it is a positive sign, bringing forth—as Anthony Lewis wrote just the other day in the New York Times—"a time for hope." It is "a time for hope" not only because it is so obvious that we cannot indefinitely ignore a nation of 750 million people, but also because it seems unlikely that China would welcome a visit by President Nixon until the end of our ground combat participation in Vietnam. This may be our first tangible piece of evidence that the administration does indeed have a definite timetable for terminating our military involvement there and, if so, the announcement is doubly encouraging to me.

Of course, this is a great personal achievement for Mr. Nixon since it is the culmination of over 2 years of determined efforts by him to begin to open doors to China once again. The President realizes that a longstanding peace is impossible in a world where giant nations make no attempt to communicate, and that very realization makes this troubled world just a little bit safer.

Because Anthony Lewis summarizes this Presidential achievement so well, I am including the full text of his column, in the hope that it will be of interest to my colleagues:

## THE PRESIDENT'S COUP

(By Anthony Lewis)

PARIS, July 16.—In "The Making of the President 1968" Theodore White records a comment by Richard Nixon on the function of the American Presidency.

"I have always thought this country could run itself domestically without a President," he said. "All you need is a competent Cabinet to run the country at home. You need a President for foreign policy; no Secretary of State is really important. The President makes foreign policy."

In one dramatic stroke, Mr. Nixon has now demonstrated the truth of that vision of the Presidency in foreign affairs. His announcement that he will visit Peking reminds us that, in the American system, only the President can ultimately speak for his country abroad. Only he has the vision and the political power to change the old assumption—to deal in the large with a changing world.

It is that sense of large possibilities in the

Nixon move, of the opportunity for new beginnings, that has instantly lit the world's imagination. One has only to list some questions that come to mind to recognize the potential of the Nixon trip.

Could the President conceivably visit Peking if, at the time, Americans were still fighting in Vietnam and bombing northern Laos, not far from the Chinese border? Or does the agreement on his trip necessarily imply that Mr. Nixon and the Chinese leaders at least see the possibility of an end to the war now?

It is significant that the Chinese Government has just changed its attitude toward the Paris peace talks. When they began, in 1968, Peking was against North Vietnam even sitting down to talk with the Americans. But lately it has shown strong interest in a negotiated settlement, endorsing the new Vietcong proposal.

Did Henry Kissinger, in his extraordinary twenty hours of talks with Premier Chou En-lai, explore Chinese ideas on a settlement? Is the way open for Presidential diplomacy?

Peking has not said, in terms, that the Vietnam war is an absolute obstacle to correct Sino-American relations. The one such obstacle, in the view maintained for a generation now, is American support for Chiang Kai-shek's Nationalist Government on Taiwan. And so more questions present themselves.

Is some way out of the Taiwan dilemma emerging, some accommodation of our commitment to Chiang with Peking's commitment to One China? And what about American opposition to Peking as the sole Chinese member of the United Nations? Is there some new give in this area?

It would be foolish to assume that solutions are at hand for such old and bitter problems. But it is just as hard to believe that the People's Republic of China would welcome President Nixon unless there was at a minimum the promise of some movement on these questions. One diplomat put it in the form of a skeptical question:

"Does Chou En-lai like Richard Nixon enough to help make him President for four more years just out of good fellowship?"

But the President's announcement raises a hope even broader than the possibility of peace in Vietnam and normal Sino-American relations. That is the hope of a comprehensive political settlement in Asia.

Of course it is foolish to build great baroque dream castles in diplomacy. But there is a realistic basis for large-scale understanding between China and the United States—the different interests of the two countries.

China's first interest is Taiwan. Her fundamental disagreement with the Soviet Union makes her want powerful friends. Beyond that, Peking wants to resume a prominent role in world politics. To achieve any of those vital interests, she really must deal with the United States.

For the United States, getting out of the Vietnam morass is the first priority. Then we may have learned the impossibility of trying on our own, at our distance, to impose a stable political pattern on Asia. To do these things we need an accommodation with China—if she is, as we have begun to think, a China concerned primarily for her own national integrity and development, not with external expansion.

The announcement of the trip hardly solves the problems, and indeed it involves dangers. A specific one is the risk of upsetting Japanese politics. More generally, by announcing the trip a long but indefinite time in advance, Mr. Nixon may have given something of a hostage to fortune—for any act of his that made Peking break off the arrangements would be devastating to him.

But it is a time for hope, and in a strange way for the American domestic scene as well

as foreign affairs. Even the beginning of success in this venture could end the long night of recrimination in the United States and restore the old faith and optimism. That, too, is an inescapable function of Presidential leadership.

## FEDERAL ROLE IN POLLUTION CONTROL

## HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. HAMILTON. Mr. Speaker, I include the following speech I gave to a meeting of the Indiana Presbyterian Synod School at Hanover College, July 16, 1971.

## SPEECH BY HON. LEE H. HAMILTON

## I. COMPLEXITY OF THE ENVIRONMENTAL TASK

In spite of all the protests, meetings, speeches—including this one—legislation, organizations, in spite even of the enormous political popularity of the environmental issue, I'm not fully persuaded that we have begun to grasp the dimensions of the environmental task.

As politicians talk, existing laws are unenforced and underfinanced.

As oil companies run slick and expensive television commercials, they fail to put inexpensive storm chokes in ocean rigs in defiance of existing federal law, polluting vast areas of the sea.

As cities cry for monstrous sums of money from Washington, they push high rise apartments even higher, allow more shopping centers to be built, pave highways, and intrude in innumerable ways upon the environment.

As students bury a new car to show their passionate commitment to a clean environment, they invade Washington to protest, leaving behind an incredible quantity of cans, paper, and trash.

## Cost

I'm not sure we've begun to grasp the cost of cleaning up America.

The best estimates in Washington are that in the next 5 to 7 years we need to spend from \$35 billion to \$70 billion to control water pollution, and \$15 billion to control air pollution.

In fact, the Federal Government will spend only \$2 billion in 1972 on pollution control and abatement.

## Complexity

From the attitudes I encounter I'm not persuaded that we've begun to see the complexity of the tasks of cleaning up the environment.

Some of us seem to think there can be quick and easy solutions to the environmental crisis. A creek can be cleared of junk and beer cans, but it is no easy task to return a river to an unpolluted state when the pollution is fertilizer draining from the surrounding farms, and when the farmers, if required to halt the use of fertilizer, will face insolvency.

Some think that pollution can be totally eliminated, and that America can be restored to a pre-industrial purity.

Some simply accept pollution, like the mayor of a town who said recently to me, "If you want the town to grow, it's got to stink."

Some expect the impossible. You cannot take the oily, chocolate brown Cuyahoga River in Cleveland which burst into flames a while ago and expect to turn it into a trout stream.

Some see only one problem at a time. A well meaning, passionate fighter for the un-

derdog said to me the other day, "Hungry people don't care about the environment." That's exactly the kind of thinking that got us into this mess. Single minded pursuit of any goals, even a very worthy one like feeding the hungry, is bound to produce undesirable side effects.

Some want to blame somebody else and almost in anger they lash out at technology, at capitalism, at the poor, at the politicians, at the establishment.

A law school senior said to me the other day he would not defend a client who was a polluter, suggesting that even law school seniors have something to learn.

The fact is, of course, that we are all polluters and all living Americans are big polluters.

Concern over the environment obviously has a grave moral content, but I'm concerned about the tendency to present the issue in the form of a TV horse opera, with some guys wearing the black hats and some the white.

Environmental decision making is a technical, subtle, intricate process, and we must bring to it not only our passion, for passion without competence will only lead to confusion.

#### *Political complexities*

I'm not sure we have become sufficiently aware of the political complexities of the environmental task.

The issues of the environment are shot through and through with power politics of the high order. Action by the politician to match his words may be suicidal. Profits and crucial political support are not always on the side of the environment.

In the Congress, we are already hearing the voices of the steel, automobile, and chemical companies warning us not to be overzealous, not to listen to people who become emotional over the issue, who are not conducive to realistic pollution control programs.

No politician has failed to note that large contributions often come from industries that often pollute.

I am persuaded that the most formidable problems we will encounter as we seek to manage the environment are political, and that politics not science, is the key to whether or not we succeed.

We have the power and the knowledge to achieve a better environment. I'm not sure we have the political will to do it.

#### *Manpower*

I'm not sure we've begun to grasp the critical need for manpower to help in the environmental task. We need tens of thousands of men and women who can handle environmental materials from several natural sciences. They will have to be integrators, dealing with broad questions of values and purposes and laws that lie beyond the sciences. They will have to be highly sophisticated about the decision making processes in this nation.

The universities which have given us so many specialists, who with their amazing analytical capabilities have taught us to take the world apart, must now train men and women who will take the lead in putting it back together again.

#### *Life style*

I'm not persuaded that we fully realize the changes in life style that an effective attack on the environment will require of many of us.

Are we willing to pay more taxes, accept higher utility bills, lower profits, fewer dividends, and organize efficiently, and inconvenience ourselves?

Do we want a lower airplane fare and polluted atmosphere or a higher fare and an emission free plane?

Do we want a more expensive lead free gasoline that produces fewer miles per gallon?

Will we pay \$100 for a pollution control kit for our car?

Will we allow more and more government control of land use?

Will we curb our insatiable demand for electricity?

Will we give up our nonreturn Coca Cola bottles and our indestructible beer cans?

We're almost certainly headed for disruption of industry, higher bills for consumers, and considerable inconvenience for all of us in adopting a less wasteful style of life.

For all of these reasons, I view the task ahead of us with much respect for the obstacles to overcome.

#### II. THE PRESENT LAW

The first tool at hand in the fight for a clean environment is the present law. I will confine my remarks to water pollution because of the limitations of time, and also because efforts to combat it represent the major Federal involvement.

Although the Federal Government has been active in the abatement of water pollution for over three-quarters of a century, the legal backbone for our national water clean-up campaign began with the Federal Water Pollution Control Act of 1956. This legislation provided for construction grants, enforcement procedures, research programs, and Federal efforts to establish water quality standards and to enforce them. For a decade after the passage of the act, Federal involvement grew very slowly, and the level of budgetary support was small. For example, during the period 1957-1965 the average annual appropriation for waste treatment facility construction, which is the major Federal spending effort, was less than \$70 million.

In 1965, the passage of the Water Quality Act sharply expanded the Federal effort by increasing sharply the expenditures for research and development and for the construction of waste treatment facilities.

This program is up for renewal this year in the Congress.

Under the present law, then, you have several programs:

One. A water quality standard setting and enforcement program. The states have the responsibility to set and enforce water quality standards, with the federal government authorized to step in if the states fail to do so. The standards become the basis for enforcement action. If there is a violation of an established water quality standard, then this leads directly to court action by the Attorney General.

Two. Construction grants for the treatment facilities.

Three. Research and demonstration projects.

Four. Support of planning assistance and training activities including support of state and local river basin agencies, training the manpower, establishing data, administration of programs.

Considering the explosive growth of population and the proliferation of new industry, the federal water pollution control efforts have at the very least prevented far worse degradation of our water resources. The basic water pollution control laws on the books are sound and point in the right direction.

There are a number of deficiencies in current federal law:

One. Enforcement Procedures are Slow and Cumbersome.

The pollution control policies attack industrial waste by establishing standards that are enforced in the courts. This entails a lengthy, tedious and often ineffective process of negotiation with states and individual polluters. The individual polluters have too much incentive for delay.

Two. Inefficient Controls.

The present law promotes control efforts that are inefficient. For example, most waste loads which are treated by municipal plants

today come from industrial sources. The federal grants for the construction of the treatment plants represent a heavy subsidy to industry. It would be more efficient to adopt internal production processes that generate less waste to begin with.

The President has proposed to attack this problem by requiring as a condition for receiving federal treatment grants that municipalities charge industrial firms portions of the project costs that are allocable to the treatment of their wastes.

3. Defective Priority Determination.

The Federal Government provides grants for the construction of municipal waste treatment facilities in accordance with state set priorities. These priorities often have no relationship to effective plans for cleaning up river basins.

States often determine priorities partly on the basis of those communities which are ready to proceed, or on a first come first serve basis. There has also been a disproportionate amount of grants that go to small communities.

4. Lack of Comprehensive Approach.

Pollution control has been approached primarily on the basis of requiring uniform treatment of waste by each community, rather than through a river basin approach in which treatment goals are related to the characteristics of the river.

For example, we often allocate to secure uniform secondary treatment of waste. This may be too much in some cases and too little in others.

The point here is that treating each community as a separate entity, rather than as part of an entire river basin, adds to our pollution control problems.

5. Allocation Rigidities.

Under existing law, any funds appropriated for waste treatment plants remain available to the Federal Government until they are spent. Because of the formula used to allocate the funds, the initial allocation provides some States with more funding than they can use. There must be much more flexibility in the allocation of funds, so that all funds appropriated can be fully used.

Also the year to year uncertainty as to the level of actual appropriations has caused great difficulty for the cities in designing and planning waste treatment facilities.

6. Red Tape.

Finally, the Congress is receiving many complaints that communities are being strangled by federal red tape, and the entire problem of pollution control has been confused by the fact that administrative responsibility for the program has been shuffled from agency to agency.

#### III. POLICY ALTERNATIVES

In our efforts to control pollution, we can choose from three basic policy alternatives or a combination of them.

1. Enforcement of Pollution Laws and Standards.

By this approach we just order the polluter to cease or reduce his level of discharge to an acceptable level. It is the "thou shalt not" approach.

If there are too many non-returnable bottles and cans being used, outlaw them.

There are problems with this approach.

It is complicated, drastic, expensive, slow. Who should have the power to enforce—the city, the state, or the federal government? Will local governments really crack down on major polluters who are often major tax payers?

Why should Indiana pass strong water pollution standards if Ohio does not?

Should all enforcement be at the federal level?

Obviously, direct regulation is an important method to use but we're not going to get the clean up job done only with direct regulation.

Direct regulation can be especially helpful in preventative cases when the pollutant is hazardous, like mercury.

#### 2. Subsidization.

A second method of pollution control is subsidization. This can be done by direct grants to manufacturers or municipalities to purchase pollution control equipment or by providing tax credits, reductions, and write-offs to offset expenditures for abatement equipment.

There are immense costs to this approach and those costs are often borne by the people not doing the polluting. Furthermore, most local and state governments are strapped for funds and simply can't have the amount of money needed for pollution control.

The most important area where subsidization can be effective is in funds to states and localities for the construction of pollution control facilities.

#### 3. Polluter's Discharge Fee System—Economic Incentive.

A third approach to pollution control is the use of economic incentives not to pollute. A fee is levied on all pollutants discharged into the air and water. This forces the polluter to pay the total cost of producing the product, and serves as an incentive to limit pollution.

We measure the damage a polluter is doing to the environment and we present him a bill for the social cost: 1) He can stop producing and therefore stop polluting; 2) He can install pollution abatement equipment; or, 3) he can pay the tax.

Let me give you an example of the use of these alternatives in regard to litter:

First, we can pass strong anti-litter laws. To enforce them properly, we would have to place a policeman every 100 yards along our highways.

Second, we can outlaw the nonreturnable bottle, but that seems rather drastic.

Third, we can assess the user of the nonreturnable bottle the cost he imposes on the community.

#### IV. What Should Government do?

Without doubt, government bears the major burden in our efforts to control pollution. Let me very hastily suggest the areas where we focus our attention in government:

##### One. Organization.

Governments must organize themselves for effective action. We have made some progress on this in recent months. Just this past week in the Congress we have established a joint Congressional Committee to help insure prominence in pollution control. The Environmental Protection Agency has been established.

But we still have a long way to go before our political institutions are structured to organize ourselves in the most efficient way to carry out the fight against pollution.

We should also:

(1) strengthen the review procedure under Federal law for agency activities affecting the environment. Many agencies not sufficiently attuned to problems.

(2) make increased use of federal government procurement policies to induce compliance with environmental quality standards and programs on the part of sellers of goods and services.

(3) exercise the Federal licensing power to protect and enhance environmental quality, through such agencies as the Federal Power Commission and the Corps of Engineers.

The Environmental Protection Agency should continue to reorganize itself internally, as it has been, to maximize the impact of its programs.

##### Two. Education.

We must multiply our efforts to promote environmental education. Most of our schools and colleges have in the words of

Dr. Elvis Starr, "done a demonstratively miserable job" in educating us about the environment.

This is changing, but we must do everything we can to see that our schools and churches, universities make environmental awareness an important part of the curriculum.

The Environmental Quality Education Act, passed by the Congress to provide Environmental Curriculum development by colleges and universities, teacher training, pilot projects, and support for environmental projects in schools and local communities is an important step.

##### Three. More Money.

A very important step needed to save our environment is the enactment of higher funding levels for pollution control. The quality of the environment is only partly a question of more money—but more money is essential.

##### Four. New Legislation.

Although the major pollution control legislation is on the books, the search for more effective laws must continue.

Fundamentally, it seems to me that the most important thing we can do is to build into our economic and political institutions incentives to reduce pollution, to make the polluter pay.

The most critical policy issues concern the restructuring of our economic and political institutions. In addition, there will always be need to review and tighten present legislation, and to extend its range as new problems develop.

##### Five. State and Local Action.

Although I think action by the federal government is most important, that action alone will not solve the problems of pollution. The burdens of control are too many, too costly, too complex to be handled exclusively by any one level of government.

Cooperation among federal, state and local governments is crucial.

By my last check the state of Indiana had only 26 full time state personnel working on water pollution control, and only 7 people assigned to air pollution control.

The pressure must be kept on local and state governments to act aggressively.

##### Six. Research.

We must move rapidly forward in research. Just as important as research is the application of what we now have. Improvements in pollution control will come forth, but we cannot wait.

### THE RESPONSIBILITY OF CONSTRUCTIVE DISSENT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. SCHEUER. Mr. Speaker, there are few among us who have not spoken at graduation ceremonies during the last few weeks. As Tom Wicker said recently, words come easily, especially at commencement exercises. But as the younger generation is drenched in a flood of words, an occasional speaker comes through with solid, memorable remarks.

In early June, Clark Clifford spoke to the graduating class at Sidwell Friends School on "The Responsibility of Constructive Dissent" and made a lasting impression on his audience. I commend the attention of my colleagues to this speech as a fine example of communicating with the younger generation.

### THE RESPONSIBILITY OF CONSTRUCTIVE DISSENT

Mr. Smith, Parents, Distinguished Guests and Members of the Class of 1971:

We are assembled today to honor the achievements of 84 fine men and women.

You are among the most fortunate of our citizens because of the excellent education you have already received, and because of the opportunity it affords you for even greater progress and advancement.

But with the unusual opportunity you possess, and, more accurately, because of it, you also face an unusual responsibility.

It is with reference to this responsibility that I shall direct my remarks.

Years after Abraham Lincoln delivered his famous Gettysburg address, a prominent historian remarked that Lincoln had made one serious mistake in his speech when he said, "The world will little note, nor long remember what we say here \* \* \*."

The inescapable fact is that the world will always remember what Abraham Lincoln said that day.

Now I do not have the temerity to suggest that my remarks today will be compared to those of President Lincoln's, but it is my hope that, long after the words are forgotten, the major thrust of my comments will remain in your consciousness.

The title of my address today is "The Responsibility of Constructive Dissent."

In the New Testament, Matthew tells us, in Chapter 21, Verse 12, that upon entering the temple, Jesus, in defiance of established authority, drove out all who were buying and selling there. "He said to them, 'It is written, my house shall be called a house of prayer; but you make it a den of robbers.'"

Fifteen centuries later, a courageous German priest flung 95 Theses in the face of the established church and changed the course of western history. In 17th century England, George Fox, stifled by the rigid orthodoxy of English Christianity, strove, despite persecution and imprisonment, to establish the Society of Friends.

The destiny of these great dissenters was to challenge and overthrow long established authority. They were driven by ideals which would not bend to the custom of their time. That destiny, I feel, is shared by this graduating class. You must bear the responsibility of dissent so that this country can fulfill the ideals of freedom, justice, and equality for which it was founded.

Man is a creature of habit. As he goes through life, he acquires patterns of action, ways of thinking. These can become self-sustaining long after they have lost their original justification. Unfortunately, we often find it difficult to discard our habits when they no longer serve to guide us. If there is an "opiate of the people" in this country—it is complacency.

In our century, reality changes at a spell-binding rate. It is estimated that the volume of human knowledge doubles every ten years. In my own high school years, computers, racial equality and intercontinental air travel, to name only a few common phenomena of today's world, were scarcely conceived of. A 19th century man would be dumbfounded at what has transpired in the past 100 years. Ideas lose their relevance very quickly in this atmosphere of rapid change. Since we tend to cherish patterns of the past, we must struggle against that tendency in order to cope with the ever-changing present. The logical discussion by which new ideas push out the old involves a good deal of friction. Dissent is a manifestation of this friction. Through dissent, we shake off the cobwebs of the past in order to meet successfully the problems of the present and the future. We progress, ideologically, through the process of criticism and re-evaluation.

Thomas Jefferson suggested that each new generation be allowed to write its own con-

stitution. He was implying, I think, that our young people are in the best position to adjust the social structure to meet the changing needs of their own time. Your vision is clear: You are unencumbered by the baggage of the past. Your world is in the making now, and you have a duty to shape what you will inherit, even though many of your elders may not willingly grant you this function.

The founding principle of this nation was that each individual has an unalienable right to life, liberty and the pursuit of happiness. But we cannot realize these ideals by merely proclaiming them. They stand as goals and guides which must be given a new and fuller meaning as the realities of our national union change.

Updating our ideals is a process which requires courage—courage to overcome the inertia of the past—courage to withstand the scorn of those who cling to the past. The present younger generation has shown this courage to a degree which gives me great hope for the future of our country. I welcome its irreverence, its skepticism. I urge you to direct the considerable energy you will show in condemning our shortcomings towards evolving practical solutions to those shortcomings.

The ideal of equality was implicit in the founding of our country, and it has long been cherished by all Americans. However, the daily lives of millions of our people testify with bitter eloquence to the fact that we have fallen far short of this ideal.

Let me give you an illustration.

To be born in the "non-white" category is to expect seven fewer years of life, three fewer years of education, and 37% less income. These are measurable deprivations. What cannot be measured is the basic human dignity which our society denies to those judged "non-white."

Now some progress has been made in this area. We have done much in the past twenty years to guarantee legal equality to all citizens. This progress has been accomplished largely through the courage and self-sacrifice of those who refused to inherit the inequities of the past. Through a long, trying, and sometimes tragic process, the position of a dissenting minority has become the law of the land.

Despite this progress, complacency is as dangerous today as it was twenty years ago. We must continue to drive towards complete legal equality for all Americans. More importantly, we must press for a social equality which respects the human dignity of each individual. This cannot be decreed by legislative fiat. It must become part of our social conscience. Just as, far too late in our history, slavery became morally abhorrent to us, and we rose as a nation to expunge it, we must now root out all traces of racial inequity.

Another illustration.

The spectre of poverty in the world's richest nation should be a cause of shame to all who share disproportionately in those riches. In our rush towards ever greater prosperity, many have been left behind. The pursuit of happiness which our founders guaranteed to all in the Declaration of Independence is a pursuit which now favors some but ignores many. Though we have achieved an unprecedented degree of material well-being, a sizeable minority of our people live a life which would be unthinkable for the fortunate majority. In terms of income, the one-fifth of our families at the top of the ladder receives 41% of our national income. The lowest one-fifth receives only 5% of the income. A large group of Americans today have never enjoyed decent housing, adequate medical care, and a fair opportunity for education.

There is no doubt that we have the means to remedy this unjust disparity. What is lacking is a commitment to use these means

for the good of all. Self-critical dissent, though it is an abrasive and painful process, is absolutely necessary to shake off the personal acquisitiveness of our past. We will be a truly wealthy nation only when all share, both materially and spiritually, in the fruits of our prosperity.

I turn now to another problem of our day.

Our foreign policy has been a major focal point of dissent in recent years. Student activism has served as a catalyst for a continuing reappraisal of the principles underlying our relations with other members of the world community. We have witnessed here in Washington, over the past few months, the strength and determination of this dissent.

Our experience in Vietnam illustrates the fatal consequences of applying ideas and assumptions of the past to an ever-changing world situation. Guided by a doctrine which served us well in the late 1940's and 1950's, we have somehow failed to advance the interest of those Asian allies we sought to protect, and we have failed to realize where our own best interest lie. Our persistence in this course of action at such tragic cost, with no real hope on the horizon, bears witness to the deadly tenacity of our out-dated thinking.

No course of events in our history shows more clearly the folly of static complacency than the results of our policy in Southeast Asia. Fortunately, there have been an ever-increasing number of Americans willing to undertake the harsh and painful re-evaluation necessitated by our experience in Vietnam.

The fact that this re-evaluation results, to a considerable extent, from the spirited dissent of many of our youth, provides a source of real hope for the future of America.

Yet, despite the bitter lessons we have learned in Vietnam, we cannot isolate ourselves from the world community. Our wealth, our power, and our democratic heritage saddle us with the responsibility to lead a world wracked with the problems of rapid change. While many of our international assumptions must now be altered, let us strive to evolve a new set of goals relevant to the reality of today's and tomorrow's world. We can no longer attempt to dictate to other nations the kind of social and political institutions they should adopt. In rejecting this approach, however, we must accept the obligation to play a leading role in international efforts to eradicate oppression and poverty.

More than one-third of the world's nations exist in a largely pre-industrial state. Modern communications have exposed the people of these countries to the material prosperity enjoyed by the industrialized nations. These new nations are determined to reach this level of prosperity. They will reach it either with our help or at our expense. It is apparent from the suspicion with which many of the developing nations view this country that our help must take new forms. We cannot make these countries pawns in a struggle for our own aggrandizement. For too long, we have viewed world affairs as a bipolar contest for power between the Capitalist and Communist blocs. This conception ignores the interest of many smaller nations who wish only to realize their own potential, apart from the ideological battle of the major powers.

These are but a few general areas in which this country must re-assess its policies in order to meet the challenges we face both as Americans and as members of the world community. Old ideas will not readily yield, though they have outlived their utility. The process of dissent is one through which all of us, but especially the young, must constantly test our priorities and policies.

I urge you, then, to bear the responsibility of dissent. When ideas, despite their strong roots in the past, no longer serve adequately

in the present, they must give way. Only by continually calling ourselves to account can we hope to avoid the quicksand of yesterday's dogmas. Despite the great divisions in America today, the ideals and aspirations of our founders remain as goals which all Americans share. Your generation must strive, through responsible dissent, to achieve an ever-greater realization of these ideals.

A word of caution regarding dissent. An attitude of dissent purely for the purpose of dissenting is not only valueless, it is harmful. Dissent which interferes improperly with the legal rights of others can be disastrous to an otherwise noble cause. For dissent to be constructive, it must come from an inner conviction of the individual, and not be the result of a blind acceptance of the views of another. Dissent must be used to build—not to destroy.

Those dissenters whom history remembers as great, have been able to forge new principles and institutions to replace those which were outworn. Their dissent was not an end, but a means of regeneration. This, ultimately, is what you must produce.

It is not an easy course that I suggest. It will take dedication, firmness and a willingness to stand alone for what you believe is right.

Lord Tennyson phrased it well when he said:

"Some sense of duty, something of a faith,  
Some reverence for the laws ourselves have made,  
Some patient force to change them when we will,  
Some civic manhood firm against the crowd."

I wish for each of you good health and a full and happy life.  
I thank you.

#### A COOL MILITANT

### HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. BADILLO. Mr. Speaker, last Sunday the Puerto Rican community in New York City celebrated Puerto Rican-American citizenship day. Although the gathering at the Central Park mall was held to commemorate the 54th anniversary of the congressional act granting U.S. citizenship to Puerto Ricans and to the dynamic force behind this effort, Luis Muñoz Rivera, it also served to pay tribute to the many outstanding accomplishments of Puerto Ricans and to their numerous contributions to the United States.

One of these noted Puerto Ricans, who has devoted so much time and energy to improving the health and well-being of his fellow man, is Dr. Antero Lacot. Recently appointed to the second-ranking position in the New York City Health and Hospitals Corp., Dr. Lacot has been described as a "cool militant."

Mr. Speaker, I am indeed proud of Dr. Lacot's important appointment and I wish to commend him on this fine accomplishment. In order that our colleagues may be more fully aware of Dr. Lacot's career, achievements and philosophy, I submit herewith, for inclusion in the RECORD, a well-written and perceptive feature article which appeared in the New York Post last week:

[From the New York Post, July 17, 1971]  
 MAN IN THE NEWS: DR. ANTERO LACOT—THE  
 POLITICS OF HEALTH  
 (By Fern Marja Eckman)

Dr. Antero Lacot, 51, graying hair crisp-cut close to his scalp, brown eyes alert, skin glowing like a freshly-minted penny, clad in orchestrated tones of his favorite color (green suit, boldly striped green-and-white shirt, solid green tie), looks like a pillar of the Establishment.

But it was the militant and the dissident who 14 months ago pushed him into his post as administrator of Lincoln Hospital in the South Bronx against opposition from above.

This week, with an assist from the Hispanic Assn. of Hospital Executives, the Puerto Rican physician bounced even higher—to what amounts to the second-ranking position in New York City's infant Health and Hospitals Corp. (HHC) at a salary of \$45,000. His title: senior vice-president for medical and professional affairs.

Lacot, intelligent, genial, low-keyed, so controlled that he might almost be tagged "guaranteed non-inflammable," traits that are obviously invaluable for an obstetrician who has delivered more than 6,000 babies, voices the correct responses. He is "gratified," he welcomes "the opportunity" to "do a little more" toward solving the city's health problems.

But eight days ago, when news of his appointment officially reached him at his home in College Point, Queens, Lacot reacted with spontaneity. "I celebrated," he said, laughing. "My wife and I drank champagne."

On Wednesday afternoon, a day punctuated by conferences and congratulatory messages, the new man in the HHC was in his office at Lincoln, where he will continue to work for some weeks until his successor is named.

"The last 14 months have been very hectic, very dramatic," he said. "It was very rough. This is an old hospital, underfinanced, understaffed, serving an area of over 350,000 people." As he spoke, he signed papers his secretary, Mrs. Violeta Garcia, had slid in front of him.

"We have had during the last year a series of demonstrations and demands on the part of a great many groups that claim to have the answer to a great many of our problems. This is natural because health is closely knit to politics."

How?  
 "Budgets," he explained patiently, "are screened and approved by political entities. So a health institution depends on politics. Right? You have to deal constantly with situations in which it becomes necessary to distinguish between the service goals of these groups who demonstrate and their political goals. Which may or may not be related to health. You understand what I mean?"

"There are individuals who pick on the hospitals as the weak spot. There is nothing wrong in doing things that influence politicians to change their priorities to improve health. On the other hand, I think it's wrong to allow hospitals to become an instrument just for changing the political structure."

Head-on clashes over budget cuts, red tape, the pediatrics chief, racism, the Young Lords and community participation have all but split Lincoln in recent months.

Lacot, accessible to both sides, had to tightrope between New Left activists and more conservative elements on his staff. Observed one young doctor, "The New Left felt he was too conservative and the conservatives felt he was too sympathetic to the radicals."

But Dr. Gabriel Koz, president of the Lincoln Hospital Medical Board and director of the Psychiatry Dept., himself a target at one point, praised Lacot's "honesty,

openness and genuine devotion to the community's health care needs."

Dr. Joseph T. English, HHC president, described Lacot as "a cool militant." It is a term Lacot likes. He said: "At Lincoln, the major thing we've done is keep it in operation. I have done more than I could do under the circumstances. But I'm not satisfied because there is so much more to do..."

His new job, which vice-president Lacot views as "very difficult but not impossible," is light years away from his birthplace, Arroyo, a fishing village on the southern coast of Puerto Rico. "Life was quiet there," he said. "Everyone knew everyone else. We played baseball in the street—and every four or five hours an automobile would go by."

The fourth child of CPA Gregorio Lacot and the former Francisca Salgado, Antero Lacot comes from "a professionally oriented family." One of his sisters (twins, as are his own sons) is a pharmacist, the other has a Ph.D. in education and his brother is a lawyer.

"We're a very closely knit family," said Dr. Lacot. "If we went out, we always went out together. Because my father worked late in the afternoon, we'd all go to the beach at 5:30 in the morning. You can't believe how wonderful it was. Then we'd come home, have breakfast and go to school."

"I would always discuss things with my father, with my mother. Even today, when we've been separated so many years, I subconsciously think when I have to make a decision, 'What would my father say?' We are really a family the way textbooks describe a family."

As a schoolboy, Antero Lacot was always picked to declaim in the auditorium on Fridays. "I remember I was Mark Anthony," he said. He took a deep breath. "Friends, Romans, countrymen, lend me your ears. I come to bury Caesar..." He grinned. "I loved that," he said.

During his last two years in high school, excelling in math and science, "very fond always of the image of the physician in the community, the image of a person who was doing a job and was respected," he determined to be a doctor. "But you had to be rich to go to the U.S. to study," he said. As a precaution, he earned a B.S. in pharmacy at the University of Puerto Rico.

The uncle of a fellow-student had graduated from the University of Michigan Medical School. Lacot and his friend both applied there. Only Lacot was accepted. A partial scholarship from the Puerto Rican government cut his expenses to manageable proportions.

Lacot, whose English is fluent but still heavily accented, found himself at a disadvantage at Ann Arbor. His formal English did not extend to campus colloquialisms and medical terminology. To expand his vocabulary, he assiduously listened to the radio, went to the movies, read Time magazine every week from cover to cover (he still does) and The New Yorker.

Antero Lacot, B.S., M.D., returned to Puerto Rico in 1944 to intern at the spanking new Fajardo District Hospital. "Fajardo is where the Conquistador Hotel is," he told us, clearly aware of the sad gaps in mainlanders' knowledge. By 1955, he was chief of gynecology and obstetrics. In 1964, he became director of the Fajardo Clinic, a proprietary hospital.

On March 13, 1953, he married Rosalina Lain, who is called Cuca (pronounced Koo'-kah). "She was a secretary in a finance company, very friendly with my mother, my sisters," said her husband. "So that was it!"

The Korean War separated bride and groom for two full years. As a member of the Reserves, Capt. Lacot was stationed in Kure, Japan, with the U.S. Army Medical Corps. He looks back on this period as "very pleasant—it is easy for someone who speaks

Spanish to learn to speak Japanese." But he missed the birth of his daughter, Rosalina, now 17.

"My baby was born on Dec. 19th and I found out on Dec. 25th," he reported. The telegram informing him he was a father was sent to his APO address in San Francisco, then airmailed from there. "I called my wife right away and then I went to the bar," Dr. Lacot said. "It was Christmas Day—and quite a party!"

Rosalina was 17 months old before he saw her. "She started crying," he said. "She didn't know me but she called my picture, 'Daddy.'" He shook his head. "But now we're very close."

Very close indeed. At the press conference earlier this week, Dr. Lacot introduced Rosalina, a student at St. Agnes HS in College Point, as "the only woman dearer to me than my wife." Cuca joined in the laughter. So did the fraternal twins, Antero Jr. and Jose, 14, lively, handsome, groomed to the teeth and absent with leave from Eastern Military Academy in Cold Springs, L.I.

In the fall of 1966, Dr. Lacot enrolled at Columbia's School of Public Health and Administrative Medicine "with the idea of spending one or two years in New York." To gain "a better concept of public health in terms of field work," he tacked on another year with the State Health Dept.

He was put in charge of surveying hospitals that applied for certification. One of the hospitals he surveyed: Lincoln. Offered the directorship of the Neighborhood Maternity Center on Prospect Av. in the Bronx, an affiliate of Lincoln and Yeshiva's Albert Einstein College of Medicine, Lacot decided to settle in New York permanently.

"In the meantime," he said, "the children have been here two years. They had friends here. They didn't want to change schools."

Came the crisis at Lincoln, with Puerto Rican community leaders demanding Lacot's promotion to administrator and Hospitals Commissioner Terenzio douthumping the suggestion on the grounds that the candidate lacked administrative experience. When the dust settled, Lacot was in and Terenzio out (via resignation). Controversy is now Lacot's intimate. "We live in a controversial world," he said laconically, lighting a filtered cigaret.

At Einstein, Lacot ranks as assistant professor of gynecology and obstetrics, ditto of preventive medicine and community health. At the New York School of Psychiatry, he is clinical professor of community health.

At College Point, the doctor and his brood troop to the beach together. On Sundays, they go to Mass, a movie (Lacot prefers films about detectives), a restaurant. "You're going to laugh," he said. "I have simple pleasures. I have the wrong job, but I like leisure."

"I enjoy reading in a hard chair, taking a nap, working in the garden, washing my car. I don't need much to make me happy, honestly. One thing I enjoy very much is talking to people. And not necessarily about medical or scientific things, but how life is, why things are this way or the other way."

He drinks scotch and water, a dry martini with an olive before dinner, favors beef, spicy foods, pastillitos—which is something like a meat pie. And, of course, rice and beans. He retires at 11 p.m., always rises at 5 a.m. "Including Sundays," he said, amused by the interviewer's unconcealed look of horror.

"I get up and prepare breakfast for my two chihuahuas, Cuquita and Bambi. Scrambled eggs." By 8:30, having driven to the Bronx in his green Chrysler, he is behind his desk.

"In my 14 months here, I've had a lot of long days but I'll tell you this," he said. "I've never had a single long day in my life doing routine work. I do not believe in a 14-hour work day. You should be able to do your work in 8 hours. If you cannot do it, that

means you need more staff or you are too slow."

He lit another cigaret. "I smoke half a pack a day," he said. "Oh, no," Mrs. Garcia, on her way out, said darkly. "He smokes a lot." Her boss chuckled. "No one's asking you," he said. "Don't you know that will endanger public health?"

Lacot thinks it would be "appropriate" for the man who follows him at Lincoln to be Puerto Rican, since 70 per cent of the population Lincoln serves is Puerto Rican. In his own case, he takes it for granted that "being Puerto Rican must have had some influence in my appointment." But his qualifications do not end there: "I would hate to see myself selected just because I'm Puerto Rican."

Of the city's hospital network, afflicted with too many patients, too little staff, too high costs, too little money, obsolete plants and antiquated equipment, Lacot said:

"I think we are dealing with an overheated and overburdened organization. Its troubles come not from inefficiency but from the tremendous demands and the tremendous needs of the community. We need more resources. More money. But I do not believe that money alone will improve the quality of health care.

"I think we have to introduce management systems that will improve the corporation's effectiveness. I am very concerned about the fact that industry has gone way ahead of the public services in terms of improvement."

His telephone rang and Lacot picked it up "Thank you," he said. "Oh, there are other good people." Then he said with mock seriousness to his caller: "As good as me? This is impossible. I am irreplaceable!" And he laughed aloud.

He sounded like a happy man.

#### AID TO THE ELDERLY PACKAGE

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. WALDIE. Mr. Speaker, we are all aware of the many problems faced by our senior citizens as they attempt to survive and maintain a meaningful existence in the face of a society oriented entirely toward youth. It is my view that this Government can and must provide assistance for these people wherever and whenever it is feasible. To this end I have introduced 12 measures which I feel will form a significant contribution to the improvement of the lives of our older citizens. The bills can be summarized as follows:

The first bill, "Middle-Aged and Older Workers Employment and Community Service Act," authorizes, under Title I: General Provisions:

Appropriations of \$140,000,000 for fiscal year 1972 and \$210,000,000 for fiscal year 1973 for purposes of this act.

Directs the Secretary of Labor to establish criteria to achieve an equitable distribution of assistance under this act among States and between urban and rural areas.

Title II: Midcareer Development Service Program: Establishes a comprehensive midcareer development service program, to be administered by the Manpower Administration in the Department of Labor, to assist middle-aged and older workers to find employment by provid-

ing training, counseling, and special supportive services to such workers.

Authorizes the Secretary of Labor through the Manpower Administration to make loans and grants to public and private nonprofit agencies, institutions, and organizations and to individuals for training, including on-the-job, institutional, residential, and other training, designed to upgrade the work skills and capabilities of middle-aged and older persons who are at least 45 years of age.

Authorizes the Secretary to develop and carry out a program to train an adequate number of people to understand learning processes of middle-aged and older persons. Provides for making personnel available to localities where such persons are unemployed as a result of plant closings or large scale reduction in work force.

Title III: Older American Community Service Employment Program: Provides an order to foster and promote useful part-time work opportunities in community service activities for unemployed low-income persons who are 45 years old or older and who have poor employment prospects, the Secretary of Labor is authorized to establish an older American community service employment program.

Authorizes the Secretary to enter into agreements with public or private nonprofit agencies to further the goals of such program. Prohibits the Secretary from paying more than 90 percent of the cost of project which is the subject of an agreement.

Title IV: Special Reports and Studies: Directs the Secretary to undertake, either directly or by way of grant or contract, a thorough study of manpower program authorized by provisions of Federal law other than this act, and other federally assisted training program to determine whether such programs are responsive to the needs of persons who are at least 45 years of age. Requires the Secretary to report the findings and recommendations of this study, and his own recommendations with respect to additional legislation, to the President for transmittal to the Congress not later than January 31, 1973.

Requires additional studies on extended unemployment compensation and disability programs, and on Federal Employment Opportunities.

The second bill directs the Secretary of Health, Education, and Welfare, within the Public Health Service, to conduct a program for the training of State officers or employers who are authorized by the State to participate in such program and who are charged with the responsibility of conducting inspections of long-term health care facilities in the State or carrying on other appropriate activities designed to assure that long-term health care facilities operating in the State comply with applicable licensing and other requirements of State or local law.

Authorizes the Secretary to issue necessary regulations relating to the program.

Authorizes appropriations of \$2,500,000 for the fiscal year ending June 30, 1972,

and \$5 million for each of the next 3 fiscal years.

The third bill authorizes the Secretary of Health, Education, and Welfare to make grants to public or nonprofit agencies, institutions, and organizations to provide for the training and retraining of nurses aides and orderlies. Authorizes to be appropriated \$2,500,000 for the fiscal year ending June 30, 1972, and \$5 million for each of the next 3 fiscal years.

The fourth bill provides grants to medical schools under the Public Health Service Act to train certain veterans, with appropriate experience as paramedical personnel, to serve as medical assistants in long-term health care facilities. Authorizes to be appropriated \$2,500,000 for the fiscal year ending June 30, 1972, and \$5 million for each of the next 3 fiscal years.

The fifth bill, the "Housing for the Elderly Act," authorizes an additional Assistant Secretary under the Department of Housing and Urban Development to be designated an Assistant Secretary for Housing for the Elderly. Provides that all programs administered by the Department to provide aid or assistance in behalf of the elderly be administered by and through the designated Assistant Secretary.

Directs the Assistant Secretary to: First, make maximum use of the loan program under section 202 of the Housing Act of 1959 in providing housing and related facilities for the elderly; second, be regularly consulted with all respect to all other programs of the Department to the extent that they provide or otherwise involve housing for the elderly; third, provide a central source and clearinghouse of information with respect to housing for the elderly; fourth, coordinate housing programs for the elderly and seek ways to consolidate programs which overlap; and, fifth, carry out studies and make recommendations for such administrative and/or legislative action as may be appropriate to meet the housing needs of the elderly in rural areas, including emergency grants where necessary for the repair or rehabilitation of dwelling units.

Liberalizes the mortgage procedures relating to housing for the elderly.

Authorizes the Secretary of Housing and Urban Development to make grants for the planning and construction of multipurpose facilities to demonstrate the utility and feasibility of such facilities in meeting the special needs of elderly persons for adequate housing and readily available medical and related services. Authorizes appropriations for such programs of \$25 million for each of the fiscal years 1972, 1973, and 1974.

The sixth bill provides for the inclusion of prescription drugs on the list of services for which the providers of such services will be paid under the Health Insurance program. Limits payments for such drugs to instances where such drugs are dispensed by a licensed pharmacy except that payment may be made to a physician when the Secretary of Health, Education and Welfare determines that such drugs were required in an emergency or that there were no pharmaceutical services available.

Establishes a Formulary Committee within the Department of Health, Education, and Welfare a majority whose members must be physicians. Provides for the publishing of a formulary of drugs eligible for reimbursement and sets standards for the inclusion of qualified drugs on such list. Authorizes the committee to set the maximum allowable cost for such drugs. Requires that pharmacies be reimbursed at a rate to include a fee for professional services not to exceed the median of all fees charged within a particular State or region of the country. Authorizes the committee whenever possible to list the drugs by their generic names.

The seventh bill, the "Uniform Long-term Health Care Facilities Standards Act," directs the Secretary of Health, Education, and Welfare in consultation with the Secretary of Housing and Urban Development and such other governmental officials as the Secretary deems appropriate to conduct a study and review of the various Federal programs which provide assistance to facilities for long-term health care with a view to developing and recommending for adoption by the Congress of more uniform: First, designations for the various types of such facilities which are eligible to receive assistance under such programs; and second, standards which the various types of such facilities must meet in order that they will be eligible for such assistance.

Requires a report to Congress within a year with recommendations. Authorizes necessary appropriations.

The eighth bill, authorizes the Secretary of Health, Education, and Welfare to conduct a study and investigation of the operation of programs receiving Federal financial aid under title XIX of the Social Security Act involving care to individuals in long-term health care facilities. States that the purpose of such a study will be to determine the desirability and feasibility of imposing, as a condition for receiving such Federal assistance, the requirement that the State agency that administers such programs would have certain regulation enforcement functions otherwise vested in the State agency charged with the licensing and inspection of such facilities.

Provides that on or before July 1, 1972, the Secretary shall complete such study and investigation and submit to the Congress a report with the Secretary's recommendations.

The ninth bill, the Senior Citizens Community Centers and Services Act, authorizes, under "Title I: Construction of Multipurpose Community Centers for Senior Citizens," the Secretary of Health, Education, and Welfare to make allotments to the several States for the construction of multipurpose community centers for senior citizens on the basis of first, the total population and the population of senior citizens; second, the extent of the need for community centers for senior citizens; and third, the financial needs of the respective States. Provides that no State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year shall receive less than \$100,000.

Requires the Secretary to prescribe by general regulations applicable to all the States standards for the construction and equipment of such centers and the kinds of community centers and services that are needed to provide adequate social services. Requires any interested State to file a plan pursuant to the regulations prescribed by the Secretary and upon the approval of such plan by the Secretary the State agency shall forward to the Secretary applications for individual construction projects. Sets standards for the approval of such applications. Authorizes to be appropriated the sum of \$70 million for the fiscal year ending June 30, 1973, \$140 million for the fiscal year ending June 30, 1974, and \$200 million for the fiscal year ending June 30, 1975.

Title II: Initial Staffing of Multipurpose Community Centers for Senior Citizens: Authorizes the Secretary to make grants to meet the costs of the compensation of professional and technical personnel for the initial operation of the community centers and for the delivery of social services established therein. Provides that such grants may only be made for 3 years from the date of the opening of such center and such grants may not exceed 75 percent of the costs during the first fiscal year, 66 $\frac{2}{3}$  percent during the second fiscal year and 50 percent of the costs during the third fiscal year. Sets standards for the approval of the applications for such grants. Provides that no grant may be made for the above purpose after June 30, 1975, unless a grant with respect thereto was made before July 1, 1975. Authorizes to be appropriated the sum of \$40 million for the fiscal year ending June 30, 1972, and for each of the 2 succeeding fiscal years.

Title III: Programs and Services of the Multipurpose Community Centers: Declares that it is the intent of Congress that: First, all programs and services assisted under this Act shall be absorbed into the program activities of the new community centers; second, communities have maximum flexibility in designing programs that meet the needs of older citizens; and third, senior citizens will be involved in the planning, organizing and operating of all federally assisted programs. Provides that the State plans shall contain provisions which meet the intent of the Congress. Provides that the Secretary shall by regulation establish the Federal share of the costs of that portion of the State plan to be assisted by this title. Authorizes to be appropriated the sum of \$60 million for the fiscal year ending June 30, 1972, \$100 million for the fiscal year ending June 30, 1973, and \$150 million for the fiscal year ending June 30, 1974.

Title IV: General Provisions: Defines major terms contained in the Act. Provides that no State standards shall provide for a Federal share of the approved projects of more than 90 percent or less than 50 percent. Provides that the Secretary shall pay installments to the States upon certification by the State agencies that work has been performed or purchases have been made in accordance with the approved State plan. Provides for judicial review to the United

States court of appeals for the circuit in which such State is located if the Secretary refuses to approve any application for a project submitted to him.

The 10th bill authorizes appropriations of \$5 million for the fiscal year ending June 30, 1972, and \$10 million for each of the next 3 fiscal years, to enable the Secretary of Health, Education, and Welfare to make grants to any public or nonprofit private agency, institution, or organization to cover all or any part of the cost of projects for the development or demonstration of progress designed to rehabilitate aged inpatients of long-term health care facilities or to assist such inpatients to attain self-support or self-care.

The 11th bill permits under the Internal Revenue Code the deduction of all expenses for medical care of a taxpayer and his spouse if either of them attained the age of 65, and provides a credit or refund of social security taxes withheld from the wages of certain individuals who have attained the age of 65 and a corresponding reduction in the tax on self-employment of such individuals.

Finally, the last bill, the "Senior Citizens' Transportation Services Act," provides that applications under the urban Mass Transportation Act must contain provisions for reduced rates during non-rush hours for persons 65 years of age or older.

Permits reduced fares for persons 65 years of age or older under the Federal Aviation Act and provides for reduced rates for persons 65 years of age or older on common carriers in interstate commerce.

Makes it unlawful for any person engaged in the business of insuring motor vehicles or selling motor vehicle insurance to deny or refuse to sell insurance to any individual on account of his age if that individual possesses a valid driver's license.

Provides that any person who violates this provision shall be subject to a civil penalty of not to exceed \$10,000. Provides that any such civil penalty may be compromised by the Secretary and in determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. Provides that the amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

Authorizes the Secretary of Transportation, in consultation with the Secretary of Health, Education, and Welfare, to prescribe such standards for the design, construction, and alteration of buildings, structures, and facilities which are provided with financial assistance under the Urban Mass Transportation Act of 1964 and are subject to this Act as may be necessary to insure that elderly and physically and mentally handicapped persons will have ready access to, and use of, such buildings.

Authorizes the Secretary, after consultation with the Secretaries of Transportation and Housing and Urban De-

velopment, to make grants to any public or nonprofit private agency, organization, or institution and to enter into contracts with any agency, organization, or institution, or with any individual: first, to study the economic and service aspects of transportation for elderly persons living in urban or rural areas; second, to conduct research and demonstration projects regarding the feasibility of special transportation subsystems for use by elderly persons or similar groups with similar mobility restrictions; third, to conduct research and demonstration projects on portal to portal service and demand actuated services; fourth, to conduct research and demonstration projects concerning the impact of pricing structures on the comfort, well-being, and morale of elderly persons; fifth, to study transportation and social service delivery interface; sixth, to conduct research and demonstration projects to coordinate and develop better transportation services rendered by social service agencies; seventh, to conduct research and demonstration projects concerning other relevant problems affecting the mobility of elderly persons; or eighth, to conduct research and demonstration projects concerning the use of transportation personnel to assist elderly persons who use public transportation.

Authorizes to be appropriated to carry out this program \$2,500,000 for the fiscal year ending June 30, 1972; and \$5 million for the fiscal year ending June 30, 1973.

I am sure that my colleagues share my concern with the plight of the elderly in this country. I have introduced this legislation in the hopes of alleviating some of their more pressing problems and I hope all the Members of this House will give these measures careful consideration.

#### RABBI COHEN SPEAKS OUT ON ABORTION

**HON. LAWRENCE J. HOGAN**  
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, July 20, 1971

Mr. HOGAN. Mr. Speaker, I have frequently stated my strong opposition to liberalized abortion policies. It is clear to me as well as to many others that an abortion illegally and immorally deprives the child of his inherent right to life.

Because of my position I was very pleased to learn of a statement issued recently by Rabbi Meyer Cohen, director of the Union of Orthodox Rabbis of the United States and Canada, in which he points out that abortion, "even when legalized by the state, does not cease to be a flagrant violation of the basic and fundamental religious and ethical principles."

I commend Rabbi Cohen for his comments and insert the full text of his statement into the RECORD for my colleagues' deliberate consideration.

#### STATEMENT ON ABORTION BY RABBI MEYER COHEN, DIRECTOR OF THE UNION OF ORTHODOX RABBIS OF THE UNITED STATES AND CANADA

Abortion in general is prohibited in Jewish law. In extreme cases, such as a pregnant woman's serious illness, competent orthodox rabbis should be consulted and they in turn, after ascertaining her condition from competent physicians, will decide upon the merits of the case, and their decision is to be followed.

[Elaborating upon this instruction to Jewish women, we wish to stress the following general points:

[Abortion, even when legalized by the state, does not cease to be a flagrant violation of the basic and fundamental religious and ethical principles. Human life, including the life of an unborn child, is one of the most sacred things. Mere human legislation cannot change that status. Considering the fact that the unborn child is innocent and defenseless, makes abortion doubly sinful and repugnant. Thus abortions are transgressions against religion and against humanity. Sanction by the state of abortions has an additional aspect of evil, for it undermines the very bases of society's regard for the sanctity of human life.]

#### VIETNAM PEACE PLAN

**HON. DON EDWARDS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, July 20, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to take this opportunity to share with my colleagues an article on the "Vietnam Peace Plan" in the July 8-14, 1971, edition of the French Newspaper *Le Monde*. The article points out that the recent peace proposal by the South Vietnamese Provisional Revolutionary Government—Vietcong—was not rejected by Washington. The fact that the White House has not rejected this peace proposal hopefully indicates that the administration is sincere about the political settlement they hope to find at the Paris peace talks.

#### VIETNAM PEACE PLAN—SIGNS OF INTEREST FROM WASHINGTON

For the first time a peace plan put forward by representatives of the South Vietnamese Provisional Revolutionary Government (PRG) at the Paris talks has not been rejected out of hand by Washington. Yet none of the earlier proposals presented by Hanoi and the PRG had been couched in take-it-or-leave-it terms. They were meant to serve only as a basis for negotiations.

The PRG seven-point plan, introduced by Mme. Nguyen Thi Binh, the Vietcong chief negotiator in Paris, certainly contained some fresh ideas, one of which linked the pace of troop withdrawal to the release of American prisoners of war. It also attached much greater importance than usual to the future role of the opposition forces in Saigon, ruling out none of the "means" these hard-pressed movements could use to form a government of "national concord."

Mme. Binh was also more explicit than usual about postwar developments and the period of transition—pending reunification—during which South Vietnam will temporarily join a Southeast Asia more under American and Japanese influence than under Communist one.

Mr. Nixon is of course free to choose from the seven-point PRG programme the points which suit him best, but he knows that Mme. Binh's proposals form a whole. It is true that military and political questions are handled under separate heads in this peace plan, while the Vietcong has not surprisingly branded the "Vietnamization" of the coming elections as no less fraudulent than the "Vietnamization" of the war. But for the time being, at least, the White House continues to back President Nguyen Van Thieu.

However, the American leaders have been gradually driven into a corner. First of all, the PRG's plan includes the proposals on prisoner release and troop withdrawal recently voted by the United States Senate and not unfavourably commented upon by the official New China News Agency.

In addition, Mr. Nixon can afford no further delays in the repatriation of most of his forces, which have become increasingly undermined by problems of morale and the heavy use of drugs.

The economic and financial situation of the United States—the dollar crisis, unemployment and inflation—also call for a revision of the nation's order of priorities, with less than eighteen months to go before the next presidential elections.

None of these facts has escaped the attention of the PRG. Nor has it failed to take into full account the rising discontent in the villages of the south and Saigon's army setbacks in Laos, Cambodia and near the demilitarized zone. But it makes no attempt to conceal its mistrust of American good will. It knows, for example, that the United States government, either directly or in the shape of "private" projects, has sponsored plans for the economic "Vietnamization" of the south. These projects are aimed at strengthening the present regime's hold over the country, and ensure its continued presence within the "liberal" Asian camp.

Deeply preoccupied by the specifically military aspects of the war, the US Senate advocates of an early end to the conflict seem to have completely overlooked these plans, which if carried out, might prolong the fighting. In addition, Washington has given no signs of toning down its support of the regimes in power in Vientiane and Phnom-Penh.

Although the White House struck an encouraging note by stating its "interest" in the PRG proposals, it seems premature to express optimism about the possible outcome of this peace move. These are trying times for Mr. Nixon, and he badly needs a breakthrough in the negotiations. Unfortunately, there is every reason to believe that America's present rulers remain unshakably wedded to the dream of an Indochina "allied" to the United States.

#### "ENVIRONMENTAL PRESIDENT"

**HON. LUCIEN N. NEDZI**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, July 20, 1971

Mr. NEDZI. Mr. Speaker, The Christian Science Monitor of July 12, 1971, carried an interesting column by Peter C. Stuart under the heading "Environmental President" in which the environmental activities—or lack of same—of President Nixon are set out in rather clear perspective.

I was particularly pleased to see the record set straight with regard to the

creative roles of our colleagues, Congressmen DINGELL and REUSS and Senators MUSKIE and JACKSON.

I believe my colleagues will find Mr. Stuart's comments useful and I insert the text of his article to appear at this point in the CONGRESSIONAL RECORD.

[From the Christian Science Monitor, July 12, 1971]

ENVIRONMENTAL PRESIDENT

(By Peter C. Stuart)

WASHINGTON.—Richard Nixon, we are now told, is "the first truly environmental President."

The Chamber of Commerce at Nashua, N.H., got the word firsthand from Secretary of the Interior Rogers C. B. Morton.

The source is a curious one. Mr. Morton is remembered as the man whom Mr. Nixon appointed six months ago after firing his administration's most outspoken environmentalist, Walter J. Hickel.

The new Interior Secretary, too, is evidently given to overstatement, at least where his boss is concerned.

Rhetorical pollution spews freely these days from all quarters. But when it comes from the top of the government, it carries the stamp of officiality—and deserves special examination.

The nation's "first truly environmental President," someone has calculated, never once mentioned the topic of environmental quality during his 1968 election campaign.

He has since compensated for this oversight, however, with a sprinkling of solid environmental works—and a torrent of environmental words.

"The President," Secretary Morton proclaimed back in New Hampshire, "restructured and revitalized the federal government to cope with the critical problems of the environment." He specifically mentioned creation of the President's Council on Environmental Quality.

Whoa, there. The council—the President's environmental right arm—was devised by Democrats in Congress (Sen. Henry M. Jackson of Washington and Rep. John D. Dingell of Michigan) and foisted upon a reluctant President Nixon.

Another member of the President's environmental "team" also has let his rhetoric get away from him. William D. Ruckelshaus, administrator of the Environmental Protection Agency, boasted to the National Press Club earlier this year that "we dusted off the 1899 Refuse Act."

Nothing could be further from the truth. Not only was the rusty old law against water pollution "dusted off" by someone else (the House Conservation and Natural Resources Subcommittee chaired by Rep. Henry S. Reuss (D) of Wisconsin), but the Nixon administration resisted enforcing the rediscovered law for months.

"Judge us by our actions, not our words," the President (in substance) has counseled his critics. What better measure of environmental action than money spent?

In its first two fiscal years, the "first truly environmental President" and his administration spent proportionately less money for natural-resources functions than the average for the previous 10 years.

Although Mr. Nixon proposes nearly doubling such outlays in the upcoming fiscal year, among the budget's 13 functional categories natural resources still falls tenth.

When this budget was released earlier this year, pollster Louis Harris was reporting that Americans rated environmental pollution as "the most serious problem" facing their communities.

All of which gives an ironic twist to the claim made by Secretary Morton last month to the National Audubon Society convention: "President Nixon's leadership is helping

us develop a better understanding of priorities."

There is some evidence that environmental drumbeating, while it won't clean up pollution, may sway public opinion. The Harris Poll recently reported that Americans rate environmental newcomer Nixon higher on "air and water pollution control" than Sen. Edmund S. Muskie (D) of Maine (36 percent to 33 percent). Never mind that Senator Muskie has been writing antipollution legislation, virtually alone, since the early 1960's—long before it became good politics.

THE PROPOSAL TO CITE  
DR. STANTON OF CBS

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1971

Mr. DELLENBACK. Mr. Speaker, on July 13, 1971, the U.S. House of Representatives voted 226 to 181 to return the contempt citation against the Columbia Broadcasting System and its president, Dr. Frank Stanton, to the House Interstate and Foreign Commerce Committee for further study. At the time of the actual vote I was unavoidably away from Washington. I stayed on the floor until after 3 that day hoping that the vote would come before I had to leave to catch a 3:30 plane. The vote did not come until after 4. I did, however, leave instructions with House staff personnel that I wished to be paired against the citation or, in the alternative, in favor of a motion to return the measure to committee. The Pairing Clerk was unable to find me a pair. As a result I wish to take this time to make my position against citing CBS and Dr. Stanton clear.

May I repeat at this time what I have stated on a number of occasions before committees and on the floor of the House. I own a minority stock interest in a corporation which is engaged in broadcasting, being the licensee of a television station and three radio stations in southern Oregon and northern California. I hope that the position I took on this issue was not distorted by this fact, and in truth I don't believe it is. But as a believer in and advocate of full disclosure, in fairness I disclose once again the fact of this ownership.

I believe that the committee's need for the requested background information on the documentary, "The Selling of the Pentagon," to complete its investigation into alleged deceptive editing practices was not great enough to risk the serious implications such a contempt citation could have on first amendment rights and on the power of the Congress to seek necessary information in connection with proposed legislation.

This is a complex constitutional issue which has many ramifications, and the adverse effects of finding Dr. Stanton and CBS in contempt of Congress could quite possibly set a very dangerous precedent. I am pleased that the House re-committed this unsound measure.

Even though Dr. Stanton and CBS resisted the subcommittee's subpoena,

the network in effect conceded certain errors in connection with the preparation of the documentary by changing their procedures to be used in future similar programs. So the subcommittee's basic goal of avoiding this type of situation in the future has really been reached.

Once again let me reiterate my position, had I been able to be on the floor of the House at the time of the vote I would have cast my vote in favor of the motion to recommit the contempt citation to the committee for further study. Furthermore, had a straight vote on whether or not to cite CBS and Dr. Stanton as being in contempt of Congress come before the House, I would have voted against such.

PREDICAMENT OF EX-FELONS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. FAUNTROY. Mr. Speaker, yesterday, I introduced H.R. 9893 to restore to convicted felons their right to vote in elections in the District of Columbia. My attention is called to an article by William Raspberry in the Washington Post. In it, he discusses the hardships that an ex-convict can encounter in seeking a job. Many of the difficulties, I think, lie in the fact that we do not accept a man who has paid his debt to society as a citizen.

I commend this article about an ex-felon who has encountered these difficulties to my colleagues because I think it expresses in the most poignant terms what it means to be free and yet still a captive of the past. I do not claim that H.R. 9893 will free the shackles of the past from men as Sidney Gross, but I believe that unless the state removes the stigma of a felony conviction, by restoring full citizenship rights, ex-convicts will always remain prisoners and unable to work as productive members of our society.

The article follows:

SENTENCES ARE FOR LIFE

Sidney Gross isn't looking for sympathy. He has served his three sentences for robbery and larceny, and he is not griping about that.

But he does have a point when he says he hasn't done anything that merits a life sentence. His last bit was for stealing a television set.

A life sentence for that? Well, not technically. He is free as far as the courts are concerned, or at any rate he will be as soon as he comes off parole next year.

But at age 42 he is finding out what countless men half his age are discovering every day: Every sentence is a life sentence.

That business of paying your debt to society may have some meaning as far as courts and prisons are concerned, but as far as society is concerned, the debt is never paid.

Gross, at age 42, is paying through his inability to find work. The courts have nothing to do with that; it's the rest of us who are punishing him.

For most of his adult years—at least those that were not spent behind bars—Gross has been a truck driver. A good one, he says, who can handle any kind of rig. He says he has an accident-free driving record.

He also has 80-odd job applications on file all over the area, although he really doesn't expect anything to come of them. He has a prison record.

Not many people will tell him that his record is the reason they won't hire him, says Gross, who is black. What happens is that the vacancies simply disappear when they discover he is an ex-con.

He said he chased one job 122 miles round trip, only to have it evaporate when he showed up. "You know you kinda get used to expecting something like that to happen," he said, "so I stopped half way there and called to make sure there was still a job. They told me, sure, come on. When I got there they told me the job had been filled." The next day the ad was back in the papers.

"Man, truck driving is the only thing I know. You show it to me, and I'll drive it. I've got \$80 worth of licenses, but that ain't worth nothing without a job. What do they expect me to do? I've got to eat, you know."

What they expect Gross to do, of course, is to rob again. They expect it so much that they practically guarantee it.

Employers know that they are forcing ex-convicts into criminal activity when they refuse to give them work. The way they see it, if they have two applicants for a job and one of them has a record, it's a safer bet to take the other one.

They know that eventually the rejectee may have to pick up a gun in order to feed himself; they just hope he will point it at someone else.

Gross, who may be a bit prejudiced on the matter, thinks the employers are stupid.

"I mean, look at it this way. If they hire me and I mess up, it's the easiest thing in the world to find me. As long as I'm on parole, all they have to do is snap their fingers, and I'm back in jail.

You know I've got more to lose than the man with a clean record, which means the man will be taking less of a chance on me. I know I've done some things I shouldn't have done, but I never took anything from anybody I worked for. Never. But nobody wants to give a man a break."

It's hard to know whether to be more or less sympathetic with Gross than with countless other record-burdened job-seekers.

Unlike many of them, Gross does have a definite useful skill, a fact that may serve to intensify his frustration. But also unlike a lot of the others, he has only himself to worry about. So many jobless ex-cons have families to feed.

I suppose Gross's predicament can help drive the point to young people that crime doesn't pay.

But it doesn't seem reasonable to make a convict pay so much beyond what the judicial system says is the price of his crime, to make every sentence a life sentence.

It's as though we start off thinking once a criminal always a criminal, then do everything we can to make it so.

#### MAYOR MINETA GIVES SAN JOSE'S FIRST STATE OF THE CITY ADDRESS

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to take this opportunity to share with my colleagues the words of Norman Y. Mineta, mayor of the city of San Jose, Calif., in his "state of the city" address to the people of San

Jose. Mr. Mineta, the first Japanese-American mayor of a major American city, was elected in April of this year. His dedication to the complex problems of the rapidly growing city of San Jose has been clearly demonstrated in his efforts as city councilman and vice-mayor. Mr. Mineta faces the challenges of the office of mayor with innovative and progressive vision. I commend his "state of the city" speech to you:

#### THE STATE OF THE CITY

(By Norman Y. Mineta)

Some months ago when I announced my candidacy for Mayor, I did it with the conviction that if elected I might be able to help the people of this community to address and correct the problems which we must face and put to rest in the decade of the 70's. Since the electorate has given me this opportunity, I would like to outline the program I have in mind.

We know what our problems are, but somehow have seemed incapable of summoning the necessary will and resources to act. We see our Bay dying, our rivers growing filthier, our atmosphere increasingly polluted. We understand that oppressive poverty in the midst of affluence is intolerable. We are aware of racial tensions that could tear our nation, as well as our city apart. We recognize that these problems do not stop at our borders, but are common to all the cities in our region, and throughout this land. We see our society sliding toward disaster!

We all know we cannot turn away from the problems which surround us, for it is our land, our city, and the quality of our lives which are affected. We know we must act. The only question is how.

After having consulted with my fellow Council members, I, as Mayor of this city, would like to share with you today some observations and goals which I have for San Jose, in the hope that if you share in these beliefs, we will be able to begin to work together to bring about their implementation.

The cornerstone upon which I believe we can build a record of progress, is that we, as elected officials, and the entire fabric of city government must establish new and considerably closer working relationships with the people of this community. To bring this about, however, two things will have to happen. First, the Mayor, the City Council, and most importantly the professional employees of this city will have to want the participation of our citizens in deciding what is to be done. As the city administration, we are going to have to recognize that people do not interrupt our business—people are our business!

Secondly, the people of this community—and I do mean all the people of this community—must be willing to speak out and to give us not only the benefit of their ideas but the benefit of their efforts as well. We must all become involved. It is my firm belief that we must take a look at ourselves and ask what we have done to give confidence in self-government. Too many take a free ride as far as any distinctive effort to serve the common good. Too many are apathetic, self-absorbed, and self-serving. In a vital society such as ours, we have a responsibility to reject fiercely and consistently those who exploit fear and anger and hatred for their own purposes. One cannot rid himself of these emotions, but you can reject those who live by manipulating them. Such persons, and I do not call them leaders, will not move us towards a better future.

Most Americans want to see problems solved, including the problems of poverty, race, and the quality of life. People do want to see justice done, and in order to get results the citizen must publicly voice his

opinion against those who are unwilling to work toward the solution of our common problems.

In recent years, members of the City Council have attempted to involve more and more citizens in the decision-making process, through creation of boards, commissions, committees, and task forces. Despite these efforts, most of our citizens have not made themselves heard at City Hall in any significant way.

Now, what I propose is that instead of waiting for them to come to us with their problems, complaints, or suggestions, I propose that we—the Mayor, the City Council, and top members of our city administration—go into the neighborhoods to listen to the people we serve.

To accomplish this, I suggest the City Council hold a series of meetings in all the neighborhoods of the city each year. The City Planning Department already has divided the city into 14 planning areas, and those which have become urbanized can serve as neighborhoods for purposes of these Town Forums. Council members and members of the city administration should attend these forums to answer citizens' questions and to note complaints and suggestions.

I also propose that the Council authorize the establishment of Neighborhood Planning Councils in each of these areas. These groups of citizens would be selected by residents of each neighborhood to serve as advisors to both the City Planning Commission and the City Council on all matters of neighborhood concern, including planning and zoning.

This type of Neighborhood Planning Council will give the City Council and the city administration a greater opportunity to listen to what the people want and to help them achieve it. This proposal really is not new for San Jose, for the Model Cities program is an example of our efforts to bring about an innovative approach to planning by utilizing citizens at the neighborhood level. Parenthetically, let me say that I, and other members of the Council, are dedicated to making the Model Cities program a success.

I will suggest that each Councilman assume responsibility as liaison to one or more of these neighborhood groups. This could be accomplished by combining certain of the Planning areas to create six liaison districts: one, West San Jose; two, Willow Glen; three, Edenvale-Almaden; four, South San Jose-Evergreen; five, Alum Rock-Berryessa; and six, Central-North San Jose-Alviso. While this arrangement would have no legal status, it would give many of our citizens a direct line to the City Council on matters of concern to their neighborhood, and also would let us see how the frequently-discussed plan for City Council districts might function.

Now, let me share with you some thoughts I have on the issues and problems facing the city and possible solutions and approaches that might be considered. However, in enumerating these issues, I will not be discussing them in any order of priority.

Although only six years have passed since the voters approved our present City Charter, I believe it is time to take an intensive look at the relationships of the Mayor, the City Council, and the city administration and the type of representation provided to the people of this city.

We must modernize the City Charter and make it more responsive to the needs of this rapidly growing community.

I urge the City Council to appoint a citizens committee, representing all elements of the community, to review the existing City Charter and to recommend any changes it believes are necessary.

Another program I would hope the City Council will initiate as a means to involve more citizens in their government is one called the "Night Mayor" in some cities. Under this program, citizens man telephones in

the Mayor's office after the regular closing hours for city offices. These unpaid volunteers record non-emergency complaints from citizens who now must be told to call back the following day—a frustrating and negative response to people with problems. Through the "Night Mayor" program, many citizens can be satisfied immediately, while others will have the assurance that a regular city employee will be able to start work on the problem without another call.

There are 21 Community Goals, developed by our citizens and adopted by the City Council several years ago. They relate to a variety of subjects, covering almost every aspect of community life. But, if I could choose a single, all-encompassing concept about the future San Jose, I would say that all of our efforts should be designed to recreate San Jose as, "The Garden City," a term by which it was known not too many years ago.

I do not mean that we should attempt to return to the days when San Jose was a sleepy, post-war town in the middle of a valley whose major industry was agriculture. Those days are gone forever, and San Jose is an urban giant with a half million population in an industrialized valley with twice that many residents.

No, by "The Garden City," I mean that all our efforts should be directed toward creating a quality of life in the San Jose of today in which the needs of the people are provided and in which all the people have an opportunity to participate in determining the delivery of those services.

We must be concerned with the environment of those people who already populate this valley. We must control and manage the inevitable growth which has created many of the problems that we face here. There are those who would stop all growth, if they could, because they see it as a danger. I do not fear growth in size or in numbers. I see it as a challenge which can be converted into an asset for all, as long as we are willing to make many of the hard decisions necessary to bring growth under control and make it manageable.

We must adhere closely to the new urban development policy adopted by the City Council earlier this year. It contains future growth within the urban area, rather than allowing development to occur in outlying areas. This can help us improve the environment for the benefit of all city residents.

We must continue to work closely with regional agencies established to solve air and water pollution problems. We must look to our Environmental Task Force to develop local recommendations in a variety of fields, including noise control, recycling of waste materials and protection of open space.

I detect a resurgence of community pride and a desire to identify with the City of San Jose. In the furtherance of developing this latent spirit, we should attempt to create a new image for our city. Two steps I would urge the City Council to take would be to ask the San Jose Chamber of Commerce to develop a new logo or symbol for the city to use, and also to ask the Citizens Community Improvement Committee to develop a program that would, in actuality, restore some of the visual beauty of the "Garden City."

The citizen and taxpayer who demands services must realize that San Jose's present financial structure allows the city to provide service at only minimum levels. Compared with the 17 largest cities in California, San Jose ranks at or near the bottom of the list in the amount of money it spends for such municipal services as police, fire, library, and parks and recreation. Were it not for the fact that we have some of the most knowledgeable and dedicated public employees in the country, we would not be able to maintain even our current level of services. Still, we must

continue to analyze existing services, eliminate non-essentials, improve our management techniques, and train our employees to provide better service to the public.

Another major area of financial concern is the city's capital improvement program. By fiscal year 1972-73 all of our remaining general obligation bonds will be sold and without a new bond program, or some alternative financing plan, we will be unable to meet the future needs of the community for facilities necessary to serve our growing population.

Last year, a citizens committee was formed to review city operations, expenditures, and finances. This group is expected to make its final report to the City Council next June. However, we should not wait until June to learn if we should proceed with general obligation bond financing for future capital improvements. To wait that long would allow an undesirable break in the capital program.

I suggest the City Council ask the citizens committee to give us its recommendation on capital needs by early next spring, so that the administration and the community will have sufficient time to prepare a detailed program for submission to the voters later in 1972, should that course of action be necessary.

One of the major capital investments that must be made in the near future involves the creation of a transit program as part of a balanced transportation system in Santa Clara County. We are fortunate to have one of the finest road networks in the state with our County Expressway System coupled to the network of state freeways and local major streets. This system will be enhanced in the future by the development of the Guadalupe and West Valley Freeways that will be constructed by the state. We are pressing for early completion of these two vital units of our freeway system, since we recognize the need for automobile transportation as part of a balanced system for moving goods and people.

We also recognize the need to develop a program that will move masses of people around the county and the Bay Area. Your Council and city administration, together with citizens and officials from all parts of the county, have actively supported formation of a county-wide transit district. Two recent elections have seen this proposal fail by narrow margins, compelling San Jose and Palo Alto to join together to provide an interim mass transit program based on the service offered by the private San Jose City Lines and the Peninsula Transit Lines. We are hopeful the U.S. Department of Transportation will approve the application for a two-and-one-half-million dollar demonstration program that will bring modern equipment and innovative service to expanded areas of both Palo Alto and San Jose. This will not be just another bus system, but one which we hope will show the voters of the entire county a system which could be developed countywide by a Transit District. Because of the importance of transportation, I will ask the San Jose City Council to urge the County Board of Supervisors to place another transit district formation measure before the voters of Santa Clara County no later than November, 1972.

Recently, as a spokesman for the National League of Cities and U.S. Conference of Mayors, I had the opportunity to cite before a congressional committee the housing problems as they exist in San Jose. I testified that the lack of housing for low and moderate income families continues to plague us, despite the fact that private builders have constructed an average of more than 6,700 new homes each year for the past 10 years.

On the other hand, the Federally-assisted housing programs which are available to us without a referendum also have not filled the needs of the low income market.

We must take steps to alleviate this problem. The City Council must weigh carefully the recommendations of the City Housing Task Force and implement its proposals. Personally, I pledge to continue working closely with federal officials, for the housing issue is one we cannot solve alone. I will continue to support the home building industry's efforts to secure adequate funding of the 235, 236, and rent subsidy programs to solve part of the problem. We also must continue our efforts to conserve and rehabilitate our inventory of existing, older housing to insure that it continues to provide decent, safe and sanitary shelter for many residents. Finally, I will support another election on a public housing measure at the appropriate time in the future.

The current economic situation is another topic that I want to discuss briefly, since it is of great importance to the city and its residents.

First, I want to announce that I have agreed to personally accept the chairmanship of the new Manpower Area Planning Council, which will determine how local agencies will utilize approximately \$14 million in manpower training funds for Santa Clara County. For the first time in the history of local manpower planning, this broadly based and highly representative council will make the decisions on how these funds will be better utilized for the benefit of the citizens of this area.

I look forward to the challenges and the opportunities this program offers us. I pledge to work to keep our level of unemployment from rising to the levels it has reached in other western communities. We recognize that 80 percent of our business and industrial expansion comes from companies which are already located here. We must assist local businesses in expanding their facilities. We must increase our efforts to diversify and expand our industrial base by finding companies which are compatible with our community goals. This effort must be made not to bring more people to our community, but to absorb those human resources that lay idled by our present high unemployment rate.

I pledge my full support to the new City Youth Commission and to all the young people of the community. The average age of 23.9 years for the San Josean is one of the lowest in the country and is another indicator of our rapid growth and potential for greatness. We must be certain that our youthful residents are given the opportunity to lead full and meaningful lives.

At the same time, we must not forget that group of citizens which has come to be known as the "forgotten Americans," our older residents. Programs must be developed by the city that relate to the needs of older citizens, many of whom are living on small fixed incomes. They have leisure and service needs that are quite different from most other citizens. Programs must be developed to meet these needs—especially since this is an increasingly larger sector of our community.

In this regard, the protection of people and property must continue to be of high priority in this community. I call on all citizens of San Jose to join with me in a pledge to support our new Police Chief, Robert Murphy, and our fine Police Department. I urge the Chief and city administration to continue to find ways to involve our policemen with all members of the community in cooperative efforts to reduce crime and increase community protection. We must continue to work together to cure the root causes of today's crime problems such as inadequate housing, unemployment, discrimination, drug abuse and the variety of other social ailments which beset all urban communities.

The day of parochialism is gone for gov-

ernmental agencies. Many of our problems cannot be solved by this city or any city alone since these problems do not recognize city boundaries.

Here in Santa Clara County there is a long history of intergovernmental cooperation among the cities and the county, stretching back to the formation of the Inter-City Council in the mid-1950's. San Jose has been an active member in this organization, as it has in the newer County-wide Planning Policy Committee and the Transportation Policy Committee. These organizations are addressing themselves to seeking solutions to specific problems that affect us locally, such as transportation, land use, development of the tidelands, and waste disposal.

The concern of all the people and their interests must be taken into account and protected by all local governments. Cooperative solutions must be sought, and San Jose will continue to work with other local governmental agencies—cities, the county, and special districts—to find the solutions which answer the needs of all the people of this valley.

In conclusion, I want to return to the basic premise upon which the progress and programs which I have tried to outline rest. That premise is that the record of progress to which I am committed can only be achieved if we and the city administration work together with an enthusiastic citizenry.

I am reminded of something Daniel Patrick Moynihan, who until recently was President Nixon's Urban Affairs Advisor, once said: "People do things about matters which they care about. And where people care about their cities they are apt to do something about them."

The legacy of crisis will probably continue, but the '70's offer us the opportunity for the improvement of our urban conditions. Our approach to the urban crisis lacked the commitment essential to dedicate the resources, muster the talent, design the technique, and order the supporting mechanisms necessary to overcome the inertia that prevents urban progress. Whether the City of San Jose will be able to meet these challenges successfully rests largely on a matrix of events, decisions and actions at all levels of government and the private sector.

The key to purposeful movement in the entire urban area must remain the Mayor and his team in City Hall. These are difficult times. There are problems that are real and solutions and avenues of approach are available to us by working within the framework of the system.

Our city will not move unless it's given a solid push. That solid push on the part of you is involvement. Your involvement must, of necessity, be vigorous and purposeful. I am confident that the citizens of San Jose have the power to act decisively as individual citizens and as a community. It is my firm hope that with my leadership and with citizen involvement that we can tackle the problems and give San Jose a solid push.

As George Washington said in the Broadway musical 1776:

"Is anybody there?"  
"Is anybody listening?"  
"Does anybody care?"  
Thank you.

## IMPLEMENTING THE 1969 COAL MINE HEALTH AND SAFETY ACT

**HON. ORVAL HANSEN**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. HANSEN of Idaho. Mr. Speaker, because of increasing attention which

has recently been focused on the Bureau of Mines' efforts at implementing the 1969 Coal Mine Health and Safety Act, I believe that the remarks recently delivered by the Director of the Bureau, Elbert F. Osborn, will prove of great interest to my colleagues.

Mr. Osborn correctly notes that this milestone act required a safety revolution in the coal mines, and he dispassionately documents what has thus far been done by the Bureau, and what must be done in the future, if the act is to be implemented to the fullest possible extent.

I commend this report to the attention of my colleagues, Mr. Speaker, and include the text of the remarks in the RECORD:

DEPARTMENTAL SURVEY ON COAL MINE HEALTH AND SAFETY, INTERIOR BUILDING, WASHINGTON, D.C., JUNE 1, 1971

(Statement of Elbert F. Osborn, Director of Bureau of Mines)

I welcome the opportunity to appear for this discussion of coal mine health and safety. It was just one year ago today that the *Health Standards of the 1969 Coal Mine Health and Safety Act* became effective. On March 30, 1970, 15 months ago, the *Safety Standards of the Act* became effective. It is now timely that a review statement of the Bureau of Mines activities in enforcement of this law should be made. And it is also timely and appropriate that all others who have comments regarding coal mine health and safety should now have a chance to be heard.

Assistant Secretary Hollis Dole in a statement last August before the Subcommittee on Labor, Committee on Labor and Public Welfare, United States Senate, said:

"Simply stated, the Act requires a safety revolution in the coal mines within 90 days and a health revolution to follow within 90 days."

The Bureau entered the revolution undermanned. The Bureau's principal weapon was the inspector force consisting of 210 inspectors, 30 inspector trainees and 60 specialists in such technical areas as roof control, ventilation, electricity and other areas of mining technology—300 all told, or about one-third the estimated number of inspectors required, to carry out the provisions of the Act.

Our personnel in the support echelon of education and training were scattered and not properly organized for effective action. Health and safety research by the Bureau was for all intents and purposes nonexistent.

During the interim between the time the President signed the coal Act into law on December 30, 1969, and my beginning as Director of the Bureau of Mines in October 1970, some progress had been made toward developing an effective health and safety force. However, not the force necessary to accomplish the needed revolution. The most discouraging fact to all of us at that time, and the most discouraging fact today, is the specter which haunts every meeting of people where coal mining is discussed—the unacceptable rate of fatalities.

The first half of 1971, however, has shown some improvement. This period has the lowest number of fatalities for any comparable period in recorded coal mine history.

The first six months of this year produced the lowest fatality rate, .73 per million man hours of exposure in recorded history for a like period.

The first half of 1971 had the lowest fatality rate, .31 per million tons of coal produced in recorded history for the first half of a year.

But we—the Bureau of Mines, industry, labor organizations, supervisors, and miners—all of us—must work together to do better—to dramatically reduce the fatalities in our Nation's coal mines.

To reduce the accident rate, we have a program consisting of three major thrusts: Regulation or enforcement, Education and training, Research and development.

For the first, Regulation, we need a qualified inspection force large enough to enforce the law. For the second, Education, we need enough teachers and education specialists to train miners, supervisors, and management on how to do their jobs safely, and to motivate them with the attitude that "safety pays." For the third, Research, we need the cooperative effort of industry, universities and our own laboratories in order to make progress in mine safety research in the shortest possible time.

The first leg of the health and safety triangle, the one receiving the most emphasis and the one on which we depend to achieve compliance with the law, is the regulation or enforcement. So there can be no misunderstanding, I wish to repeat what I said at the 54th Anniversary Convention of the National Coal Association on June 14—"I want to make a flat statement about compliance. We shall continue to seek it, indeed press for it. We will do this because it is our obligation, a duty with which we have been charged by the Congress and the President of the United States, as well as the Secretary of the Interior."

To do otherwise would be a dereliction of that duty. It would also be contrary to our firm belief in the rightness of the law, both for the industry, the miners, and for the country. But enforcement, and the required compliance, requires an adequate staff of inspectors. Progress in building our inspection force can be judged from the fact that the staff of 300 enforcement personnel on December 30, 1969, has now been increased to nearly 1100. Of this number, approximately one-half are now Duly Authorized Representatives of the Secretary and are qualified mine inspectors. An additional one-third are making spot health inspections while they complete their on-the-job training to be qualified inspectors. The remaining enforcement personnel are in formal classroom training. By the end of the calendar year, all of our enforcement personnel will be trained and authorized to inspect both surface and underground mines and at that time we will not only be making the minimum number of inspections required by law but may substantially exceed that number.

The acceleration underway in number of inspections is shown by the fact that in the first half of 1971, we made more inspections than in the entire previous year.

During the calendar year of 1970, the Bureau of Mines made 10,265 inspections. From January 1 until June 30, 1971, 11,021 inspections were made. Of these, 7,355 were made since March 30 of this year. The number of inspections per week has increased 101 percent in the second quarter of 1971 over the first quarter of this year. The increase is due to a more efficient management of inspection personnel and in part to the number of spot inspections made; however, until we are completely staffed to make four regular inspections of each mine per year, we believe that the best way to get more health and safety is through the presence of Bureau inspectors in the mines.

In order to get the greatest coverage, we use spot inspections.

The statutory requirements of the Act made it mandatory for mine management to submit roof control and ventilation plans to the Bureau of Mines for approval. These submissions have now been done for all active, producing underground coal mines. Approval of these plans by the Bureau is also nearly complete. A few plans remain to be approved partly because of the time required to go underground and look at the conditions before the plans are approved, and partly because in some areas the complexity of roof control requires much tech-

nical discussion before a final plan is approved.

The health provisions of the Act presented enormous challenges and opportunities to both the coal industry and the Bureau of Mines.

The sheer size of the tasks before us, the complexity of the problems which needed to be solved, and the urgency of the demands to improve the working environment of the miners were staggering. For the first time, coal workers pneumoconiosis and respirable dust have been recognized on a national basis as vital problems.

The Bureau is charged with establishing the most extensive respirable dust monitoring system ever attempted. A computer-based dust sampling system has been established and is working, and for the first time workers with a marked degree of coal dust induced lung impairment will be offered the option of working in a less dusty atmosphere.

To carry out the dust sampling program, large numbers of mining personnel had to be trained as to the need, responsibilities, and mechanics of the system. To date, 2,509 industry personnel and 864 Bureau inspectors have undergone this training.

During drafting of the legislation which became the Coal Mine Health and Safety Act of 1969, the levels of respirable dust that were proposed as Standards were thought by many in industry to be unattainable. It is therefore especially heartening to learn that the first level of respirable dust, 3.0 mg/m<sup>3</sup>, established by the Act, is clearly attainable at this time. Respirable dust exposures have been reduced an average 50 percent in the mines of America. The diligent application of available technology, basically the proper ventilation and water sprays, are responsible for this achievement. However, additional progress must be made through more effective use of present technology, development of new technology, and comprehensive education and training programs if the 2.0 mg/m<sup>3</sup> standard is to be achieved.

Nevertheless, this indicated compliance with respirable dust standards is exceedingly encouraging. It has now been proven that the dust levels in our mine can be lowered. It is very possible that new miners will never have to face the possible shortening of their lives by Black Lung—or coal workers pneumoconiosis.

#### ASSESSMENTS

In 1970, assessment procedures were started under the Coal Mine Health and Safety Act. Subsequently, the Department was enjoined by a Federal Court from enforcing the regulations then existing. Assessment procedures were stopped as a result of the injunction.

On January 16, 1971, regulations defining procedures for assessing civil penalties for violations of the Act were published in the Federal Register.

Since that day the Bureau's Assessment Office has been working day and night, seven days a week, to assess penalties for the nine-month backlog of Notices of Violations and Withdrawal Orders and to assess subsequent cases.

As of June 30, 1971, our Assessment Office has assessed penalties on 1,600 Withdrawal Orders and 36,950 Notices of Violations. \$4.8 million of assessments have been proposed. \$300,000.00 has been paid to date by coal mine operators. More payments are being made daily.

The tremendous backlog of Notices of Violations and Withdrawal Orders, written in the twelve-month period up to April 1 of this year, has now been taken care of, with appropriate assessments proposed.

Industry and some legislators charge that our assessments are too high. Some legislators and other critics say our assessments are too low.

We are concerned with only one thing in our assessment procedures—compliance. Penalties will be higher, if need be. It is our hope and belief, that assessments will be helpful in achieving compliance by all of industry. Withdrawal Orders and Notices of Violations will certainly decrease in number, and the mines will be safer for all who work in them.

There can be little doubt that an adversary situation developed, with the increase in the number of inspectors, the pressure on the inspectors to enforce the law and the problems encountered by industry in trying to comply. We are aware of this problem and ask all operators, labor organizations, miners and supervisors to join with us in finding ways to keep the lines of communication open between you and our inspectors and let us maintain a team effort against death and disease in the mines. To do the job we must all work together all of the time. Communication workshops will start in August in two Coal Mine Health and Safety Districts designed to find ways to lessen the adversary problems. Communication skills and personal interaction programs will soon become an integral part of our training program.

I have been speaking of enforcement of the law. The second leg of our triangle is education.

#### EDUCATION

We recognize the potential of using education and training as a vehicle to reduce mine accidents and help eliminate the hazard to the miner's health. We welcome the challenge of the Coal Mine Health and Safety Act to increase the role of education and training in health and safety activities.

Currently we have approximately 60 full-time Bureau instructors. These instructors with the help of cooperative instructors in industry have trained over 50,000 coal miners in such courses as first aid, accident prevention and mine rescue since March 30, 1971. Field instruction is supported by a Division of Education and Training Services located in Pittsburgh, Pennsylvania. This Division produces course materials, visual aids and health and safety motion pictures. We plan to offer mine management training to include instruction in such courses as "Safety Dynamics for Supervisors" and additional programs of instruction in new technology as they develop through our research and development efforts. We are establishing nine training centers throughout the United States. These centers will have the responsibility to train all coal miners in health and safety related courses, provide industry and miners with training materials, and provide a base of operations for field trainers.

The Federal Mine Safety Academy to train Federal, State and industry employees to be mine health and safety inspectors and specialists will soon be a reality. Academy classes will start in Beckley, West Virginia, in temporary quarters on September 1, 1971. We will extend our invitation to industry and labor to participate in this program. Limited space will be available in every class to non-Federal people. As the program improves, we hope to be able to accept everyone who has the desire to improve conditions in the mines.

Enforcement and education must be supported by research to develop new and improved mine safety technology. No longer can mining research and engineering be the unspectacular discipline of the past. The engineers who design mining equipment, plan new mines, develop haulage, electrical and ventilation systems must do so with a commitment to mining methods that will be inherently safer than today.

The overall policy for health and safety research was established by the Congress. The Act directs the Secretaries of the Interior and of Health, Education, and Welfare to conduct studies, experiments, demonstra-

tions, and research "to improve the working conditions and practices in coal mines and to prevent accidents and occupational diseases originating in the coal mining industry." Assigned to the Secretary of the Interior are the physical phases of the health and safety research and to the Secretary of Health, Education, and Welfare the physiological and pathological aspects. The Bureau's efforts are directed toward integrating all research and development programs into a cohesive unit to carry out this policy.

For FY 1971, \$20.4 million were allocated for health and safety research under the Coal Mine Health and Safety Act of 1969. Of this amount, \$8.1 million were obligated for research to be done by the Bureau of Mines and \$12.3 million for contracts with universities, industrial research laboratories, mine equipment firms and other industries with the competence to do the type of research we think is necessary. I will show you on this graph the technical areas where current research is being conducted.

The innovative ideas that are expected to emerge from the research initiated or planned during the year will be incorporated in the engineering system to be developed for improved health and safety.

As an example of a major thrust to achieve greatly improved safety in the mines, the Bureau of Mines in cooperation with State mining departments, labor, and industry, two days ago in Charleston, West Virginia, launched the most comprehensive attack on eliminating death caused by falls of roof in coal mine history. Note in the next two slides the significance of roof falls. For the next six months, this project will be a major objective of the Coal Mine Health and Safety Division, the Technical Support group and the Education and Training specialists throughout the Bureau of Mines. Conquering death caused by roof falls is a major endeavor.

The Bureau is also taking new precautions against disasters. The months of October through March are traditionally those months which have the greatest number of mine explosions. We shall adopt a posture of a complete winter alert of all enforcement personnel during these extra dangerous months. During this time, vacations will be curtailed and to the extent possible, we will have all field people on permanent alert status.

The entire concept of health and safety management in the Bureau of Mines has changed. Effective today the number of Coal Mine Health and Safety Districts increased from five districts to nine. Work loads will be equalized and District Managers will be able to give more attention to individual mine problems.

In the past, Coal Mine Health and Safety has been criticized for not administering the law uniformly in all Districts. We plan to attack this problem by rotating District Managers' assignments.

The proposed rotation plan we have adopted will include three additional "District Managers" in the rotation schedule. This will complement a proposed long-range management development program, which will result in better management of people and resources. This better management will be achieved through careful selection of qualified persons and intensive training.

The Bureau is developing a computerized information system to be located in Denver, Colorado. It is designed to provide managers with information relative to enforcement functions and will enable them to react quickly to needed changes in inspection and accident investigation procedures.

In August of last year, the Subcommittee on Labor, Committee on Labor and Public Welfare, United States Senate, requested the Office of the Comptroller General of the United States to do a review on the problems

associated with the implementation by the Department of the Interior of the Federal Coal Mine Health and Safety Act of 1969.

This task was carried out by the General Accounting Office at a time when the Bureau itself was making an internal analysis. We at Interior have made considerable changes, many of them before the May 13, 1971, publication of the GAO report.

We believe that the major problems in implementing the Act, which were cited by the General Accounting Office, have been solved or are being solved. We are proceeding with obtaining full compliance with the law.

The coal mining industry has been and will remain one of greatest importance to the Nation—essential for the energy we demand. It is a large industry, producing currently over 600 million tons of coal a year, valued at approximately \$3.7 billion, from some 2800 mines, located in 23 States, and employing over 140,000 people.

The Nation that developed the manned spaceflight program, that conquered polio and developed a system of agriculture second to none—*can*, and *must* make this great coal industry a safe place to work. Let us keep in mind that safety involves two major areas of concern. First, the environment which means sufficient air, minimum dust, and control of the roof and machines. The second area of concern is the human element, the attitude and behavior of the miner, the mine supervisor, the operator, the inspector and the public toward safety. This changing attitude and behavior must come through education. Research must be the cohesive factor which binds them together.

I appreciate the opportunity this meeting affords not only to tell our story but listen to people, interested in the welfare of coal miners, tell theirs. Thank you for coming—I hope the next two days will be profitable to all concerned.

#### TRIBUTE TO THE LATE LANDON R. WYATT

### HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. DANIEL of Virginia. Mr. Speaker, a week ago today, on July 13, the Commonwealth of Virginia lost a giant among men. Landon Russell Wyatt, former State senator, a leader in the community, active all his life in the religious, civic, and business affairs of Danville and the Commonwealth, will be remembered by many. For myself, the Senator was a genuine friend. To him I owe much of whatever degree of success I have attained. I was never with him 5 minutes that he did not render something that could be put to practical use.

So that those who read the CONGRESSIONAL RECORD may know the substance of the man, I offer the following commentary from the Danville Register and Danville radio station, WBTM, for inclusion:

LANDON R. WYATT, BUSINESSMAN, FORMER LEGISLATOR, DEAD AT 80

Landon Russell Wyatt, Danville businessman, and former state legislator, died last night shortly after 10 o'clock at Memorial Hospital. He was 80.

Wyatt, who had been in declining health for the past three years, had re-entered the hospital last week.

His death ended a career highlighted by financial successes in nearly every commercial venture he undertook and by political successes that made him a major force in the General Assembly of Virginia where he served as a member of the House of Delegates and the Senate.

Wyatt was born Jan. 1, 1891 in the Callands community of Pittsylvania County and was educated at the Grady Grade School and the old Danville Commercial College.

His first business venture was in 1911 when he became affiliated with Pollock and Shepards grocery store in Danville.

He returned from service in Army Ordnance during World War I and purchased an interest in Piedmont Motor Co. and later organized Wyatt-Payne Motor Co.

This served as the forerunner of Wyatt Buick Sales Co., his basis for expansion into automobile dealership in Lynchburg—Dickerson Motor Co.—and Martinsville—Wyatt Buick.

He began what would be a lengthy career in politics with his election to Danville's City Council in 1934. He remained on Council for 10 years, serving as vice president of the council and as a member of the Finance Committee.

In 1944 he won election to the Virginia House of Delegates where he served until 1954 the year he won election to the Senate, representing Danville, Pittsylvania County, Martinsville and Henry and Patrick Counties—the 13th Senatorial District.

During his 13 years in the Senate he became a major power in that body, winning assignments on its prestigious and potent committees on Privileges and Elections and Finance.

Wyatt also held posts on the Senate Committees on Public Institutions and Education, Insurance and Banking, Nominations and Confirmations and Welfare.

In 1967 Wyatt declined to seek a new term, retiring to his many business and civic interests in Danville.

Wyatt held directorships and board memberships on several major businesses—Dan River Inc., Danville Industries Inc., Piedmont Broadcasting Corp.

He was chairman of board of First Federal Savings and Loan Association and served as president of the Danville Fair Association.

Wyatt has served as president and member of the board of trustees of Averett College and a trustee of Hargrave Military Academy.

His interest in education and his legislative efforts toward higher education recently were recognized by the Danville Community College which renamed its first major classroom complex the Landon R. Wyatt Building.

He was president of the Danville Chamber of Commerce, the Kiwanis Club, the YMCA and Retail Merchants Association.

Wyatt was a member of the First Baptist Church where he served as chairman of the Board of Deacons and a trustee.

He was married to the former Mary Beulah Hundley who survives along with one son, Landon R. Wyatt Jr., and three daughters, Mrs. F. W. Townes III and Mrs. Robert J. Adams, both of Danville, and Mrs. Jack H. Wyatt of Richmond.

Also, one sister, Mrs. Henry Hall, and one brother, W. E. Wyatt, both of Danville; and eleven grandchildren.

Funeral services will be conducted tomorrow with the hour to be announced later today.

The body is at Townes Funeral Home and the family will be at the residence, 862 Main St.

#### TRIBUTE PAID WYATT BY COLLEAGUES

Tributes have been paid the late Landon R. Wyatt by U.S. Sen. Harry F. Byrd Jr., Congressman William M. Tuck, and State Sen. William F. Stone.

All had been colleagues of the former state senator who died late Tuesday night at age

of 80, ending a political career that had propelled him into the highest councils of the Virginia Democratic Party.

Funeral services for Wyatt will be conducted this afternoon at 2 o'clock from the First Baptist Church. Interment will be in Mountain View Cemetery.

Sen. Byrd called Wyatt "An outstanding Virginian. I join with the people of Virginia and Pittsylvania in mourning his death.

"I served with him for 18 years in the Virginia legislature where he rendered conspicuous service to Virginia. I cherished his friendship."

Wyatt was serving his second term in the Virginia House of Delegates when Tuck was elected governor of Virginia in 1946.

Now retired to his native Halifax County, Tuck said yesterday: "I regret to learn of the passing of Sen. Wyatt. I have known and been closely associated with him for many years. He was a devoted public official and one of the outstanding citizens of Virginia and this generation."

The former Fifth District Congressman praised Wyatt as one "endowed with sterling qualities of character and possessed of many talents."

Pointing to the late state senator's legislative service, Tuck said "His record in Richmond as well as elsewhere was outstanding. I have never known a better friend and will ever cherish his memory."

State Sen. William F. Stone who shared the 13th Senate District with Wyatt until the latter's retirement in 1967, said, "Virginia has lost one of its most dedicated leaders and I have lost a long-time personal friend."

Stone described Wyatt as "A conservative on money matters, and one of the few men in public life that I have known who spent the taxpayers money the same way he spent his own."

Wyatt, he continued, was concerned with the progress of Virginia. "He was in front of legislation involving education, tuberculosis, mental health and many other fields involving the growth and development of Virginia."

"He will be missed by the state", Stone said, calling him "a Christian gentleman who carried his Christian ethics onto the political scene with him."

Averett College, on whose board Wyatt had served for many years, announced it will suspend all summer school activities and administrative operations today in memory of the man who had served as president of the college's board of trustees.

#### LANDON RUSSELL WYATT, R.I.P.

Few men in Danville's history have had the impact upon this city in so many ways as did Landon R. Wyatt, who died Tuesday night at age 80.

He moved from his native Pittsylvania County into the city in 1911 at age 20 to seek opportunity and he found it in abundance for himself and for others as well.

From a slow start in a period when the economy was sluggish and money was hard—and hard to come by—Landon Wyatt committed himself to getting ahead and he used his hands and his head to earn and to save a part of his earnings. His first job was with a local grocery. Then he moved on to Piedmont Hardware, a wholesale firm which he later served as president and was a major stockholder.

But it was the automobile business that saw Landon R. Wyatt's acumen as a dealer and as a judge of ability and character in others come to full flower. He held several dealerships before settling for the Buick franchise. He was still a partner in Wyatt Buick Sales Company at his death. At one time he owned the Buick dealerships in Lynchburg and Martinsville as well as at Danville. He sold the Lynchburg dealership some years ago.

At one time or another Mr. Wyatt helped

a dozen or more men of ability and enterprise to establish their own firms—many in the automotive field and some in others—and became a substantial investor in their businesses.

In addition to his extensive business holdings, which included several farms in Pittsylvania, the mineral rights to large acreage in Southwest Virginia's coal country, and several Danville firms, Mr. Wyatt was active in civic, religious, educational and public affairs.

Growing up when obtaining an education was not easy for a youth with responsibilities, Mr. Wyatt listed his formal education as Grady School in Pittsylvania and Danville Commercial College. He took courses in the latter institution during his early years in Danville and the accounting training proved of great value throughout his adult life. He knew the values of education, so he made certain that not only his own children but other children of his community, and throughout the state, had an opportunity for all the formal education they could take. His interest in education was reflected by his chairmanship of the Board of Averett College, his membership on the Board of Hargrave Military Academy and his active interest in development of Danville Technical Institute that grew into the Danville Branch of Virginia Polytechnic Institute and later into Danville Community College.

Just last week, the Community College System approved the recommendation of the DCC Board that the multi-purpose building on the local campus be named the Landon R. Wyatt Building.

Few decisions of major import for Danville were made over the past 40 years without Landon R. Wyatt having some part in the process. His counsel and his guidance was sought by people in every walk of life who knew him as a man of good judgment and good will.

Along with all his other interests and activities, he devoted 33 years to public service—ten on City Council, ten in the House of Delegates and 13 in the Senate of Virginia. During his 23 years of legislative service to the Commonwealth, he was called into consultation by a half dozen governors who valued his viewpoint. On one occasion, during the 1950s, when the General Assembly seemed unable and unwilling to agree on a budget that held them into session far into a Sunday morning, it was Senator Wyatt who broke the stalemate and brought agreement that let them adjourn *sine die* and come home.

During the administration of Governor Thomas B. Stanley it was Senator Wyatt who helped work out plans that took the Department of Mental Hygiene and Hospitals out of the farming and dairying business at considerable savings to the Commonwealth. Wyatt later was patron of the legislation that made families responsible, within their means, for a portion of the cost of patient treatment at the state hospitals. This legislation proved a double advantage by reducing the dumping of the senile upon the hospitals for purely custodial care and also reduced the fiscal drain upon state resources to maintain and improve these institutions and services.

Hundreds of Danvillians and Pittsylvanians and other Virginians know stories full of humor and shrewd comment they can and do tell of their friend Landon Wyatt. He was a doer and a leader—a combination not common in this day. Since it isn't, that is all the more reason he was highly respected at home and away from home, and regarded with genuine affection by those closest to him.

LANDON R. WYATT, 1891-1971

The physical being of Senator Landon R. Wyatt, unable to keep pace with the indomitable

spirit of the man, gave in to the ravages of time and full life Tuesday night, July 13, 1971.

Seldom has the City of Danville seen the passing of such a leader. Seldom will the community and State mourn a favorite son of Senator Wyatt's caliber. The passing of this man marks a fast-fading rarity in this day and time; the obscure country boy of humble origin who as a self-made man gained success, fortune and fame through his own determination and innate ability to cope as an individual.

Senator Wyatt left an indelible stamp on the Danville community and the State of Virginia which will grow more lustrous with the passage of time. His influence will live in the foundations of educational institutions in the State through his efforts in the State Legislature for higher and better education; in his association with Averett College. In the field of higher education Senator Wyatt was determined that the youth of Virginia should have the advantages denied him in his own youth.

This is not to say that all of Landon R. Wyatt's pursuits in his lifetime were geared to charitable works for others. He first looked after his own; and in attainment of position in business, the civic life of the community and in the political arena was then able to share his knowledge and abilities with those who would listen and prosper.

The credits of a lifetime are legion in the obituary of the holder of Danville's first Citizenship Award. His name headed the list, over the years, of organizations of every description. Loved and honored by thousands of his contemporaries, his detractors were relegated to those who opposed him in the market place or the political arena.

Here at Radio Center, more than grief, there's a warm remembrance of a valued officer of the corporation, a source of advice and counsel in times of adversity, a friend and member of the family with a rare and rustic charm in his association with the entire staff and personnel.

Piedmont Broadcasting Corporation shares with all the other enterprises and organizations of which Senator Wyatt was chairman, the regrets and loss in his leaving the life he loved so well; a life of association with people.

A WBTM Radio Editorial. For Piedmont Broadcasting Corporation, Leon Smith.

#### VIETNAM

### HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. EVANS of Colorado. Mr. Speaker, a former Colorado commander of the American Legion, Mr. Marshall Reddish, recently wrote about our military involvement in Vietnam and the damage that this war has done to our spirit and our youth.

I commend this article, which was published in the Rocky Mountain News, to my colleagues attention:

VIETNAM

(By Marshall M. Reddish)

Demonstrators against the Vietnam war apparently agree with Hamlet, who thought that a play (demonstration?) might "catch the conscience of the king."

The Constitution of the United States gives everyone the right to assemble peacefully to petition for the redress of grievances. We must protect that right regardless of how distasteful we may think the cause for which the petition is made.

However, violent assembly and violence in petitioning are unconstitutional, illegal, and cannot be tolerated. No one may be allowed superior rights to infringe upon the rights of others just because he declares himself a revolutionary.

But let's not get sanctimonious. Let's not block our vision by wrapping ourselves in the folds of the American flag.

I know how easy it is, because I have done it, for veterans of wars previous to Korea and Vietnam to beat their breasts like the Pharisees and call attention to the guilt of the youth. We participated only in popular wars, the old type, the glamorous wars, where the entire country was mobilized in spirit.

#### KOREAN WAR BEGINNING

Beginning with the Korean War, we have permitted an assault upon the patriotism of our youth. In previous wars, the American people have had a declared intention to win, not to defend some inconsequential parallel of latitude, some highly doubtful and non-viable regime, not to get bogged down in a land war in Asia against the limitless Asian hordes.

It is a complete violation of the American spirit to force our youth to go through a sausage grinder of a war we say we are not trying to win. If we don't have the guts to win it, then let's have the courage to get out of it. What a refreshing of the American spirit would occur if we announced: We have done all we can afford to bring peace and freedom to Indochina. We are pulling out every one of our troops! If they are attacked while withdrawing, or you fail to release American prisoners, then we will take out one of your cities with hydrogen bombs, and if you don't cooperate in our withdrawal then we will take out another and another! We should have bands playing as our boys leave and when they arrive home.

But to return to sanctimony. Are peaceful demonstrators against the Vietnam War unpatriotic? Are the ladies at the bridge table unpatriotic when they say happily that their sons will not have to go to Vietnam, because of flat feet, punctured eardrum, a nervous condition, or college deferment? And are fathers patriotic when they carefully steer their sons into a noncombat situation in the National Guard or a military Reserve unit? Are the military services themselves patriotic when they persuade men to reenlist and promise them they will be given noncombat assignments?

Recently, I talked with an exceptionally fine young man from a family with a military heritage, a Reservist on active duty taking flight training. He said his record in training was good enough that he was allowed to choose his specialty. He plumped for prop-jets. Why? Because prop-jets are not used in Vietnam.

Are we patriotic when we permit a system of military induction which results in our fighting being done largely by the poor, the underprivileged, and the minorities?

I say, let's talk with these protesters. Let's find the ones who would be good citizens and good leaders if we would listen to them, and show them that we really care, not just parrot patriotic clichés at them. Let's try to tell them that we understand their frustrations, that we know this is a lousy war, that we got into it with good democratic, American intentions, that we have tried to make a stand, within our lights, in defense of human freedom, that we think we have accomplished something, that we will not continue to tolerate the sacrifice of our youth to save our Asiatic face or any other type of face maintaining in which those not exposed to danger may safely indulge.

#### AMERICAN COMMITMENT

Let's tell them that we are getting the hell out, that they must believe that, that we are making a commitment of the American people to do that, and that we are

thankful to them for fighting a thankless war.

After we have established a dialogue, let's explain why public disorder is so self-defeating, that it cannot be permitted, that the infringement of the civil rights of others just won't do. Let's tell them that they have caught, not the conscience of the King, but the conscience of the American people. Let's say to them that we are responsive to the young, the underprivileged and the minorities.

Perhaps we might even paraphrase William Jennings Bryan in his famous "Cross of Gold" speech. "We, the American people will no longer press down upon the brow of our youth this crown of thorns. We shall not crucify the American spirit to save face."

There will always be a struggle to be made for America and what it has meant to the world. Let's ask the peaceable demonstrators to join us.

#### LIVING UP TO OUR IDEALS

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. MAZZOLI. Mr. Speaker, sometimes with all the fireworks we tend to forget that the Fourth of July is more than an annual birthday party for our Nation. It is a solemn celebration of freedom that retains its meaning only so long as our Nation lives up to the ideals of law, justice, and opportunity expressed in that Declaration of July 4, 1776.

It is our responsibility to make Independence Day stand for our enduring hope for a greater nation. We can never stop and rest on our laurels—Americans can never rest until they have built the best Nation that men can build. This special meaning of Independence Day was eloquently expressed in a recent editorial appearing in Louisville's Record. Mr. Speaker, I would like to insert at this point in the RECORD the text of this editorial, entitled hopefully, "Still A Day for Celebration":

#### STILL A DAY FOR CELEBRATION

In the popular mind, July 4 is probably regarded as a seasonal holiday. Marking the apex of the summertime, it has come to mean a day for family outings, a day to spend in the warm sun, a time to flee the oppressive congestion of city life.

Yet above and beyond this, Independence Day has over the years retained some special significance for the American people. At least in a vague sort of way it is associated with what we love to call the great American way of life—a free, democratic society, a system of political and economic opportunity, and, in theory at least, a haven of equality and justice for all.

We all know the hard facts of reality do not quite match the glowing promise of that America hailed in song and verse. We know that some Americans have had to scratch out an existence in dismal poverty and oppression. We know, too, that opportunity has knocked on some doors and passed others by simply because a man's race or creed was not acceptable to some of his fellow citizens.

These are not new problems in America. They have been historic, long-standing imperfections in the American dream. More currently, the litany of our national sins grows longer and, by far, more disturbing.

We, the people, stand by silently and watch this beautiful land of ours being ravaged by strip mining, channelization of streams, clear-cutting of forests and industrial pollution of air and water—and we yawn in incredible apathy. Worse, we as individuals compound the problem with our own trash and litter scattered on public and private land alike with utter abandon and irresponsibility.

Today we are beset with crises of strikes and serious unemployment, inflated prices and deflated quality of products. We are flooded with pornography and threatened with rapidly spreading drug abuse. Crime is a way of life in the decaying cores of big cities as people in rural areas continue to abandon their farm land for the slim chance of a better life in urban industrial centers.

But these sores in American society pale before the maddening realization that our nation is embroiled in the longest, most futile, most hopeless and bungling war in its entire history. What began, for most of us, as a noble support of human freedom for our brothers in Indochina has deteriorated into a catastrophe for the people we set out to help, and a moral disaster for our own country.

The jeremiad could go on and on. And yet we still manage to celebrate July 4 with no small measure of conviction and sincerity. We fly our flags and watch displays of fireworks and listen to the tired clichés of patriotic oratory, and somehow the dream comes alive again. Somehow we know that any human society will be imperfect, will fall short of its ideals, will at times be grievously disappointing. But we seem to know that the ideals are worth striving for, and we know that by the striving we become a better people, a better nation.

This, as we see it, is the greatness of America. As a nation we are committed to the effort to make this the best society of men that human wisdom can construct. Our Independence Day is not really so much a celebration of what we have already accomplished as it is a celebration of America's will to accomplish those many things that remain to be done.

So long as the American people can retain this will to improve their nation and its institutions, July 4 will indeed be a day for justifiable celebration.

#### PATRIOTISM AND FREEDOM

### HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. MADDEN. Mr. Speaker, I am grateful to Robert E. Wilhelm, vice chairman of the board of the Hoosier State Bank of Indiana, Hammond, Ind., for sending me the following patriotic sermon entitled "Freed for Responsibility" delivered by the Rev. Jack H. Barrell, pastor of the First United Presbyterian Church of Hammond, Ind., on June 27, 1971

Reverend Barrell, one of our outstanding clergymen in northern Indiana, has devoted a great deal of time outside his church duties to charitable and patriotic programs as well as being chaplain for the Hammond Police Department and other assignments for which he receives no compensation. His message on freedom and patriotism should be read by all members of the so-called discontended organizations and many of our

youth groups who are looking for a change in the Government in our land of liberty and freedom.

The sermon follows:

#### FREED FOR RESPONSIBILITY

##### INTRODUCTION

Next week-end is the 4th of July. Thousands of American families are making their plans on how to spend the 4th of July, particularly since Congress has legislated that it is to be a long week-end. How many families think of the 4th of July and all of its symbolic meaning? I'm troubled as a Pastor and I'm troubled as a citizen as I listen to much of the talk going on across this great nation of ours. I'm troubled by those who say we ought to do away with the 4th of July because it's filled with hypocrisy, this is no longer a land of the free and the brave, there's no freedom and there's no justice in the United States of America.

However, I'm more troubled, not about those who so often criticize us, but I'm troubled by the apathy which is sweeping our Country, which is sweeping the institutions of our Country, as people say, "Oh goody, a long week-end", and off they go, never giving a thought as to why or how or what the 4th of July means to their heritage, to their freedom today, to the fact they can take a long week-end and not worry about anything.

Today we throw around the terms liberty and freedom as meaning: "I'm free to do what I want to do at your expense." For some strange reason, one of the loopholes of Democracy or one of its shortcomings is, that once a person is raised in a Democracy his concept of freedom, for some strange reason, is something which is going to continue until the end of all creation. That freedom once won for us, by the brave patriots of the past, has been left as a legacy for us to enjoy today.

Historically, if we look at freedom, we come to realize that it is not a legacy of the past, but something which each individual in each generation of time must commit himself to develop and earn again for himself and for his generation. You have heard it said, "that eternal vigilance is the price of liberty", but I say eternal exercise of freedom is also the price of liberty.

#### FREEDOM IS RESPECT FOR LAW

I. Today, we are in the struggle of what many call law and order. The terms law and liberty have become so confused many people think law restrains liberty, but the fact is, if we go back even into our Bibles and study the basic concept of freedom in God, freedom carries with it a certain inherent responsibility and concept for law. God is omnipotent, this means God is over everything, he's the supreme court of everything, he is the final judge over everything which goes on in his creation, but this does not mean that God can do as he pleases. God in creating a very orderly and dependable universe decreed a certain style of law and order so to speak. i.e. Human beings living on the planet earth, are built into a system of life, a system of gravity where everything falls back down toward the center of earth.

Now what would it be like if we lived on a planet where on Sunday mornings all of the stones fell down toward the ground, but on Sunday afternoon everything fell out toward the universe; you'd be like a yo-yo going back and forth; you'd be at your job and then you'd be out in the sky and then you might be back at your job again. What would it be like in a system where on Mondays you couldn't steal, but on Tuesdays you could go out and steal all that you wanted, absolute confusion and chaos would result. So it is, God in creating this universe created within it, a certain law and a system of gov-

ernment and order for human life. God, also obeys his own laws, otherwise, his children wouldn't understand him let alone seek to obey the wisdom that He gives us.

Freedom has its beginnings, not with man, but with God and freedom that begins with God cannot be legislated or doled out to citizens of the country through governmental agencies. Man must develop a concept of freedom within his own life if freedom is to have any lasting meaning or import, or power, or pressure in what he does as an individual and a citizen. Freedom can never be understood until we are conscious of our relationship with a God who loves us and then we begin to understand what responsibility is, for He is the source of our continuing eternal freedom and liberty.

Everyone today says they want to be free, but I must caution you to remember, the scripture tells us that no individual is ever free who does what he wants to do, he is a slave to his wants. Freedom, freedom that tugs at your heart strings, freedom that plays on the emotions of your body and freedom which goes soaring through your memories and which awakens your minds, is a responsibility which comes from God, a responsibility that has been a hallmark of the patriots of our nation, John Witherspoon at the time of the Revolution, of John Paul Jones in the middle of Lake Erie. Freedom is the ability of the individual to do things for other people, even at an expense to himself.

#### GOVERNMENT IS MADE FOR MAN

II. The Declaration of Independence begins by asserting that a man's rights are derived by his belief in an Almighty God and thus it is we've set back and said that man is not a pawn of a totalitarian State. In other words he is not the pawn of government. We proclaim in the Bill of Rights as well as the Constitution, that government is made for the man, and that man is not made for government. That God has created within each individual certain rights which a government cannot take away. We tell our young people, in school that this great nation of ours, was conceived on the idea of majority rule, but the minority has a right to *peaceful persuasion*. We tell our young people that this nation was created with the concept that the accused has a right to appeal things to a higher judiciary. We loudly proclaim to the world that this nation was founded on the concept that all men have the right and freedom to worship the God of their own choice and that young people can pick and choose a career without the interference of a dictator.

#### WHERE HAVE WE STUMBLERED, WHERE HAVE WE FAILED?

Our confusion, our chaos and our distrust of one another, is the result of our making light of the basic presence of God in the life of each individual citizen in this nation. The Church has stood by and let the world do it, we have stood by and let the world literally take the nation apart and say, we don't need God in this and we don't need God in that, you keep God in the Church! Christians we've done it because we didn't want to ripple the waters and let anyone know that we were committed to Jesus Christ.

In the Bible freedom is not a conquest or an emancipation of an individual or a social order, freedom doesn't set man up in the middle of his fellow man and say now there's a free man! Freedom doesn't say man is the end of all freedom, he's the end of all God's creation, but freedom, in the Bible, makes us more and more aware of the need of the leadership of God in our daily lives. Freedom makes us aware of the basic law of liberty, *love*. The thing that Christ went to the Cross and died all about, is love for us, and when we violate the law of love we

undercut not only our lives, but our relationship with God.

The Master said in the gospel three times, "I am the vine, you are the branches," and he ends up in saying it the third time, "I am the vine, you are the branches, without me you don't exist." Yet, today we insist on cutting ourselves off, not only from the source of life, but our source of freedom, and as Shakespeare so eloquently said, "What fools these mortals be."

#### GRATITUDE FOR YOUR BLESSINGS

III. The Christian test of freedom of faith and freedom of action and freedom of worship is always by the standards of God. As James said, "We are pledged, if we've accepted Jesus Christ as our Lord and Savior, we've already pledged ourselves to speak and act as people who are judged by the law of liberty." I'm getting a little tired of the Church, Church members and Clergymen proclaiming loudly that we have the tremendous freedom to worship God in this Country.

When the weather is rainy, cloudy, icy, snowy, or even sunny, we have a million excuses of why we don't want to go to church. And yet in those lands, that were once free in our lifetime, people worship now in fear of their lives. We proclaim to the world that we have the power to deal directly with God, we don't need an intermediary. We all have the power to talk to God and He can talk back to us and yet the only time God ever hears from most of us, is when we're in trouble or when we think we're going to be in trouble. When was the last time you had the humility to thank God for waking up alive this morning?

The world cries out, the Church cries out, everybody cries out today, I want to be independent, "I want to be me." The title of a popular song, and yet I say being independent is one thing, but its quite another to know what to do with independence.

#### CONCLUSION

Human freedom is not a gift from man, human freedom is a gift from Almighty God and necessary if there is to be that love that we say we want to rule the world. If God was impersonal and absolute we wouldn't need to be free. He would play you around like checkers or chess on a chess board until he got everyone in the proper niche at the proper time and everything in the world would be perfect, you'd be perfect and the world would be all sublime just like living the life of a robot. My brethren be grateful that your God is love! And because He is love, speak and act like people who are under the royal law of liberty.

#### REALISTIC VIEW OF WAR IN VIETNAM

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. DERWINSKI. Mr. Speaker, as speculation erupts over the relationship between the end of the aggression by the Communists in Vietnam and the possible visit by President Nixon to Peking, I trust that an objective attitude will develop within the country in regards to the overall consequences of the war in Vietnam.

I believe a calm, realistic view of the war was elaborated on in an article by Dumitru Danielopol, the distinguished foreign correspondent of the Copley Press, in the San Diego, Calif., Union of July 7:

#### AMERICANS NEED TO TAKE REALISTIC VIEW OF WAR

(By Dumitru Danielopol)

It's about time the American people sent their psychiatrists home and faced Vietnam for what it really is.

They have no reason to have a guilty conscience. Their presidents' commitments to halt the spread of communism in Southeast Asia was right and proper. One can debate the tactics employed, but the commitment was honorable and essential.

The hysteria that we are experiencing now over the publication of the stolen Pentagon papers will subside. Someday patient, qualified historians will look dispassionately at the years of crisis and judge the mistakes, but I am convinced that they will not fault the American stake in that part of the world.

Taking a broad look back at World War II and what followed, one can say without any doubt that after the defeat of Nazi Germany and Japan, the U.S. leaders faced a vital and serious problem. War-weary, they had to prepare at once to defend the rest of the free world from an even more dangerous and aggressive enemy—communism.

It's easy to overlook or forget those years, but history remembers the Communist aggression in Eastern Europe, the Berlin airlift, the takeover of mainland China, the Korean War, the Berlin Wall, etc.

They all fall into the same pattern. The Communists will move into any place where they are not opposed.

Immediately after the defeat of the French in Indochina, South Vietnam became a target of new aggression by the North. It is a crucial stepping stone to the rest of Southeast Asia.

"Tonkin (Vietnam) is the bolt in the door to Eastern Asia," the French used to say.

There is little doubt that the late North Vietnamese president, Ho Chi Minh, would have occupied Saigon had the United States not intervened. Nor is there any doubt that Laos would have gone to the Reds and Prince Sihanouk in Cambodia would have made his own deals. You can speculate on what course history would have taken in Indonesia.

It is easy to say that we should never have gotten involved in Vietnam. It's fashionable to cover yourself with ashes and call the American involvement a "crime."

It's a little more realistic to ask:

Where would we be if we hadn't stepped in?

You can argue the "domino theory," but you can't argue that without American intervention the specter of Communist success would have confronted Thailand, Indonesia, Singapore, Taiwan, Japan, Australia and New Zealand with difficult decisions.

The day will come, I think, when instead of calling our involvement in Vietnam a "mistake," a "tragedy," a "crime," historians will look on it as one of our most unselfish, most enlightened moves.

They may criticize the way we did it, but not the purpose.

#### RESEARCH MOST IMPORTANT IN FIGHT AGAINST CANCER

#### HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. ROGERS. Mr. Speaker, an editorial in the Washington Post on Sunday pointed up some of the many problems that the scientists of this Nation face in our quest to cure cancer.

I would call particular note to the comments of Dr. Philip R. Lee as to the present state of the art in our knowledge of cancer itself.

As my colleagues know, we have appropriated an additional \$100 million for research in order to accelerate our work in the area of cancer.

I feel strongly that all possible funds in the area of cancer work be aimed at the very important area of research. For we cannot "organize" and answer, we must find it through thorough scientific research.

Our efforts should not be diminished by directing our limited financial resources into nonresearch areas.

I would like to insert at this time the editorial from the Post for the information of my colleagues:

[From the Washington Post, July 18, 1971]

#### CAN 79 SENATORS BE WRONG?

The recent 79-to-1 vote in the Senate in favor of establishing a special "Conquest of Cancer Agency" is understandable—in political and emotional terms. But scientific and administrative wisdom seems to us on the side of the brave and lonely dissenter, Sen. Gaylord Nelson. The Wisconsin Democrat is just as determined to conquer cancer by accelerating cancer research as any of his colleagues. But he feels just as strongly that to pull all our financial and scientific resources into one, separate, bureaucratic basket with a fancy name and place it on the White House doorstep, as it were, is not going to do the job any better or quicker than the existing mechanism—the National Cancer Institute, which is one of the oldest and largest institutes in the world-renowned National Institutes of Health.

We agree with the senator that the proposed new agency may well weaken the cohesive and balanced research effort NIH has been engaged in for years (and that was not faulted by any of the senators who spoke in favor of a separate agency). It may well compete for funds and scientific talent to the detriment of a comprehensive over-all approach. And, worst of all, a dramatized "Conquest of Cancer" effort may well raise false expectations, promising yet another illusive light at the end of yet another tunnel.

The Senate vote, it seems, was essentially swayed by the optimistic notion that, as Sen. Jacob K. Javits put it, we are close enough to a final breakthrough so that one big push, somewhat like the Manhattan Project or the Apollo effort, would yield us a cure for cancer. Would that this were so. There have been some recent "breakthroughs" to be sure. But the vast majority of scientists tell us, in the words of Dr. Philip R. Lee, former assistant secretary for Health and Scientific Affairs, that "we are not yet ready to start a countdown for an anti-cancer blastoff, no matter what emotional appeal such an approach may have to the public."

Cancer is not one disease but a series of diseases. The problem, as Dr. Edward E. David, Jr., the Science Adviser to the President, has explained, "straddles virtually all the life sciences—molecular biology, biochemistry, virology, pharmacology, toxicology, genetics—(and) any one of these, or all of them, will contribute to the final solutions . . . Who knows what new discovery will become vital even next year?" So, the battle against cancer, to quote Dr. Lee again, "must be able to draw not only on the cancer specialists . . . but on the other specialists in other institutes of the NIH . . . This will require the same kind of close collaboration among the various NIH institutes that has been required many times in the past."

The cancer conquerors in the Senate say that this collaboration is assured by keeping the proposed new agency within NIH. But the association is more tenuous. Within or without, the head of the new agency is to be directly responsible to the President. He is not to be responsible to the NIH director who, as a member of the proposed Cancer Advisory Board (which is to run the agency) has but one voice among 22 others when it comes to coordinate programs, transfer of funds to other institutes and other decisions.

And why should the new cancer agency chief bypass the Secretary of Health, Education and Welfare whose vast agency is needed for all the public health and educational efforts that are also vital if we are at last to come to grips with this disease? The President, who proposed the separate agency, has also proposed a government reorganization that would reduce the number of separate government agencies reporting directly to him so as to free him and his staff for policy considerations, planning and evaluation. The answer to this contradiction, as given by the President's Office of Management and Budget seems more prolix than persuasive: The President wants to provide direction to an area of priority medical and social concern," OMB said, though the arrangement may be temporary.

We are all in favor of the President's providing direction, not only to conquer cancer but also to sound and meaningful efforts toward conquering all the diseases, medical and social, that beset our society. This calls most of all, for orderly government and administration. We therefore share Senator Nelson's hope that the House will give the cancer agency proposal a deliberate, careful look.

#### SECRETS—PAST AND PRESENT

### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. ROSENTHAL. Mr. Speaker, in an article in today's Washington Post, Morton Mintz describes a graduate student's astonishment upon being denied access to pollution data on file at the National Archives—astonishment since the "classified" material in question is approximately 70 years old.

Frankly, I, too, am astonished. While it would be easy to dismiss this particular incident merely as a somewhat humorous example of redtape gone wild, it nonetheless underscores the basic point that the withholding of information from the American public seems to be standard operating procedure in many Government agencies. This is more evidence—as if we needed it—of classification by habit instead of need; by whim rather than reason.

Mr. Mintz's article reminds us once more that it is the consumer who is often the victim of unwarranted Government secrecy. Two of his contentions are:

First. The Department of Agriculture's Consumer and Marketing Service suppresses records of meat products that are suspected of being contaminated or unwholesome.

Second. The Food and Drug Administration refuses to publish records of hearings called when a company is suspected of violating the law.

These are just two more examples of the general disregard in which the consumer often is held by Government agencies whose responsibility it is to protect them. These agencies must be reminded that they represent the public, not the business community. We have seen too many examples of thinking that says all information is born classified and the agency must be convinced it will reap benefits before it will make that information available to the people.

Secrecy in national security affairs can sometimes be justified. The withholding of consumer information from the American people can never be justified.

Mr. Speaker, I would now like to place Mr. Mintz's article in the RECORD:

[From the Washington Post, July 20, 1971]

#### SECRETS OF THE BUREAUCRACIES

(By Merton Mintz)

"I am from Missoula, Montana, and I have been in Washington doing research on pollution for a Ph. D. dissertation in history." Donald MacMillan said in a letter to Sen. Lee Metcalf (D-Mont.) the other day. "At the National Archives I was advised that I could not use anything that was stamped 'Bureau of Investigation.' The period I was interested in was essentially the first decade of the twentieth century . . . I feel ridiculous even suggesting that the Nation's security could be threatened by information seventy years passed, but apparently somebody does . . . If we cannot have an honest and rigorous search for the truth our future as a self-governing democracy is indeed bleak."

MacMillan's astonished discovery that he could not have access to—it bears repeating—files on pollution seven decades old serves to make a point which, quite understandably, drew scant attention in the recent momentous struggle over the Pentagon Papers. The point is that secrecy seems to be endemic in all bureaucracies—not just those occupied with national security—and it is manifested, almost always, against the very public supposedly being served; this happens readily and pervasively even when no justification in military security or foreign relations is so much as claimed.

The evidence of this, regrettably, is as easy to come by in the "open administration" of President Nixon as it ever was in those of his predecessors. Here are some examples:

The Walsh-Healy Act empowers the Department of Labor to make federal contractors comply with the job-safety standards it has approved. The department had traditionally refused to make public inspection reports and notices of violation. It claimed that the Freedom of Information Act, enacted to protect "the public's right to know," somehow authorized secrecy and that publicity would discourage employer cooperation with department inspectors. Ralph Nader's Center for the Study of Responsive Law challenged the department in court. Last January, U.S. District Judge John Lewis Smith ruled for the Center.

The Department of Agriculture's Consumer and Marketing Service routinely had suppressed records on meat and poultry products it detains on the suspicion that they are adulterated, unwholesome or unfit for human consumption, as well as the warning letters it sends to packers suspected of doing business in two or more states (packers doing business exclusively within a single state are immune from federal inspection of meat and poultry products).

In 1969, the department denied access to the records and letters to a consumer of meat and poultry products, Harrison Wellford, an associate of the Nader Center. Under the Freedom of Information Act, the records

were an exempt "investigatory file," the department said. In the case of the letters, it argued, their release would deter packers from cooperating.

Wellford sued in Baltimore, where U.S. District Judge Edward S. Northrop ruled for him. The department appealed. In May, the U.S. Court of Appeals in Richmond upheld Judge Northrop, ruling that the purpose of the information law was not to increase administrative efficiency, "but to guarantee the public's right to know how government is discharging its duty to protect the public interest." (In opposing a consumer's effort to find out how well the government may be protecting the public from unwholesome meat, it may be said in passing, the Agriculture Department behaved much like those city health departments, including Washington's, that withhold the identity of restaurants that violate sanitary regulations from those who eat in them.)

The Department of Commerce has a National Industrial Pollution Control Council, which President Nixon created by Executive Order. Last October, the Council, meeting at Commerce, refused to admit representatives of 10 environmental and consumer groups, and refused to give them a transcript of the proceeding. This year, to escape such groups, the Council met in the New State Department Building, where security regulations prohibit entry of any visitor who has not made special arrangements. Larry Jobe, an Assistant Secretary of Commerce, argues that the department could not get industry representatives to serve if public-interest groups were to be represented and if the Council's meeting were to be open to the public.

At the Civil Aeronautics Board, Chairman Secor D. Browne last year appointed an Advisory Committee on Finance and named as chairman James P. Mitchell, a vice president of the Chase Manhattan Bank who has primary responsibility for financial dealings with airlines. At the organizational meeting, held in Mitchell's office, the committee decided that all meetings "would be closed to the press and the public" and that a verbatim transcript "was not necessary to the conduct of business."

Within the Department of Health, Education and Welfare, the agency with an unexcelled disposition toward secrecy is the Food and Drug Administration. For example, when the FDA summons a company to a hearing to show cause why it should not be prosecuted for a law violation, the agency closes the hearing and refuses to release the transcript or disclose the recommendation made by hearing officers. A decade ago, FDA was not only refusing to turn over to Congress files on an anti-cholesterol drug that caused cataracts in thousands of patients, but actually tried to have written into the law a prohibition against releasing most any information it acquired under the Food, Drug, and Cosmetic Act.

The White House, to suppress information, has invoked the "Executive Privilege" with such frequency down through the years that Clark Mollenhoff once wrote an angry book about it. Currently, the endless blanket of "Executive privilege" lies atop a report by the White House Office of Science and Technology that is understood to predict serious environmental damage to the United States should supersonic transports ever be permitted to fly across it at supersonic speeds.

Congress now and then pries valuable suppressed information out of agencies, but it must be noted that, by calculation of Congressional Quarterly, 41 per cent of all congressional committee meetings were held behind closed doors last year, an increase of 5 percentage points over 1969.

In his letter to Senator Metcalf, Donald MacMillan said, "As I approached the Na-

tional Archives for the first time I was struck by the noble and inspiring ideas inscribed in its concrete walls. One I recall was most impressive: 'The heritage of the past is the seed that brings forth the harvest of the future.'"

A future substantially freer of governmental secrecy than is the present is not beyond our grasp. We may yet achieve the "deep sense of pride" that President Johnson spoke of when, on July 4, 1966, he signed the Freedom of Information Act in the belief "that the United States is an open society in which the people's right to know is cherished and guarded." One reason for a cautious optimism is that the lawsuits won by the Center for Study of Responsive Law, against the Labor and Agriculture Departments, indicate a willingness in the courts to come down on the side of openness.

In the FDA, a new general counsel, Peter Barton Hutt, takes over on September 1. Rather than cling to the secrecy orientation of the past, maybe he and others in federal agencies will heed the instruction of Attorney General Ramsey Clark when he announced the rules to implement the law only four years ago: "that disclosure be the general rule, not the exception," and "that there be a change in government policy and attitude."

And Congress would take a major step forward by enacting at least two pending bills: one for an independent consumer protection agency empowered to intervene in administrative and court proceedings in behalf of the public (and against federal agencies, if need be), the other, sponsored by Senator Metcalf, to open the proceedings of the possibly 1,800 government advisory committees—such as the Commerce Department's and the CAB's—to public scrutiny.

## BREZHNEV'S PROPOSAL TO NATO

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. DERWINSKI. Mr. Speaker, a very timely commentary on the situation in Eastern Europe, and especially on Czechoslovakia, was contained in the lead article in the June 1971, issue of the American Bulletin published by the Czechoslovak National Council of America.

In view of the natural interest in Soviet foreign policy and that it is better for us all to appreciate its actual application, I believe this article merits special consideration:

PROMISES, PROMISES—BREZHNEV'S PROPOSAL TO NATO

There is a "mysterious mushiness" in the political climate in Washington today, wrote Stewart Alsop in his article in Newsweek magazine on May 31, 1971. Analyzing the present situation, Mr. Alsop pointed out that Soviet power is growing steadily, but that some of our leaders on Capitol Hill tend to dismiss the hard evidence. In fact, the recent Mansfield amendment was to cut the American troop commitment to NATO in half. It was defeated, said Mr. Alsop, "with a big assist from Leonid Brezhnev, after the Administration had mustered the elder statesmen, from the 'strong horse' period, including old Harry S. Truman himself." In Mr. Alsop's view, should this trend continue, the United States could lose its primacy and cease to be the world's No. 1 power, and should the Russians then decide to exercise

their power, "our country will suffer some sort of traumatic shock" and "this will have a therapeutic effect," like the electric shock treatment. "But I am not at all sure this is a good guess. There is a curious new flaccidity, a mysterious mushiness, about American life and thought that may be incurable."

This is a very pessimistic outlook and Mr. Alsop hopes that he is wrong. Without a doubt, Mr. Brezhnev's courtship requires careful scrutiny. An editorial writer in the WALL STREET JOURNAL "wonders why Brezhnev is so generous in his proposal on troop reductions to the NATO countries." Brezhnev volunteered to explain "if anything is not clear to somebody." The Wall Street Journal thinks that "there are so many things that aren't exactly evident. Maybe one point the Russians could clarify is whether they are ready to renounce imperialism and any future acts that would be akin to their 1968 invasion of Czechoslovakia and its continued occupation. A plain answer to that question could form a very solid foundation for troop-reduction talks. But we're still not sure that Mr. Brezhnev means to make things quite that clear."

#### REMOVAL OF FOREIGN TROOPS FROM CZECHOSLOVAKIA

The Czechoslovak National Council of America voiced its apprehension to the Department of State in its letter of May 26, 1971:

The Czechoslovak National Council of America, speaking on behalf of Americans of Czech and Slovak descent, wishes to make known its concern:

Currently, there are indications pointing to a new Soviet interest in mutually agreed troop reduction in Europe and the creation of a new European security system.

The NATO Powers are similarly interested in a development which might alleviate the burden of military expenditure. Furthermore, the NATO Powers sincerely wish to ease the existing East West tension along the Iron Curtain. Hence a dialogue may ensue which could lead toward a new military situation in Europe.

Presumably, in any such discussions, the so called legitimate interests of both sides shall be duly respected. The presence of Soviet (or any other Warsaw Pact) troops on the territory of Czechoslovakia has never been recognized as a legitimate interest of the Soviet Union or the Warsaw Pact Organization. On the contrary, it represents an evil, unacceptable to the West, which would have to be removed before any serious talks could even be considered.

If the genuine interest of the Soviet Union in any agreed settlement of the pending questions is to be given any credence, the Soviet Union should, first of all, be required to cause the removal of all foreign troops from the territory of Czechoslovakia. Only if this pre-condition were met could the NATO Powers believe that the Soviets intend to enter into meaningful negotiations.

The Czechoslovak National Council of America submits this urgent request: that our Government should insist upon the evacuation of all foreign arms and armed units from the territory of Czechoslovakia as a precondition to any negotiations concerning troop reductions, to be mutually agreed upon and the creation of a new European security system.

Senator Gordon Allott of Colo. also questions the reasons for Mr. Brezhnev's interest in European troop reduction and our disengagement in Central Europe (CONGRESSIONAL RECORD, May 14, 1971). "It would be radically wrong for the United States to make unilateral reductions at this time," states Mr. Allott, "This is a grave matter with many possible long term consequences. We should do nothing precipitately or unilaterally. This is especially apparent when we recall some-

thing we too often forget. NATO troops in Western Europe have a different status. NATO troops are invited guests of democratic governments. The Soviet troops are uninvited occupants.

"It would be dreadfully wrong to miss an opportunity to ease the burden of tyranny in Eastern Europe by making any U.S. troop reduction contingent upon a comparable Soviet reduction of the forces it imposes upon its unhappy satellites."

IN CZECHOSLOVAKIA, FOURTEENTH OR FIFTEENTH?

The much delayed Communist Party Congress convened in Prague on May 24th. The Prague regime calls it the Fourteenth Congress but escaped Party delegates, who fled after the Soviet occupation of Czechoslovakia, proclaimed in Paris that they insist on the legality of the Fourteenth Congress, held secretly in a factory on the outskirts of Prague in 1968, at a time when the Soviet armies were already in the city. The economist Oto Sik, Eduard Goldsticker, and other escapees, proclaim this year's congress to be the fifteenth. (See AMERICAN BULLETIN, April, 1971).

Fourteenth or fifteenth, call it what they will, it was a dismal farce, a disgusting performance of Moscow stooges that the people of Czechoslovakia will neither forget nor forgive. Although President Ludvik Svoboda had denounced the invading troops arriving—as he said—"without the agreement of the constitutional authorities of the state," now in his opening speech he thanked the Soviet Union and its allies for their "international assistance" (this is the official term for the invasion). He was followed by Gustav Husák, party chief, who thanked Brezhnev "in the name of the whole of our party and the overwhelming majority of our working people."

This is the big lie because practically the entire population was solidly behind Dubcek and the more liberal Communists, and violently opposed to the Soviets and to their allies and stooges. This disgusting submission has saved Husák his position in the Communist Party for he succeeded in convincing Moscow that under his rule the country has been "normalized" (Communist term for "brought under absolute control"). Under the normalization process the country is reverting back to the 50s, as evidenced by the purges of writers, artists, teachers, etc. and by the blackout in education. It must be admitted, however, that so far prison sentences have been lighter than twenty years ago and that there has not been any death sentence.

LETTER TO THE SECRETARY OF STATE, WASH., D.C.

Regarding the state of affairs in Czechoslovakia, the Czechoslovak National Council of America has sent the following letter to the Hon. William Rogers:

DEAR MR. SECRETARY: The Czechoslovak National Council of America, a national organization of Americans of Czech and Slovak descent, submits for your consideration facts that are even more distressing than the general deterioration of the situation in Czechoslovakia.

After the unfortunate events of 1968, General Ludvik Svoboda made a solemn statement to the effect that as long as he is president of Czechoslovakia, there shall be no renewal of political trials. The very perusal of the daily press informs us that numerous political trials are in process or about to be initiated. Furthermore, the review of earlier pre-1968 political trials, initiated during the months of the thaw for the rehabilitation of the condemned, have been completely halted.

Thus the promises, solemnly made by the head of state, to the citizens of Czechoslovakia, have been broken without any further explanation.

The Czechoslovak National Council of America urges you, Mr. Secretary, to bear this in mind whenever the trustworthiness of the present government of Czechoslovakia in international dealings is being evaluated.

The Czechoslovak National Council further hopes that the United States Government will find ways and means of impressing upon the Government of Czechoslovakia the necessity of honoring not only its international but also its domestic commitments made to its own people.

BLACKOUT IN EDUCATION

On April 15 and 16, the Prague press published "criteria for accepting students to high schools." As best as one can translate the government lingo, which is almost unintelligible to anyone not living in Czechoslovakia, the procedure for admitting students is as follows:

1. The Ministry of Education has issued directives on the basis of which the Nine-Year Elementary School will prepare a complex evaluation of the student applying for entry. The class profile of the applicant will receive special evaluation: his (or her) civic-political and moral aspect of his personality, talents and abilities, knowledge of and interest in his chosen studies. This evaluation is to be prepared by a commission (school principal, room teacher and 9th grade teachers) and representatives of the National Committee in the district of his domicile. (Editor's note: National Committee members are the Communist Party executives. One can imagine the predicament of an honest teacher who would like to recommend a student from a non-Communist, or Catholic, etc. family, or from a family with a member with a prison sentence for non-conformity or some other political sin. Such a recommendation might be futile gesture and a dangerous provocation which could turn the wrath of the committee member against the teacher.)

2. It shall in the future be the duty of the Nine-Year Elementary School to learn to know the student thoroughly and also his family environment. Beginning with 7th grade, students will be chosen from workingmen's and farm laborers' families, to whom effective help will be given.

3. In selecting the students, an important factor will be the evaluation of class origin (Editor's note: Since the applicants were all born under communism, in a so called classless society, the word origin must apply to the student's forefathers), the political and social interests of the parents and their contribution to the building of a socialistic society. Consideration will be given to the whole progress of the parents, especially from the standpoint of any changes in their social standing, as compared to their original occupation. (In plain language, this regulation means that a child of a director from the working class is given precedence over a child of a father who is now a lowly workman but was engaged in private enterprise some thirty years ago).

4. Therefore, in deciding on a student's admission and the evaluation in toto, of foremost importance are abilities and interests, his class origin, civic-moral probabilities, the social and political activities of his parents, and his entrance examination. One of the members of the commission will be a representative from the National Front, who will see to it that the stipulated class-political conditions are strictly adhered to.

In schools of higher learning, the governing principle and decisive standpoint will be a complex evaluation of the applicant: the political and moral aspects of the applicant's personality, his talents and abilities, knowledge of and interest in the selected studies, and his origin. Into account will be taken any work he has done in youth and other organizations etc. (in the Communist youth movement).

The criteria for entrance also include a point system for grading examinations of applicants: a student from the working class or a farm laborer's family is to receive 20 points to his advantage at the outset; a student from a less developed area receives 10 points.

The directives also instruct on how to select faculty members.

Conditions are turning to "normal," according to the Prague regime, meaning back to the 50s, to the darkness of twenty years ago.

A STUDENT REPORTS ON CONSUMER AFFAIRS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. GUDE. Mr. Speaker, I would like to share with my colleagues an interesting paper that has resulted from my High School Intern program.

Thirty-nine outstanding high school students from the Eighth District of Maryland participated in an intensive 3-week session of seminars, field trips, and research. Each student chose a topic of current interest and submitted a position paper at the end of the program.

From these, I have chosen one that has been especially helpful to me, in that it is an excellently documented analysis of Federal consumer programs, as well as a paper that shows original thought and concise potential solutions to the problem with which it deals. I feel that this paper is a valuable contribution to the 92d Congress.

The paper, written by Robert B. Lederer of Albert Einstein High School follows:

ORGANIZATION OF FEDERAL CONSUMER PROGRAMS

(By Robert B. Lederer)

I. INTRODUCTION

Over the last half-century, as the American economy has grown more rapidly and expanded more widely, there has naturally come a larger selection of products and services being sold by greater numbers of businessmen. This has resulted in an increase in the number of cases of fraudulent and misleading practices as well as unsafe products. Responding to the need for protection of the consumer, Congress passed many laws and set up several agencies to deal with the problem. But such solutions were only modest beginnings. During the middle 1960's, partially as a result of the influence of the mass media and the spirit of protest, the voice of the American consumer became more and more shrill. Once again, Congress, acting with the President's strong support, took the lead in passing a battery of consumer protection legislation. Today, there are many controls on unfair and unsafe products and practices, yet consumers believe there are still serious deficiencies in the amount and quality of consumer protection exercised by the Federal Government. They see laws passed, but not enforced; agencies given power, but not using it; and they see an apparent disregard for consumer interests in much federal policymaking.

What is the cause of the lack of effectiveness of federal consumer programs? There is no simple answer, but a major part of the problem can be traced to the organization of the Federal Government. President Theodore Roosevelt once said that "organization makes

policy." President Nixon agrees with this viewpoint:

The major cause of the ineffectiveness of government is not a matter of men or of money. It is principally a matter of machinery. It will do us little good to change personnel or to provide more resources unless we are willing to undertake a critical review of government's overall design.<sup>1</sup>

Thus, to many who are concerned about improving consumer protection, there can be no significant improvement until the organization of federal consumer programs is vastly restructured. Typical is the statement of the House Government Operations Committee in a report on consumer legislation:

The evidence presented to this committee from a multitude of sources makes it abundantly clear that the present organization of activities in the Federal Government on behalf of the consumer is inadequate.<sup>2</sup>

Once again, Congress and the President are responding to the demands for reform. President Johnson set up several high level consumer organs as did President Nixon. Both presidents have sent several messages to Congress recommending changes in the Federal Government's consumer setup. Numerous bills have been introduced in Congress that call for creation of new consumer agencies or improvements in existing ones. The purpose of this report will be to evaluate some of the more important proposals on Federal Government consumer organization, and then present recommendations for what I believe to be the best solutions to the problems at hand.

#### II. PRESENT PROGRAMS

Before we can go into the specific problems, it is important to examine what agencies and programs exist at the present time. There are literally hundreds of such programs, but I will merely describe the most important ones.

One of the major government consumer protection agencies is the Federal Trade Commission (FTC). This is one of the independent regulatory bodies which has administrative, quasi-legislative, and quasi-judicial duties. According to President Nixon, "a principal function of the FTC has historically been to serve as the consumers' main line of resistance to commercial abuse."<sup>3</sup> Its specific activities in consumer protection include investigating and correcting unfair or deceptive acts, including false and misleading advertising. FTC also has functions in the area of regulating and eliminating monopolies and trade restraints. Recently the Commission was reorganized in a way that is hoped will strengthen it; its functions have been divided into a Bureau of Consumer Protection, a Bureau of Competition, and a Bureau of Economics. An Office of Policy and Evaluation has been created to determine priorities in enforcement efforts.

Another federal agency that is almost entirely concerned with consumer protection is the Food and Drug Administration (FDA), located in the Department of Health, Education and Welfare (HEW). Its main areas of concern include the safety, purity, and wholesomeness of food; the safety and effectiveness of drugs and similar medical products; proper labeling, including warnings for safe use; honesty in packaging; safety of toys; and regulation of hazardous substances. To carry out these goals, FDA conducts tests of the products it regulates, establishes standards for consumer protection, carries out continuous research to improve definitions and standards of trade practices and promotes honesty and fair dealing in consumer interests. The FDA has under it a Bureau of Food, Pesticides and Product Safety, a Bureau of Drugs, and an Office of Product Safety.

The Department of Agriculture (USDA) has several consumer programs which are concerned with inspection and grading of food, fair trade practices in farm commodities, and research on the wholesomeness of food and the economic use of the consumer's budget. Specifically, the Consumer and Marketing Service (C & MS) and the Agricultural Research Service (ARS) operate some of these consumer programs.

According to the U.S. Government Organization Manual, the consumer protection functions of C & MS are as follows:

The service . . . administers inspection programs to insure the wholesomeness of domestic, imported, and exported meat and poultry products. Continuous supervision is exercised over further processing of meat and poultry products to assure wholesomeness and truthful labeling, and prevent adulteration or deceptive practices.<sup>4</sup>

In addition, there are other functions which indirectly contribute to fair treatment of the consumer: 1. standardization, inspection, grading, and classing of most important farm commodities; 2. market regulatory programs ". . . designed collectively to protect producers, handlers, and consumers of agricultural commodities from financial loss or personal injury resulting from careless, deceptive, or fraudulent marketing practices . . ." 3. marketing agreements and orders which ". . . help to establish and maintain orderly marketing conditions for certain (highly perishable) commodities . . ."<sup>5</sup>

The marketing and nutrition research programs in ARS are also of indirect benefit to consumers. Research is conducted on such topics as agricultural marketing efficiency, commodity quality, development of new and improved commodities, human nutrition and "effective consumer use of food, clothing and textiles; and efficient management of money, time, and other family resources."<sup>7</sup>

Another department which has certain consumer protection functions is the Commerce Department. Although the department has no specific consumer programs, Congress has vested it with administration of several laws pertaining to unfair trade practices and product safety. For example, Commerce has partial responsibility for enforcing the Truth in Lending Act, the Fair Packaging and Labeling Act, and the Flammable Fabrics Act. Also, the National Bureau of Standards operates some programs which test consumer products and set standards for them. The only specific consumer program—which has no enforcement power—is the newly created National Business Council for Consumer Affairs. When President Nixon set it up, he said, "The Council will be a vehicle through which government can work with business leaders to establishing programs for accomplishing the goal . . . of fostering a marketplace which is fair both to those who sell and those who buy."<sup>8</sup>

One other department which maintains jurisdiction in an aspect of consumer protection is the Department of Transportation (DOT). The major consumer program there is located under the National Highway Safety Bureau (NHSB). This agency was given a Congressional mandate to try to reduce traffic accidents by improving, among other things, the safety of motor vehicles. Specifically, under the Bureau's Motor Vehicle Programs, ". . . Federal Highway Vehicle Safety Standards are issued which prescribe safety features and levels of safety-related performance for motor vehicles and motor vehicle equipment."<sup>9</sup>

General enforcement powers for consumer protection are lodged in the Department of Justice. There, as a result of a recent reorganization, a Consumer Protection Section has been established within the Antitrust Division. The new Section will enforce consumer protection laws over which the Department has jurisdiction.<sup>10</sup>

There are many other programs in the federal government which exercise powers to protect consumers. There are even more agencies and programs which have functions that affect consumers—sometimes adversely. Included in the latter category would be all the regulatory agencies in addition to those departments which have powers to regulate industries.

Many such agencies, recognizing the effect they have on consumers, and faced with a rising spirit of consumerism, have set up special offices to dispense information to the public and give the consumer a voice in their affairs. One source describes the phenomena in this manner:

Like teen-agers chasing the school's shortest skirt, federal agencies are embracing consumerism in a bureaucratic hug. Some critics consider it more selfish just than enduring love.<sup>11</sup>

One of the critics is Rep. Benjamin S. Rosenthal, a Democrat from New York, chairman of the Democratic Study Group's Consumer Task Force, and a longtime consumer advocate. Rep. Rosenthal thinks that some of these offices "use the word 'consumer' as a device to cloak their real activities. It's an exercise in futility and sleight-of-hand, more a public relations gesture than a legitimate effort at consumer protection."<sup>12</sup> Other observers, however, believe the new offices should be given a chance to prove themselves. They point to the achievements that have been made thus far:

HEW's Office of Consumer Services is helping poor residents of three Model Cities areas establish buying cooperatives and credit unions . . . FDA's Office of Consumer Affairs . . . has cut a backlog of 2,000 inquiries to a few hundred, and is directing activities of 20 FDA consumer specialists in 18 cities. ICC has published a booklet advising families on the financial practices of household movers.<sup>13</sup>

Some of the agencies mentioned above will be referred to again later in reference to their deficiencies.

In order to advise the President on all these consumer matters and represent consumer interests in the Federal Government, President Johnson in 1964 set up the post of Special Assistant to the President for Consumer Affairs. He also established the President's Committee on Consumer Interests to have oversight over the many consumer programs. But the Committee had little staff, funds, or public notice, and no specific powers, so in February, 1971, President Nixon abolished it. Instead, he created an Office of Consumer Affairs (OCA) in the Executive Office of the President. He named his Special Assistant for Consumer Affairs, Mrs. Virginia H. Knauer, as Director of OCA. According to the Executive Order which set it up, OCA

. . . not only advises and represents the President on matters of consumer interest, but also analyzes and coordinates the implementation of all Federal activities in the field of consumer protection, helping to establish priorities and resolve conflicts, and recommending ways in which governmental consumer programs can be made more effective.<sup>14</sup>

During a recent House Committee hearing Mrs. Knauer described the operation of her office. The exchange between a committee member and Mrs. Knauer follows. (NOTE.—I attended these hearings, but they are so recent that they have not been printed up. Thus, I could only take rough notes and so the words of both people have been paraphrased.)

Q. What would you say is the role and function of OCA?

A. The actions of the Office start at the highest level. President Nixon frequently calls me and the other heads of White House Offices for briefings. Our job is to coordinate. I work with cabinet officers and agency

Footnotes at end of article.

heads—in a cordial working relationship—and have urged the placing of consumer representatives in all commissions and agencies.

Q. Could you consider your agency as a consumer advocate?

A. . . . I think that anyone who speaks for and to the President about these matters is a consumer advocate.

Q. Then you intervene in proceedings of other agencies?

A. Not so much intervene, but we present the administration's position.<sup>15</sup>

What specific activities does OCA perform? There are many. Some of the present programs follow:

(1) To develop the all-important coordination of programs, a Division of Program Analysis has been established. It will make surveys to evaluate Federal consumer programs on a priority basis. Analyses will be used to make recommendations to the agencies on policy matters, program effectiveness, and elimination of duplication.<sup>16</sup>

(2) Publishing of monthly Consumer News. It is designed to bring together in one publication a description of recent and pending Federal consumer programs and policies. Specifically, each issue lists (a) all government agency actions in the past month that affect consumers; (b) all pending decisions or proceedings by agencies on consumer matters (including address of agencies); (c) new Federal consumer publications and where they can be bought; and (d) other tips and information of use to consumers.<sup>17</sup>

(3) Maintenance of a complaint mechanism whereby citizens can send grievances against any business or government agency to OCA, which serves as a clearinghouse and tries to satisfy complainants. The Office receives about 2,000 complaints per month. Unlike in the past, OCA is now empowered to take up a complaint directly with the manufacturer and try to solve the problem.<sup>18</sup>

(4) Giving of policy direction to the new Consumer Product Information Coordinating Center (CPICC), located in the General Services Administration (GSA). The Center was created by Executive Order in October, 1970. By October, 1971, CPIIC will begin identifying by brand name the over 4,000 items which GSA buys for the government that are also available to consumers.<sup>19</sup>

(5) Establishment of a Consumer Advisory Council (CAC) within OCA. This was contained in President Nixon's Executive Order setting up OCA. The Order provides that CAC be composed of twelve members appointed by the President for two-year terms. The main duty of CAC is to advise the Director of OCA on the following matters:

(a) policy matters relating to consumer interests; and

(b) the effectiveness of federal programs and operations which affect the interests of consumers; and

(c) problems of primary importance to consumers, and ways in which unmet consumer needs can appropriately be met through Federal Government action.<sup>20</sup>

### III. POOR PERFORMANCE OF PRESENT PROGRAMS

Despite the large number of agencies that have consumer protection functions, despite the OCA which oversees all of them, despite the many laws that have been passed, the present programs are not operating adequately. Ralph Nader has said the Federal Government's consumer efforts are characterized by "impotence . . . delay . . . [and] nonresponsiveness."<sup>21</sup> One source of proof for this statement can be found in expert studies of two of the most important federal consumer protection agencies, FTC and FDA.

A commission of the American Bar Association, recently created at the suggestion of President Nixon to appraise the present

efforts of the FTC in the field of consumer protection, indicted the agency as continuing to fail in many respects. The commission said in its report of September 15, 1969: "Through lack of effective direction, the FTC has failed to establish goals and priorities, to provide necessary guidance to its staff, and to manage the flow of its work in an efficient and expeditious manner." It concluded that both the volume and the force of FTC law enforcement have declined during this decade . . .

A 1969 internal study of the FDA, another key agency in the protection of consumers, concluded that "The Federal Government is doing a grossly inadequate job of protecting consumers from dangerous drugs, contaminated foods and other hazardous products."<sup>22</sup>

The result of this government indifference to the consumer interest has inevitably been a continuance of the same unfair and unsafe practices which have gone on for years. Ralph Nader testifies to the extent of such abuses, and divides them into two categories:

I think if there is one impressive fact about these hearings . . . it is the rigorous and continual documentation of consumer abuse, both in the areas of reducing the real income of the consumer, which is another way of cheapening the dollar, and in terms of harmful impact on his health and safety. These two forms of deleterious impact, reducing his real income and harmful impact on his health and safety, represent two of the most fundamental values of our society . . .<sup>23</sup>

I will now discuss some examples of these two types of abuses, and how the federal government has refused to stop them. Let us take the health and safety cases first.

In the area of consumer health and safety, the main problem has been a lack of willingness, on the part of government agencies, to impose standards or ban dangerous products. A special report prepared for the National Commission on Product Safety documents this inaction:

The administration of these programs (auto safety, flammable fabrics, hazardous substances) has been marked by too much timidity and inordinate delay . . . FDA has taken over two years to bring to completion proceedings for a proposed ban of the commonly recognized and highly dangerous poison, carbon tetrachloride, and the same agency failed to use its authority to ban (it) . . . The Department of Commerce has failed to take steps to apply even the weak existing flammability standard to dangerously flammable blankets, bedding, and other interior furnishings, which were made subject to safety regulation over two years ago . . . As for the auto safety program, although a few important standards have been issued, they have been drawn mainly from safety features already incorporated in the vehicles of most domestic manufacturers.<sup>24</sup>

Another source elaborates on the auto safety problem:

The DOT, charged with enforcing auto safety standards, has been more concerned with appeasing industry than with protecting the public. Crash survivability tests have been halted—although they would have determined for the public which cars were safest. Twenty percent of automobiles and equipment tested by DOT fail to meet federal safety standards, but little action has been taken to require call-backs or penalize the violators.<sup>25</sup>

Although economic loss is a less publicized consumer problem, it is nonetheless a very critical one. It can come from many sources, including ". . . outright fraud and sharp practices honed to an incredible subtlety."<sup>26</sup> In many cases the federal government has not taken action to stop such practices. One example:

The Department of Commerce determines the standard size of the lumber that supplies

the basic strength and rigidity to our homes. The department is now in the process of reducing the standard 2" by 4" to 1½" by 3½". What does this mean for the consumer? Some consumer spokesmen maintain that a new home owner will either be getting 11% less wood in his home or an added cost of about \$400. It was the big lumber manufacturers' interest, not the consumers' interest that the Commerce Department advanced.<sup>27</sup>

A related area of consumer harm, which according to one source, costs the American consumer billions of dollars a year, is the granting of rate and tariff increases by federal regulatory bodies. In addition to the immediate extra cost that the consumer must pay in terms of the products or services themselves, there are also the long-term harms of inflation to which such increases contribute. Examples of such rate hikes sanctioned by the regulatory agencies are countless, but a few examples will suffice:

During fiscal years 1969 and 1970, the CAB, the FCC, and the FPC granted increases to industry totalling \$1.2 billion. Additionally, the ICC recently approved a \$1.3 billion increase in rail freight rates. Late last year, industry requests for further increases totalling \$1.2 billion were before these same agencies. The total dollar value of reported rate and tariff increases accepted and pending during the last 2 fiscal years in actions by the three regulatory agencies is over \$4 billion. This figure does not include most increases granted by the ICC nor any increases granted by the Federal Maritime Commission. These agencies were unable even to estimate the total dollar value of increases pending and approved.

The CAB deserves special mention for its recent action in approving airline fare increases. In Nov., 1970, it approved an increase in domestic fares and rate structures which cost airline travelers \$100 annually. [In April, 1971] the Board authorized a 6 to 9% increase in domestic airlines fares that will increase annual revenues anywhere from \$115 million to \$400 million per year.

Confidence in the federal consumer protection apparatus is also shaken when the FCC accuses Western Union of allowing its telegram service to deteriorate, but also approves \$21 million in rate increases to that monopoly.<sup>28</sup>

### IV. CAUSES OF THE PROBLEM

As was mentioned earlier, there is no one simple cause of the inadequacy in federal consumer programs. However, there are several specific problem areas that can be identified. Two of these are a lack of funds and staff for the agencies, and insufficient enforcement powers or mechanisms. These problems are beyond the scope of this report. It was explained earlier in the report that the real determining factor is the organization of the programs involved. Thus when we consider the area of government organization, there are two problems that are major culprits; one is the lack of coordination between governmental programs; the other is the lack of consumer advocacy in government policymaking. Let us examine these two deficiencies.

#### A. Lack of coordination

One of the major problems in all governments today is fragmentation. New agencies are haphazardly established when the need arises, but no review is made to determine the effect of such action on existing agencies. President Nixon spoke of these problems when he released his Executive Reorganization proposals:

As we reflect on organizational problems in the federal government today, one seems to stand out above all others: the fact that the capacity to do things—the power to achieve goals and to solve problems—is exceedingly fragmented and broadly scattered throughout the federal establishment. In addressing almost any of the great challenges of our

Footnotes at end of article.

time, the federal government finds itself speaking through a wide variety of offices and bureaus, departments, and agencies.<sup>29</sup>

In the area of consumer protection, such fragmentation is as bad, if not worse, than in other areas of government. Various estimates have been made of the number of federal agencies and programs involved in consumer matters. The number of administering agencies that have such functions has been set variously at 30, 33, 36, 39, and 43. By my own count, I have arrived at 45. (A complete list is contained in Appendix II.) Similarly, the number of programs—and here the estimates run wild—range from 150 to 260 to 300 to 413 to 500 to 900 to 1,000. I think the mere range of such estimates underlines the problem of a lack of coordination and overview. It must also be pointed out that these programs use a large number of resources—a 1961 study estimated that all the consumer programs cost almost \$1 billion annually and employ over 65,000 persons.<sup>30</sup> Certainly in ten years, with the proliferation of programs and the severe inflation, these figures must be much larger today. In addition, these various agencies have divided and joint jurisdiction over many consumer laws. Some examples:

Responsibility for enforcing the Truth in Lending Act is vested in nine separate agencies; administration of the Fair Packaging and Labeling Act is divided among three agencies—the FTC, the FDA, and the Department of Commerce; Flammable Fabrics Act jurisdiction is shared by Dept. of Commerce, FTC and FDA; responsibilities for the wholesomeness of fish and fishery products falls both to the FDA and Interior Dept.'s Bureau of Commercial Fisheries . . .<sup>31</sup>

Most of this fragmentation and joint responsibility is under no supervision or control in the higher levels of government.

The fragmentation of these programs throughout the government, and the joint and split jurisdiction have serious consequences in the general performance of government. Again, I turn to President Nixon, who has spoken eloquently about the results of scattered responsibility. His list of results in government activities in general can be applied to consumer programs specifically.

(1) The diffusion of responsibility makes it extremely difficult to launch a coordinated attack on complex problems . . . When one part of the answer to a problem lies in one department and others lie in other departments, it is often impossible to bring the various parts together in a unified campaign to achieve a common goal.

(2) Even when departments make a concerted effort to broaden their perspectives, they often find it impossible to develop a comprehensive strategy for meeting public needs. Not even the best planners can set intelligent spending priorities, for example, unless they have an opportunity to consider the full array of alternative expenditures. But if one part of the problem is studied in one department and another part of the problem is studied elsewhere, who decides which element is more important? . . . Too often, no official below the very highest levels of the government has access to enough information to make such comparisons wisely. The result is that the government often fails to make a rational distribution of its resources among a number of program alternatives.

(3) Divided responsibility can also mean that some problems slip between the cracks and disappear from the government's view. Everybody's business becomes nobody's business and embarrassing gaps appear which no agency attempts to fill.

(4) At . . . times, various Federal authorities act as rivals, competing for the same piece of "turf". Sometimes one agency will

actually duplicate the work of another; . . . on other occasions, Federal offices will actually find themselves working at cross purposes with one another . . . In an effort to minimize such problems, government officials must spend enormous amounts of time and energy negotiating with one another that should be directed toward meeting people's needs. And even when they are able to work out their differences, officials often reach compromise solutions which merely represent the lowest common denominator of their original positions. Bold and original ideas are thus sacrificed in the quest for intragovernmental harmony.

(5) Scattered responsibility also contributes to the overcentralization of public decision making. Because competing offices are often in different chains of command, it is frequently impossible for them to resolve their differences and for providing needed coordination, an entirely new layer of Bureaucracy has emerged at the interagency level . . . Even so, there are still many occasions when only the White House itself can resolve such interjurisdictional disputes. Too many questions thus surface at the Presidential level that should be resolved at the levels of Government closer to the scene of the action.

(6) Inefficient organization at the Federal level also undermines the effectiveness of State and local governments . . . Some local officials are so perplexed by the vast array of Federal programs in a given problem area that they miss out on the very ones that would be most helpful to them . . .

(7) If it is confusing for lower levels of government to deal with this maze of Federal offices, that challenge can be even more bewildering for individual citizens . . . The people whom the Government is supposed to be serving are often forced to weave their way through a perplexing obstacle course as a condition of receiving help.<sup>32</sup>

When we add the examples of the poor performance of consumer programs to President Nixon's statements, it becomes clear that the lack of coordination is having serious repercussions in all aspects of federal consumer protection.

What is being done to cope with this problem? I mentioned earlier that President Nixon has set up an Office of Consumer Affairs mainly to coordinate consumer programs so as to eliminate duplication and resolve conflicts. OCA has been working on this problem, but obviously it will take time to see results—after all, the Office was only created in February, 1971. However, there is disagreement on whether OCA is doing or can do enough to alleviate the problem. Some say it must be given time, others want to strengthen it, still others would like to consolidate some of the programs themselves to make OCA's job easier. All of these approaches will be discussed later.

#### B. Lack of representation

A second major problem with the present federal consumer setup is that there is a lack of consideration of the consumer interest in the policymaking and enforcement stages. As was mentioned earlier, there are many instances where agencies have taken no action on serious problems, or have granted companies inflationary rate hikes. Why do these agencies—particularly the regulatory bodies—disregard the consumer viewpoint? There are two answers, both related.

The first answer is that these agencies have worked with the industries so long that (to use a common cliché) "the agencies have become creatures of the industries they are supposed to be regulating." A task force report prepared for the National Commission on Product Safety (NCPS) explains why this is so:

Continual communication with the repre-

sentatives of the regulated industries causes agency preoccupation with the economic burdens and dislocation that specific safety standards would impose. The Government penchant for multiplying layers of review preceding the final decision produces conflicting interests within the agencies, which may create a stalemate and allow industrial representatives to probe for the soft spots receptive to delay . . . [The net result is that], as if instinctively, the agencies approach problems so as to seek accommodation with the regulated industry and avoid major conflict with it.<sup>33</sup>

The second reason why many regulatory agencies do not consider the consumer viewpoint is simply that it is not presented; or when it is presented, it is in a weak and unprofessional way which industries can easily overcome with their large amounts of money and personnel. Rep. Rosenthal supports this view:

In proceedings before regulatory agencies . . . the industry . . . has a staff, frequently a battalion of very well paid lawyers and very able lawyers to present the case; and yet no one presents the case in opposition. There is no consumer representative . . .<sup>34</sup>

Thus, the basic problem is that since many matters concerning rates, licenses, and standards are very complicated, few consumers or consumer groups have the resources or knowhow to present their side of the story. This idea is explained by a representative of a well-known consumer group:

Because our system of government, like our judicial system, is primarily one of advocacy, it follows that only those interests that are specifically represented are taken into full account . . . At the Federal level, who argues for the consumer before . . . any department or agency whose official actions affect the consumer interest? Hardly anyone. We at Consumers Union, the Consumer Federation of America, Mr. Nader and his associates, and a few other groups appear occasionally. But we are the first to recognize how much goes on where none of us makes the appearance.<sup>35</sup>

To put the problem in a nutshell, there is presently a gross imbalance in representation before federal agencies. That imbalance favors the industries which are regulated. To many people—consumers, legislators, even some businessmen—only by establishing an official Federal Government consumer advocate that can argue the consumer's case before the agencies, can his viewpoint be represented. Once again, we turn to Rep. Rosenthal for an explanation:

Because their interests are so broad and disparate, consumers will never have the kind of organized representation—trade associations, lawyers, lobbyists—that has been so effective for producer groups. Only government can fill that void.<sup>36</sup>

There are, of course, some people—mostly businessmen—who disagree with the idea of a publicly-funded consumer spokesman. They say such a post is unnecessary or could be too powerful. But consumers say that the long list of inaction and unfair treatment by the Federal Government is certainly justification enough for the creation of such an office. In addition, the idea has been tried successfully—judging from experiences at the local level, it would appear that such an office can produce results.

Thus, there is nearly universal agreement that there should be a consumer advocate at the Federal level. What there is great disagreement on, however, is: (a) where the advocate should be placed in the government framework; and (b) what specific powers he should be granted. The main battleground has been on the first question—location. Various bills have been introduced which would put the advocate function in the Justice Department, the FTC, the OCA, or in a new, independent agency.

Footnotes at end of article.

## V. HISTORY AND OVERVIEW OF BILLS

At this point, let us examine the bills that are presently before Congress dealing with the organization of Federal consumer programs. At the same time, let us briefly go over the history of the more important bills. (NOTE.—This report will cover some bills not presently before Congress, but which are based on ideas that still carry some support.)

One of the bills, H.R. 3809, introduced by Representatives Erlenborn and Brown, would set up a statutory OCA (with similar powers to the existing ones) and a strengthened Bureau of Consumer Protection within the FTC. The Bureau, to be headed by a Consumer Counsel, would have the functions of advocacy, complaint handling, information dissemination, and product safety. Hearings have been held on the bill, and a committee vote is expected some time in August. The Nixon Administration tentatively supports the bill, but it wants to wait until a thorough evaluation has been made of the report by the President's Advisory Council on Executive Organization (the Ash Council), before it takes a firm stand. President Nixon promised a decision by April 20, 1971, but that date has come and gone with no action. It appears that without the firm support of the Administration, the bill stands almost no chance of receiving committee approval.

The bill just described could be considered as the "child" of a similar bill, H.R. 14758, introduced in the 91st Congress. This proposal also called for an OCA, but would have placed the advocate function in a to-be-created Consumer Protection Division of the Justice Department.

Another bill, H.R. 13793 in the 91st Congress (by Rep. Dwyer) has also not been reintroduced in this Congress. That bill would have established a statutory OCA with all of its present powers of coordination plus the advocacy function. While not under active consideration at this time, the bill could conceivably be a compromise in a future legislative battle.

I have also included in this report an evaluation of some sections of H.R. 6960 and H.R. 6961, the parts of President Nixon's Executive Reorganization plan which would establish, respectively, Departments of Economic Affairs and Human Resources. Both of the proposed departments would contain some consumer protection programs and they will be examined in that light. These complex bills are being considered in lengthy hearings and I am sure that it will be months before they will be put to a committee vote, much less a vote of the entire House.

Finally, we come to the bill to which the most attention has been and will be given. It has so many cosponsors that it was introduced as three identical bills. I am speaking of H.R. 14, 15, and 16—henceforward, to be referred to as simply H.R. 14—by Rep. Rosenthal, which would establish an independent Consumer Protection Agency (CPA), as well as a statutory OCA. The bill's main provisions are as follows: OCA would be made statutory and given additional powers to what it presently has; CPA will be set up to represent the interests of consumers in proceedings before Federal agencies and the courts, to gather and make available the results of tests and analyses of products, and to assume the functions of the NCPS.<sup>37</sup>

Since this is such an important and popular bill, it would be beneficial to examine its history. The "great-grandfather" of H.R. 14 was a bill by Senator Estes Kefauver, first introduced in 1959, that provided for the establishment of an executive Department of Consumers. This bill would have transferred many related consumer protection agencies into one, consolidated department.

Extensive hearings were held but no action was taken. In 1965, Rep. Rosenthal introduced a revised version of the bill, which changed the name to Dept. of Consumer Affairs (DCA), and housed in the department the power of advocacy, in addition to the other functions. In September and October of 1969, hearings were held on the bill—then designated H.R. 6037. As a result of testimony by consumer spokesmen against the bill, Rep. Rosenthal dropped the department idea. In November, 1969, he modified the bill to provide for a Consumer Protection Agency, to which would not be transferred any existing programs—although consumer groups have now shifted their support away from DCA to CPA, two bills, H.R. 254 and 1015, have been introduced in the 92nd Congress to set up a DCA. I could not find out who is sponsoring these bills.

Hearings were held on the revised bill in April, 1970. After this, the House Government Operations Committee wrote a compromise bill, numbered H.R. 18214, that established a CPA and an OCA. The Committee approved the bill, 31 to 4. Meanwhile, the Senate approved a similar bill, 74 to 4. Chances looked excellent for final passage, but the bill was defeated in the House Rules Committee on a 7 to 7 tie vote.

This year, Rep. Rosenthal has introduced virtually the same bill with 170 cosponsors. The proposal has strong popular support. The House Democratic leadership has declared the bill one of their top priorities for this year. Ralph Nader has called it "the single most important bill ever before Congress." The main force of opposition, in addition to many business interests, comes from the Nixon Administration. As mentioned earlier, the Administration has not yet formulated its exact position for this year, but in the past, it has gone on record in opposition. However, a talk with a staff member of OCA indicated that the President's position is not hard-and-fast; he "hasn't foreclosed the option," but thinks that the bill is "an idea whose time has not yet come... perhaps in the future."<sup>38</sup>

What happens now? Hearings were held on the bill (along with other pending consumer bills: H.R. 3809, 254, 1015) during April, May, and June of this year. According to one of Rep. Rosenthal's aides, the subcommittee considering the bill will probably vote on it late in July, with the full committee taking it up sometime in late August. The aide expressed the view that chances for the bill's final passage—including the elusive approval of the Rules Committee—are "excellent"; but he quickly added that there is some chance the resulting bill will contain some modifications.<sup>39</sup> In any event, it would seem that all the evidence points strongly to some consumer agency bill being on the President's desk by the end of this year. After that point, it is anybody's guess what could happen, though one wonders if Mr. Nixon could risk being branded "anti-consumer" by vetoing such a bill.

## VI. DETAILED ANALYSIS OF BILLS

At this point, we shall take up each of the bills, list their main provisions, and look at the pro and con arguments. The discussion will be arranged by problem areas—first coordination, then advocacy.

## A. Coordination

## 1. Statutory OCA

As was pointed out earlier, most parties involved in consumer issues believe there is a need to do something about the fragmentation of consumer programs. Of course, OCA was set up by Executive Order to try to deal with this problem. However, many people (including the Administration, as of last year) favor making OCA statutory, to deal with three problems with the existing Office: First, a future President could abolish the Office just as easily. Secondly, present

OCA appropriation are coming partially from other Federal agencies with consumer programs. A third need is indicated by a former Special Assistant to the President for Consumer Affairs:

I remember in my experience being told to try to coordinate the activities, but it was impossible. We tried to do it through the Bureau of the Budget, for example, to have an overview of their programs through how they were spending their appropriations. But unless you have statutory authority, unless you know that Congress wants the agencies coordinated, as important as is the President, and even with his backing, it is not enough.<sup>40</sup>

A fourth reason for a statutory OCA is that this office would then be more responsible to Congress. In summary, the formalizing of OCA through Congressional action would make the Office permanent, would clearly define its authority and responsibilities, and would indicate that Congress supports it. I have seen no evidence of any opposition to this concept.

In addition, some consumer groups would like to strengthen OCA's powers. H.R. 14 would impose several additional powers and responsibilities on OCA and its Director. Some examples:

(1) Upon the Director's request, each Federal agency is directed to make available its services, personnel, information, and estimates to OCA for consumer-related purposes.

(2) The Director is required to submit an annual report to Congress and the President which evaluates consumer activities by OCA and other agencies, and gives recommendations for legislation.

(3) OCA is given more wide-ranging power and responsibilities in acting on consumer complaints.<sup>41</sup>

Consumer groups feel these changes will make OCA more effective and productive. Again, there has been little opposition to the proposals, although I am sure industry groups will attempt to water down some of these provisions when the bill is actively considered.

Even with the establishment of OCA, some people would like to go further, toward controlling the fragmentation. They think that while coordination is fine, consolidation is the ultimate solution. Two approaches to consolidation have been considered: One is the creation of a new Dept. of Consumer Affairs to pull together many consumer protection functions under one roof; the other is the total reorganization of the executive branch in which (among others) consumer programs would be partially consolidated under new super-departments.

## 2. Department of Consumer Affairs

Let us first consider the DCA bill (H.R. 6037 in the 91st Congress.) Its main provisions are as follows:

(1) Establishment of an executive Department of Consumer Affairs which will have the function of "protecting and promoting the interests of consumers generally and in various specific ways."

(2) Transfer of the following functions to DCA: enforcement of the Fair Packaging and Labeling Act (from Commerce, HEW and FTC) and the Truth in Lending Act (from nine other agencies); consumer protection functions of C & MS (from USDA); functions relating to food containers and misbranding of food (from FDA); the Division of Prices and Cost of Living (from Labor); and the Home Economics and Human Nutrition Research branches of ARS (from USDA).

(3) Power to intervene before Federal agencies and courts to present the consumer viewpoint.

(4) Various other provisions on related matters, including consumer complaints, information, safety, research, and surveys.<sup>42</sup>

Generally, the argument for the DCA bill is that only a full-scale Cabinet Department

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can adequately protect and advocate the rights of consumers at the Federal level. To be more specific, the pro-DCA people contend that consumer programs are presently under the jurisdiction of agencies that cater to different constituencies—business, labor, farmers—and thus cannot be responsive to consumer needs. If such programs were all put under the aegis of a DCA, it is argued, consumers would have a sympathetic niche in the government which would stand up for their rights. A related argument is the "everyone-else-has-it-why-not-us?" line of reasoning: Businessmen have the Commerce Dept., labor has the Labor Dept., and farmers have the Agriculture Dept., but what does the consumer have? Another justification is that the mere establishment of a DCA—with its Secretary having an equal access to the President as do other Cabinet members—will give the whole consumer movement tremendous prestige and could have beneficial side-effects. In addition, it is pointed out that a unified consumer center in the Federal Government will "remove many of the frustrations of dealing with the dozens of scattered bureaus that are now dealing with these problems."<sup>43</sup>

The thrust of the opposition to the DCA bill is that consumer protection functions are inseparable from other governmental functions, but even if this were not so, establishment of such a department could cause more harm than good to the consumer. On the first point, it is argued that "consumer protection is not a separate commodity which can be regulated or promoted by a separate agency of government."<sup>44</sup> This is because consumer interests are intimately tied into all that the Federal Government does, whether it is health, education, transportation, or housing. Ralph Nader lists the consequences to the consumer of setting up a DCA. He says that giving the Dept. such a regulatory role would:

- (a) simply refocus the entire lobbying environment on the Department;
- (b) weaken the Department's strong advocate role because it would have to referee between competing interests in its administrative hearings and rule-making roles;
- (c) further lighten any public interest burdens from other departments and regulatory agencies; and
- (d) generate needless opposition by the agencies which would be losing their programs.<sup>45</sup>

Since DCA would have something to "give" to industry, opponents argue, this will attract lobbying forces which have undermined other agencies. In addition, the consumer functions might be downgraded in the government by the fact that DCA would be no more important or significant, in the President's eyes, than any other department. A final argument against DCA is on the overall grounds of prudent government organization. President Nixon has spoken for the view that executive departments should not be organized around narrow interests. He contends that:

When any department or agency begins to represent a parochial interest, then its advice and support inevitably become less useful to the man who must serve all of the people as their President.<sup>46</sup>

### 3. Partial Consolidation

There are some who say that while total consolidation of consumer programs in a DCA is not the answer, perhaps there can be a partial amalgamation of such programs under other departments. It has been well established in this report that in some cases, lack of consumer protection by a federal agency has results from a conflict of interest—in fact if not in law—within that agency. When this is the case, most consumer spokesmen would agree that such a function should

be removed from that agency. Then, the function can be put in another organization which will not create a conflict of interest. However, this is a painstaking process. A noted consumer spokeswoman has underlined this by stating that "I think you have to take these agencies one by one, and you are going to have to compromise."<sup>47</sup>

President Nixon and his staff have performed such a difficult task and the result is the Executive Reorganization Plan. Of course, this deals with the entire executive branch, of which consumer programs make up only a small part. Nonetheless, the President has included some consumer program reorganization in the plan; in addition, his general philosophy on the topic might be instructive for development of further ideas. The following is an excerpt from the press release on the plan:

Under the proposals which I am submitting, those in the Federal Government who deal with common or closely related problems would work together in the same organizational framework. Each department would be given a mission broad enough so that it could set comprehensive policy directions and resolve internally the policy conflicts which are most likely to arise. The responsibilities of each department would be defined in a way that . . . enables the President and the Congress to hold specific officials responsible for the achievement of specific goals.

These same organization principles would also be applied to the internal organization of each department. Similar functions would be grouped together within each new entity, making it still easier to delegate authority to lower levels and further enhancing the accountability of subordinate officials.<sup>48</sup>

Briefly stated, his proposals would abolish seven existing departments (Commerce, Labor, Agriculture, Transportation, Interior, HEW, and HUD) and create four new super-departments (Natural Resources, Community Development, Human Resources, and Economic Affairs). Only the last two proposed departments are relevant to this report. These two bodies would house most programs specifically involved in active consumer protection. The Human Resources Dept. would absorb nearly all of HEW, plus large parts of Agriculture and Labor; it would be subdivided into three major Administrations: Health, Human Development, and Income Security. Presumably, the consumer programs would be lodged under the Health Administration.

Included would be: FDA (from HEW); food inspection functions of C&MS (from USDA); and the product safety programs (from Commerce). The Economic Affairs Department would absorb most of Commerce, Labor, and significant segments of Agriculture and Transportation. It would contain six Administrations: Business Development; Farms and Agriculture; Labor Relations and Standards; National Transportation; Social, Economic, and Technical Information; and International Economics. There appears to be no internal consolidation of the consumer programs which would be included: motor vehicle safety programs of NHTSB (from DOT); enforcement of Fair Packaging and Labeling Act and Truth in Lending Act (from Commerce); Bureau of Labor Statistics (from Labor); the remaining functions of C&MS; and the National Business Council on Consumer Affairs.<sup>49</sup>

It is clear that the President's reorganization plan would go a long way towards consolidation of consumer programs. In this respect, he has followed the advice of several consumer spokesmen who have, over the years, recommended changes such as those proposed—but on a much smaller scale. Indeed, it is interesting to note that many consumer programs consolidated under the Nixon plan are the same ones which were to be transferred to Rep. Rosenthal's pro-

posed DCA. This might seem to indicate that the congressman would be enthusiastic about the consumer parts of the Nixon plan. According to Rep. Rosenthal's legislative assistant, this is not the case: "I don't think the reorganization itself will help. If anything, it might bury these programs under more bureaucratic layers; it might make the programs less effective."<sup>50</sup>

To summarize, several solutions to the coordination problem have been proposed. A statutory OCA appears to have virtually no opposition. However, sincere consumer partisans have lined up on both sides of the difficult question of creating a DCA or partially consolidating consumer functions in a vastly restructured Executive Branch.

### B. Advocacy

We have already discussed the imbalance that now exists in the consideration of policy matters before the Federal Government. It is clear moreover, that despite opposition by some industry groups, the idea of a federally-supported consumer advocate enjoys wide popularity. The points of disagreement, as was pointed out earlier, are the location and powers of the advocate. We shall now analyze the proposals that have been made to house the advocate, variously, in OCA, Justice, FTC, or an independent CPA.

#### 1. OCA

The first proposal calls for the vesting of of the advocacy function in a statutory OCA. The main argument in favor of the bill is that OCA is very near to the "ear" of the President, and thus would carry his prestige and support. This, so its backers say, would be much preferable to an independent agency, which would be competing with the one-hundred-odd existing agencies for the attention of both the President and the public. Opponents contend that a consumer advocate located close to the President has to balance his judgements and thus can never be a strong, partisan advocate. Thus, say the critics, political pressure would frequently inhibit the advocate from performing his duties. Supporters respond that since consumer protection is a major political issue, the President would be risking political trouble if he tried to silence the advocate. But critics say they can only rely on what has happened in the past. They point to the many examples where a Presidential consumer adviser has been unable to express strong proconsumer viewpoints. Or when the adviser has spoken out, there inevitably has been a backdown later on due to pressure from members of the President's staff.

#### 2. Justice Department

Another approach, put forward by the Nixon Administration in 1969, would put the advocate in a proposed Consumer Protection Division (CPD) of the Justice Department. The Division, to be coequal with all the other divisions would have both advocacy and enforcement functions. It would be supported by a substantial staff of lawyers. Generally, the justification for the bill is that it makes sense to put an advocate in an agency that deals with related matters (i.e. enforcement) and has a large, skilled staff. In addition, say the supporters, legal representation responsibilities historically have been primarily by the Justice Department. Critics of the scheme argue that the Justice Department is usually the lawyer for government agencies, rarely against them, and anyway, higher officials could veto adventurous plans of the Consumer Protection Division. Supporters answer that the Antitrust Division is a perfect example of where intervention is sometimes promulgated against federal agencies. Furthermore, they say, disputes between CPD and higher authorities could be resolved in the same way antitrust cases are: allow the CPD to present its own case to a reviewing court. Another argument of the critics is that CPD would not have enough time,

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money, or staff to do a good job on both advocacy and enforcement. The response to this argument has been that CPD will be sufficiently staffed and funded to do the job. But actually it is difficult to know in advance how many resources would be needed, so the question is unclear.

In his 1971 consumer message to Congress, President Nixon noted the non-response to his earlier proposal to put the consumer advocate in Justice. He also noted that the Ash Council's report, which had then just been issued, "suggested" that an advocate might be best placed in a new Federal Trade Practices Agency which would be created from a restructuring of the FTC. The President has as yet taken no position on the recommendation, but has urged that, if Congress is intent on acting now, it should place the advocate in FTC as an interim measure. As mentioned earlier, H.R. 3809 is written along these lines; its Bureau of Consumer Protection in FTC would be headed by a Consumer Counsel. Generally, the argument in favor of the bill is that FTC has traditionally been the consumer's "advocate" before private companies, and it has a staff trained in this field; thus it would be well suited to house an advocate to appear before federal agencies. Doubts have been raised, however, about the Consumer Counsel's ability to act independently. One reason is that the Counsel's actions are, to quote the bill, "subject to direction by the Commission."<sup>51</sup> The American Law Division of the Congressional Research Service has interpreted this to mean that the Counsel probably would have no power to overturn any directive by the FTC.<sup>52</sup> This could considerably inhibit the intervention powers of the Counsel, especially in light of the fact that much of the advocacy work would probably be performed before the FTC itself. A second problem, which has also been confirmed by the American Law Division, is that positions of the Bureau could be regarded as positions of the FTC in general. The result might be that a court would disqualify the FTC from considering a matter before it, on grounds of prejudice.<sup>53</sup> Thus, consumer groups are worried that the Counsel's freedom to intervene might be seriously restricted by FTC directives or court rulings. This, it is argued, would not only mean continued inaction on important problems, but also increased frustration on the part of American consumers.

#### 4. Consumer Protection Agency

Undoubtedly the most important bill concerning advocacy that is presently being considered by Congress is H.R. 14, which would establish an independent CPA. It would be headed by an Administrator appointed by the President and confirmed by the Senate. CPA's functions would be as follows:

- (1) Formally represent the interests of consumers in proceedings before federal agencies and courts;
- (2) Encourage and support research, studies and testing leading to a better public understanding of consumer products and consumer information;
- (3) Submit recommendations to the Congress and the President on improving the operation of federal consumer programs;
- (4) Conduct surveys and investigations concerning the needs and problems of consumers which do not duplicate activities of other federal agencies.
- (5) Continue the work of the National Commission on Product Safety.<sup>54</sup>

The specific mechanism for representation of consumers would work as follows:

Before federal agencies, the CPA is authorized to represent consumers as a party on matters which do not involve an adjudication solely for the purpose of imposing a

fine, penalty or forfeiture for an alleged violation of any statute of the U.S.

On matters which do involve an adjudication for such a sole purpose, the agency may certify evidence and information, but not as a party to the proceedings. Before federal courts, the Agency may only certify evidence and information, but not intervene as a party. But the Agency may initiate a judicial review of an agency proceeding to which it was a party, when a right of review is otherwise accorded by statute.<sup>55</sup>

The triggering mechanism for such intervention would be a finding on the part of the Agency that:

(1) the result of such investigation, hearing, or other proceeding may substantially affect the interests of consumers; and

(2) such interests may not be adequately protected unless the Agency intervenes.<sup>56</sup>

Another important feature of the bill—which is probably a first in the area of public policy—provides that

Every Federal agency taking action which may substantially affect the interests of consumers is required to (1) notify the Agency . . . of the taking of such action and (2) take such action in a manner calculated to give adequate consideration to the valid interests of consumers. In taking action, an agency is required to indicate publicly the effect such action will have upon the consumer interest and the basis upon which the consumer interest was taken into consideration.<sup>57</sup>

The general argument in favor of CPA is that a consumer advocate must be *independent*; he must be free from political pressures that exist in the White House and in other agencies; he must have unrestricted ability to be an unabashed, partisan spokesman for the consumer. This would be the case with CPA since [it] would be under less pressure to accept an "overall" administration viewpoint which comprises the consumer view into an amalgam that reflects other agency interests as much as, or even more than, the consumer interest. In other words, the consumer agency would, to a much larger extent, be free to "agree to disagree" rather than being forced to negotiate and concede points at issue.<sup>58</sup>

The main line of opposition to CPA is founded on the attitude that "merely" establishing another agency will do nothing to solve the problem, and may compound it. The critics base their conclusion on four contentions: One, we have too many independent agencies already; there is no need to create another large, costly bureaucracy. Two, independent agencies tend to become less effective as they get older. Three, the President could weaken CPA by merely choosing a weak or nonactivist Administrator. Four, independent agencies are not responsible enough to Congress.

The answers to these arguments are as follows: On the first one, it cannot be denied that the bill sets up a new bureaucracy, but large and costly? No—the scope of CPA is clearly spelled out and limited. According to the committee which approved the bill,

It must be stressed . . . that no large new bureaucracy is contemplated or intended in this legislation. If personnel and programs mushroom, the organizational structure will no longer be serving its intended purposes.<sup>59</sup>

As to the second contention, this obscures the fact that CPA is not merely another agency. It is a special agency—a totally new concept in government: one agency performing watchdog duties over all the others to protect a specific interest. Thus, one cannot draw conclusions for CPA based on performance of agencies in the past. Furthermore, it is probable that the *existing* agencies would be improved if CPA was created. This is because CPA would be urging or forcing them to take a more balanced approach to consumer problems. In answer to a question on how to improve federal consumer pro-

gram coordination, Ralph Nader mentioned the CPA bill:

Coordination has to be motivated. I've been to many interdepartmental meetings and nothing gets done. But if Congress passed the Consumer Protection Agency bill, with a staff of advocates that could intervene in proceedings of regulatory agencies, then the motivation would be clear. You can't force coordination. But if there's a constant monitor and spur for the consumer, it will tend to force coordination among the agencies.<sup>60</sup>

As for the third argument, Presidential appointments are always based, to a considerable degree, on the ability of the appointee to satisfy the agency's clientele group. In this case the clientele group is composed of consumers and, as Ralph Nader has said,

"I think we now have arrived at a point . . . that the consumer constituency is demanding that if there is going to be a consumer protection unit anywhere, it has to be headed by somebody interested in consumer protection."<sup>61</sup>

The fourth argument is answered by pointing to the provisions in the bill requiring CPA to report annually to Congress and to keep the appropriate committees informed on all of its activities.

Another area of dispute in this bill is the amount of advocacy power granted to the CPA. Some groups—particularly those representing industrial interests—are worried that the power of intervention may give CPA unwarranted powers over the agencies. A Chamber of Commerce representative explains:

If it is desirable that the views of the consumer advocate be presented in particular agency and court proceedings, then it would seem reasonable that he appear as a witness for that purpose. But to authorize [him] to intervene—and perhaps actually initiate proceedings . . . —is in effect to provide for an overseer on the supposedly independent actions of administrative agencies and courts. Add the potent weapon of publicity which a consumer advocate of such power could bring to bear on agencies to persuade them to comply with his proposals, and the net effect on our traditionally unfettered courts and regulatory agencies would be nothing short of intimidating.<sup>62</sup>

Supporters of the bill reply that there are sufficient safeguards to prevent any detriment to the Federal rulemaking process. For example, the bill requires CPA to determine that a given proceeding will substantially affect consumers, in order to intervene. If such a finding is not made, intervention will be ruled out. Also, intervention is not allowed in court cases (except appeals from previous intervention). Finally, as the Committee has pointed out, "nothing in this legislation takes away any discretion from any adjudicatory body."<sup>63</sup>

Not surprisingly there are also arguments in the other direction—that the bill would not give the advocate *enough* power. For example, in FDA proceedings on confiscation of unsafe food, criminal sanctions are often involved. But under the bill, CPA would have no powers of intervention in such proceedings; also off limits (as mentioned above) are all court cases except appeals. I do not know of Rep. Rosenthal's response to this criticism, but it is interesting as an example of the tug-of-war that has been and will be, I am sure, waged over this bill.

One other area which has engendered controversy is that of joint or shared functions of CPA and the OCA set up in the bill. The following is a summary of the pertinent provisions:

*Consumer Complaints:* When consumer complaints are received or developed by the Office or Agency, such action may be taken as is within the authority of each. If the complaint is referred to another federal agency, the nature of the action taken thereon shall be ascertained. Duplication by

Footnotes at end of article.

the Agency and the Office in the handling of complaints is specifically prohibited.

A public document will be maintained by the Agency alone for public inspection of complaints. The Agency shall promptly notify producers and vendors of all complaints concerning them received and developed. A complaint can only be made available for public inspection with the permission of the complainant and after the party complained against has had a reasonable time, but not less than 60 days, to comment.

**Consumer Information:** The Agency and the Office shall gather from other sources and disseminate to the public, information of general value to consumers.

The Agency shall have primary responsibility for disseminating to the public, consumer information in the possession of other federal agencies, including the results of relevant tests performed by those agencies on consumer products.<sup>64</sup>

Critics of the bill do not like the fact that Agency and the Office have several similar functions. In addition to handling complaints and gathering and disseminating information, both units are empowered or required to: submit recommendations to Congress and the President; conduct conferences, surveys, and investigations; support various types of consumer programs; and keep appropriate Congressional committees informed. Some of the dissenters on the Committee which approved the bill, explain why they think such overlap is "wasteful, duplicative, and inefficient":

In our judgment, it is extremely doubtful whether there is any significant difference in the functions of each of these proposed new governmental units, which is sufficient to be a valid reason for creating both units. It would seem likely that, under energetic administration, either of the units has within its powers, duties and functions the potential of taking great steps in the representation of the interests of consumers. To create two units of government with such similar powers, duties and functions is to dilute the responsibility for carrying out this important mission of the federal government. It would appear inescapable that there will be a considerable amount of overlapping and unnecessary duplication of effort on the one hand, while some important things may not be done at all—with no single agency clearly responsible in this area of consumer protection.<sup>65</sup>

The Committee majority defends the bill against these charges, pointing out how it will be attempted to avoid duplication:

In certain limited instances, the Agency and Office have been granted similar functions . . . In each instance, however, the Office and Agency are charged with the responsibility of avoiding duplication in the conduct of these operations. In order to discharge this responsibility, we believe that the Agency and Office should enter into a written understanding which clearly and concisely spells out their areas of responsibility. To the extent that any duplication does occur, the committee believes it will be of a constructive competitive nature which will redound to the benefit of consumers.<sup>66</sup>

This last point on competition evokes strident criticism from the dissenters:

This duplication of responsibilities cannot be excused by the argument used in the Committee report that it will foster competition between the agencies. That is not the purpose of this legislation, as the Committee report concedes. This duplication and division of responsibility may make even more difficult, as well, the management of the hundreds of consumer interest activities which are already spread throughout the federal establishment. Such duplication could also hinder the Congress in its exer-

cise of legislative oversight in this important field.<sup>67</sup>

A final area of argument is the proposed Consumer Advisory Council (CAC). This body would be composed of 15 members appointed by the President to serve staggered terms of 5 years. In addition to providing advice to CPA and OCA, and studying federal consumer programs, CAC is designed to perform an independent watchdog function over the operations of the Office and Agency to assure that they carry out the duties conferred upon them. This means that if either fails to exercise its responsibility adequately the Advisory Council has the duty to bring this fact to public attention and recommend corrective action . . . [CAC] is charged with alerting the Congress, President, and public if such behavior is detected.<sup>68</sup>

The Committee explains the benefit that CAC could have.

The Advisory Council is designed to function as more than the customary body attached to many Federal programs to give a public veneer. The Council envisioned here will maintain an aggressive and innovative oversight over consumer programs and these two agencies in particular to make sure that the interests of consumers are being protected in a responsible but reasonable and fair manner . . . This should be a valuable aid to the consumer effort within the Government.<sup>69</sup>

But the dissenters believe CAC just adds more duplication. They talk about this and then make a final statement.

Having divided the responsibility for representing the consumers between the Office and the Agency, the bill proposes to go still further. . . there is established the Consumer Advisory Council . . . [Its] function is startlingly similar—to advise the Administrator and the Director on matters relating to the consumer interest; to review and evaluate the effectiveness of federal programs, and operations relating to the consumer interest. It sounds like a broken record—three organizations representing the same interest.

This is a highly questionable way to proceed when the government's financial resources are being so severely strained. It would seem to be without question that there are many needs in this country which should be met before we create three government organizations to do a job which, in all probability, would be better performed by a single government organization.<sup>70</sup>

Thus, we can see that H.R. 14 is actually a complex piece of legislation about which there are valid arguments on both sides of the specific issues. Despite the controversy, it seems clear that a consumer advocate is an "idea whose time has come" and, as mentioned earlier, I predict that some form of a CPA bill will probably pass Congress this year.

In summary, we have reviewed the problems in consumer programs, the causes, and the suggested solutions. Now it comes time to sort out the many proposals and come up with some rational, workable solutions to the problems of fragmentation and imbalanced representation.

#### VII. RECOMMENDATIONS

After studying all the proposals on federal consumer agencies, I have taken what I believe are the best elements from each, and then added my own refinements, to form a list of recommendations for comprehensive reform. My recommendations are as follows:

(1) The Office of Consumer Affairs should be established as a statutory body. It should be given all the powers in H.R. 14 which it would possess exclusively.

I support wholeheartedly the idea of institutionalizing OCA and giving it all the powers it needs to really be an effective coordinator of consumer programs. I am convinced that with the backing of Congress, along with sufficient powers, OCA can go a long way towards eliminating duplication and overlap

in Federal consumer programs. In addition, it has the potential of becoming an effective spokesman at the highest level for the consumer interest.

(2) Most existing consumer protection functions should be consolidated in two of the super-departments proposed by President Nixon: Human Resources and Economic Affairs.

Generally, I would go along with most of the President's proposed transfers. However, I would go further than he, so I will now set down the type of organization which I believe would be best, from a consumer viewpoint:

(A) **Human Development Department:** A Consumer Protection Administration should be added, encompassing the following five areas:

(1) **Product Safety**—this should include present FDA and Commerce Dept. functions in the field, the motor vehicle safety programs of NHTSB, and some other functions the President proposed in his consumer message which would provide wider powers to regulate and ban unsafe products.

(2) **Hazardous substances regulation**—such as pesticides and poison control, now in FDA.

(3) **Food wholesomeness**—encompassing appropriate functions of both FDA and C & MS.

(4) **Drug regulation**—the programs now in FDA.

(5) **Consumer research**—the programs now in ARS.

(B) **Economic Affairs Department:** A Fair Trade Practices Administration should be added that would contain:

(1) Enforcement of present consumer protection laws now housed in the Commerce Dept.

(2) Market regulatory functions of C & MS.

(3) The National Business Council on Consumer Affairs.

(4) *Perhaps*, the proposed Federal Trade Practices Agency might be housed in this Administration, rather than being an independent agency, as the Ash Council has proposed. I have not examined their recommendation sufficiently to know all the implications involved; however, it would seem that transferring FTIPA to my proposed Fair Trades Practices Administration would eliminate much of the conflict that presently exists between Commerce and FTC.

In general, I reject the arguments for a separate Dept. of Consumer Affairs. This would simply be the wrong approach and might be worse than the present setup. However, I believe some transfer of functions is necessary, and those which I have proposed would not be vulnerable to the same arguments used against transfers to DCA; the main reason is that this proposal would only be one part of the picture—it would supplement my other recommendations.

(3) A new Consumer Protection Division should be created in the Justice Department. It should include only enforcement powers—not those of consumer advocacy.

I think that such an upgrading is necessary to demonstrate a commitment to consumer justice and to allow a maximum marshaling of forces in the enforcement of consumer protection legislation.

(4) A new, independent Federal Consumer Advocacy Agency (FCAA) should be established in the Executive Branch. This agency, to be headed by a Federal Consumer Advocate, should have all the same powers and functions, with exceptions noted below, as the Consumer Protection Agency proposed in H.R. 14.

There is no doubt that an independent consumer advocate is needed. However, the CPA proposal can be improved upon: I think my proposed name would more accu-

Footnotes at end of article.

rately indicate to the public what the agency and its head do specifically; "consumer protection" is too all-encompassing a phrase. In addition, I would make the following significant changes in the functions of the CPA and its relationship to the OCA and CAC:

(A) The restriction on CPA as far as proceedings involving a fine, penalty, or forfeiture, should be removed. FCAA should have full-fledged powers of intervention in both non-penalty and penalty matters.

I can see no pressing reason for this undue inhibition, especially considering the fact that many important agency rules and all consumer laws involve such penalties. For example, as I see it, CPA could not intervene in any enforcement cases handled by the Justice Dept. since all the laws they enforce have penalties for violations. My proposal would correct this deficiency.

(B) Unlike CPA, FCAA should not absorb the functions of the National Commission on Product Safety. Instead, these matters should be transferred to the proposed Product Safety bureau in the Human Resources Dept.

This change is necessary because if the consumer advocate gets into the area of making detailed studies on specific aspects of consumer protection, it will tend to dilute the powers of advocacy.

(C) FCAA alone should have the following functions which H.R. 14 would have divided between CPA and OCA:

- (1) Receipt and action on complaints.
- (2) Gathering and dissemination of information. This should include a transfer of the publishing of CONSUMER NEWS, presently done by OCA, to FCAA.
- (3) Reporting to Congress. OCA should retain authority to report to the President, but not to Congress. FCAA should obtain whatever information it needs from OCA for preparation of its report, and then the Agency should submit a comprehensive document to the President and the Congress.

In regard to joint and shared functions of CPA and OCA, I believe that some definite choices have to be made. To me it would seem that the way to divide up functions would be to re-evaluate the roles of CPA and OCA. In my proposals, I have adopted the principle that FCAA should be the main governmental link to the consumer; it should be the public, visible unit, whereas OCA should really be more of an administrative tool for the President—it does not need public relations functions.

I realize that this idea may be seen as a weakening of OCA, but I think it is the only way to avoid the troublesome problem of duplication between the two units.

(D) The Consumer Advisory Council (CAC) should be placed under the aegis of FCAA. The Council should possess all functions of H.R. 14's CAC except for: (1) "watchdog" power over the Agency, and (2) power to report to Congress if inappropriate behavior of OCA or CPA occurs. FCAA should, however, have watchdog powers over OCA, and the expert studies of CAC should be incorporated into FCAA's annual reports to Congress and the President.

The problem of duplication extends to the CAC proposed in H.R. 14. While I would agree that such a Council, where regular citizens can be heard from, is desirable, I think that it need not be an independent body. I do not believe that we need a watchdog watching a watchdog—this is what H.R. 14 would provide. In my view, the constant publicity of FCAA would allow the public to perform that role amply. Also, a separate CAC report to Congress would be unnecessarily duplicative and confusing. My recommendations would minimize this duplication.

Thus, I am strongly in favor of an independent, forceful, partisan consumer advocate in the Federal Government. The argu-

ments have been overwhelming that such an office is desperately needed and cannot be placed under the structure of any other agency. My specific proposals, I believe, will streamline and strengthen the powers of the consumer advocate, and thus enable him to be even more forceful and effective.

In summary, I think I have put forward a group of recommendations that will lead to a sorely-needed improvement in the quality of federal consumer programs. With the proper governmental mechanisms to achieve coordination and representation, it seems inevitable that Federal agencies will once again serve the one person whose needs have been neglected for so long—the American consumer.

## FOOTNOTES

<sup>1</sup> Richard M. Nixon, *Message to Congress on Executive Reorganization*, Washington, Government Printing Office, 1971, p. 1.

<sup>2</sup> Committee on Government Operations, *Consumer Protection Act of 1970*, Washington, GPO, 1970, p. 4.

<sup>3</sup> Richard M. Nixon, *Buyer's Bill of Rights*, Washington, GPO, 1971, p. 6.

<sup>4</sup> Office of the Federal Register, *United States Government Organization Manual, 1970-71*, Washington, GPO, 1970, p. 260.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, p. 262.

<sup>8</sup> Nixon, *Buyer's Bill*, p. 9.

<sup>9</sup> Federal Register, *Manual*, p. 390.

<sup>10</sup> Nixon, *Buyer's Bill*, p. 5.

<sup>11</sup> *Washington Star*, May 27, 1971, p. C-12.

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> Richard M. Nixon, *Executive Order: Office of Consumer Affairs*, Washington, GPO, 1971, p. 1.

<sup>15</sup> Subcommittee on Activities of Regulatory Agencies of the House Committee on Small Business, Hearings, (live), June 1971.

<sup>16</sup> "Trying to Make Sense Out of a Maze of Consumer Programs", *Consumer News*, I (1971), 3.

<sup>17</sup> "Dear Consumer", *Consumer News*, I, April, 1971, p. 1.

<sup>18</sup> Executive and Legislative Reorganization Subcommittee of the House Committee on Government Operations, *Organizing Federal Consumer Activities* (Hearings), testimony by Virginia H. Knauer, p. 253, 1970.

<sup>19</sup> "Uncle Sam's Tips on Consumer Products", *Consumer News*, I, May, 1971, p. 1.

<sup>20</sup> Nixon, *OCA*, p. 4.

<sup>21</sup> Executive Reorganization Subcommittee, *op. cit.*, Testimony by Ralph Nader, p. 170.

<sup>22</sup> Committee on Government Operations, *op. cit.*, p. 7.

<sup>23</sup> Executive Reorganization Subcommittee, *op. cit.*, Testimony by Ralph Nader, p. 170.

<sup>24</sup> Howard A. Heffron, *Federal Consumer Safety Legislation*, Washington, GPO, p. 1.

<sup>25</sup> Executive Reorganization Subcommittee, *op. cit.*, p. 38-9, Testimony by Rep. Benjamin Rosenthal.

<sup>26</sup> Benjamin S. Rosenthal, *Statement of the Congressman Before the Subcommittee on Legislative and Military Operations of the House Committee on Government Operations, April 27, 1971*, Washington, privately printed, p. 6.

<sup>27</sup> Executive Reorganization Subcommittee, *op. cit.*, testimony by Rep. Benjamin Rosenthal, p. 38-39.

<sup>28</sup> Rosenthal, *Statement*, p. 7.

<sup>29</sup> Nixon, *Executive Reorganization*, p. 3.

<sup>30</sup> Reorganization Subcommittee, *op. cit.*, Testimony by Charles Mack, Executive, Consumer Issues Committee, Chamber of Commerce of the U.S., p. 54.

<sup>31</sup> Committee on Govt. Operations, *op. cit.*, p. 5.

<sup>32</sup> Nixon, *Executive Reorganization*, p. 4.

<sup>33</sup> Heffron, *op. cit.*, p. 2.

<sup>34</sup> Reorganization Subcommittee, *op. cit.*, Part 2, statement by Rep. Rosenthal, p. 69.

<sup>35</sup> Reorganization Subcommittee, *op. cit.*,

Part 2, statement by David Swankin, Washington Representative, Consumers Union of the USA, p. 78.

<sup>36</sup> Rosenthal, *Statement*, p. 3.

<sup>37</sup> Committee on Govt. Operations, *op. cit.*, p. 1.

<sup>38</sup> Pam Wagner, staff member, Office of Public Affairs of OCA, personal interview, July 14, 1971.

<sup>39</sup> Peter Barash, Legislative Assistant to Rep. Rosenthal, personal interview, July 14, 1971.

<sup>40</sup> Reorganization Subcommittee, *op. cit.*, Mrs. Esther Peterson, former Special Assistant to the President for Consumer Affairs, p. 100.

<sup>41</sup> Benjamin S. Rosenthal, *H.R. 14*, Washington, GPO, 1971, p. 4-5.

<sup>42</sup> Reorganization Subcommittee, *op. cit.*, p. 35-6.

<sup>43</sup> *Ibid.*, statement by New York Attorney General Louis J. Lefkowitz, p. 123.

<sup>44</sup> *Ibid.*, statement by Rep. Florence Dwyer, p. 23.

<sup>45</sup> *Ibid.*, statement by Ralph Nader, p. 66.

<sup>46</sup> Nixon, *Executive Reorganization*, p. 4.

<sup>47</sup> Reorganization Subcommittee, statement by Mrs. Helen Nelson, former Consumer Counsel for California, *op. cit.*, p. 128.

<sup>48</sup> Nixon, *Executive Reorganization*, p. 7.

<sup>49</sup> *Ibid.*, pp. 10 and 12; also, Committee on Government Operations, U.S. Senate, *President's Departmental Reorganization Program—Components of the New Departments (Chart)*, Committee Print, 1971.

<sup>50</sup> Barash, interview.

<sup>51</sup> Rosenthal, *Statement*, p. 10.

<sup>52</sup> *Ibid.*, statement of American Law Division of the Congressional Research Service.

<sup>53</sup> *Ibid.*

<sup>54</sup> Benjamin S. Rosenthal, *Summary of the Consumer Protection Act of 1971*, privately printed, 1971, pp. 1-2.

<sup>55</sup> *Ibid.*, p. 20.

<sup>56</sup> Rosenthal, *H.R. 14*, p. 15.

<sup>57</sup> Committee on Govt. Operations, *op. cit.*, p. 6-7.

<sup>58</sup> Reorganization Subcommittee, *op. cit.*, statement of Andrew Biemiller, Department of Legislation, AFL-CIO, p. 285.

<sup>59</sup> Committee on Government Operations, *op. cit.*, p. 7.

<sup>60</sup> Subcommittee on Regulatory Agencies, *op. cit.*

<sup>61</sup> Reorganization Subcommittee, *op. cit.*, Part 2, statement of Ralph Nader, p. 148.

<sup>62</sup> *Ibid.*, statement of Charles S. Mack, U.S. Chamber of Commerce, p. 58.

<sup>63</sup> Committee on Govt. Operations, *op. cit.*, p. 9.

<sup>64</sup> Rosenthal, *Summary of the Act*, p. 2.

<sup>65</sup> Committee on Govt. Operations, *op. cit.* (supplementary views of Representatives Buchanan, Myers, and Steiger), p. 24.

<sup>66</sup> *Ibid.*, p. 8.

<sup>67</sup> *Ibid.*, p. 26 (supplementary views).

<sup>68</sup> *Ibid.*, p. 8.

<sup>69</sup> *Ibid.*, p. 11.

<sup>70</sup> *Ibid.*, p. 26 (supplementary views).

## APPENDIX I: ABBREVIATIONS OF AGENCY NAMES

## Abbreviation and Agency

- ARS—Agricultural Research Service.
- CAB—Civil Aeronautics Board.
- CAC—Consumer Advisory Council.
- C & MS—Consumer and Marketing Service.
- CPA—Consumer Protection Agency.
- CPD—Consumer Protection Division.
- CPICC—Consumer Product Information Coordinating Center.
- DCA—Department of Consumer Affairs.
- DOT—Department of Transportation.
- FAA—Federal Aviation Administration.
- FCAA—Federal Consumer Advocacy Agency.
- FCC—Federal Communications Commission.
- FDA—Food and Drug Administration.
- FHA—Federal Housing Administration.
- FPC—Federal Power Commission.

FTC—Federal Trade Commission.  
 FTPA—Federal Trade Practices Administration.  
 GSA—General Services Administration.  
 GPO—Government Printing Office.  
 HEW—Health, Education and Welfare (Dept.).  
 HUD—Housing and Urban Development (Dept.).  
 ICC—Interstate Commerce Commission.  
 NCPS—National Commission on Product Safety.  
 NHTSB—National Highway Safety Bureau.  
 OCA—Office of Consumer Affairs.  
 SEC—Securities and Exchange Commission.  
 USDA—U.S. Department of Agriculture.  
 VA—Veterans' Administration.

APPENDIX II: FEDERAL AGENCIES WITH CONSUMER PROGRAMS—AS OF JULY 1, 1971

(NOTE.—Revised from a list in *Consumer Protection Act of 1970*, House of Representatives Document #91-1361, July 30, 1970, p. 5.)

The following Federal departments and agencies conduct one or more consumer programs:

Administration on Aging.  
 Agricultural Research Service.  
 Bureau of Federal Credit Unions.  
 Bureau of Labor Statistics.  
 Civil Aeronautics Board.  
 Commerce Department.  
 Committee on Productivity.  
 Consumer Advisory Council.  
 Consumer and Marketing Service.  
 Defense Department.  
 Environmental Protection Agency.  
 Federal Aviation Administration.  
 Federal Communications Commission.  
 Federal Deposit Insurance Corporation.  
 Federal Extension Service.  
 Federal Home Loan Bank Board.  
 Federal Housing Administration.  
 Federal Maritime Commission.  
 Federal Power Commission.  
 Federal Reserve Board.  
 Federal Trade Commission.  
 Food and Drug Administration.  
 General Services Administration.  
 Government Printing Office.  
 Health, Education, and Welfare Dept.  
 Interior Department.  
 Interstate Commerce Commission.  
 Justice Department.  
 National Bureau of Standards.  
 National Commission on Product Safety.  
 National Commission on Consumer Finance.  
 National Business Council for Consumer Affairs.  
 National Highway Safety Administration.  
 National Railroad Passenger Corporation.  
 National Transportation Safety Board.  
 Office of Consumer Affairs.  
 Office of Consumer Services.  
 Office of Economic Opportunity.  
 Office of Education.  
 Office of Renewal and Housing Assistance.  
 Postal Rate Commission.  
 Postal Service.  
 Public Health Service.  
 Securities and Exchange Commission.  
 Transportation Department.  
 Treasury Department.  
 Veterans' Administration.

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"Trying to Make Sense Out of a Maze of Consumer Programs," *Consumer News*, I (June, 1971), p. 3.

"Uncle Sam's Tips on Consumer Products," *Consumer News*, I (May, 1971), p. 1.

Wagner, Pam (Staff member, Office of Public Affairs of the Office of Consumer Affairs), personal interview, Washington, July 14, 1971.

The students who participated in my Intern Program were:

- Miss Susan Sweet, Springbrook High School.
- Miss Ellen Gerecht, Springbrook High School.
- Mr. Tracey Hyde, Walt Whitman High School.
- Mr. Robert Lederer, Albert Einstein High School.
- Mr. James Lomax, The Bullis School.
- Miss Cecelia Klieforth, Northwood High School.
- Mr. Robert Friedman, Robert E. Peary High School.
- Miss Debbie Kurtz, Charles W. Woodward High School.
- Miss Barbara Jackson, Charles W. Woodward High School.
- Mr. William Sacho, Landon School.
- Mr. Matthew Gensler, Genelg Senior High School.
- Miss Marianne Fitzgerald, Ursuline Academy.
- Mr. Roger Brown, Rockville High School.
- Mr. Mark Shroder, Montgomery Blair High School.

Mr. Robert Fowler, Winston Churchill High School.

Miss Deborah Brumitt, Sherwood High School.

Miss Marion Jenkins, Sherwood High School.

Mr. Jon Davis, Gaithersburg High School.

Mr. Louis Piro, Gaithersburg High School.

Miss Cynthia Shaffer, Gaithersburg High School.

Mr. Daniel Kostka, Good Counsel High School.

Mr. Terrence Keeney, Good Counsel High School.

Mr. Ross Sutton, Wheaton High School.

Mr. Bill Wallace, Wheaton High School.

Miss Linda Wilt, Atholton High School.

Miss Ellie Schildwachter, Atholton High School.

Miss Mary Schultheis, Paint Branch High School.

Mr. Gary Strobel, Paint Branch High School.

Mr. Thomas McInteer, Paint Branch High School.

Mr. Steven Feld, Walter Johnson High School.

Mr. Jonathan Dorfman, Walter Johnson High School.

Miss Carol Haberlin, Academy of the Holy Cross.

Miss Shirley Blatzheim, Academy of the Holy Cross.

Mr. Addison Shostak, Robert E. Peary High School.

Mr. Stephen DuBose, Arundel High School.

Miss Kathleen Reilly, Arundel High School.

Mr. Michael Cheston, Howard County High School.

Mr. Sanford Porter, Howard County High School.

Mr. James Stoner, Bethesda-Chevy Chase High School.

HOUSE RESOLUTION 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 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 sign-

ing 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.

**REPRESENTATIVE BLATNIK SETS  
RECORD STRAIGHT ON ACCELERATED PUBLIC WORKS**

**HON. JENNINGS RANDOLPH**

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 21, 1971

Mr. RANDOLPH. Mr. President, one of the most serious and pressing problems facing the United States today is that of unemployment. More than 5.5 million workers are now without jobs. They and their families are suffering hardships because of the failure of our economy to generate sufficient jobs.

We in Congress are attempting to respond to this deplorable situation by passing responsive, well-reasoned legislation designed to put the resources of the Federal Government behind realistic programs to create worthwhile employment.

Congress recently passed two important pieces of legislation, the Emergency Employment Act and the Public Works Acceleration Act. The President chose to sign the first into law and to veto the second.

On July 14, as the Senate prepared to vote on overriding the President's veto, The Washington Post published an editorial discussing these two legislative attempts to reduce unemployment. The editorial made certain observations about accelerated public works that are unsupported by fact.

Today the Post published a letter from my knowledgeable colleague in the House of Representatives, Representative JOHN A. BLATNIK, chairman of the House Public Works Committee, setting the record straight. I ask unanimous consent that this letter be printed in the RECORD.

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

[From the Washington Post, July 21, 1971]  
REPRESENTATIVE BLATNIK ON THE VETOED ACCELERATED PUBLIC WORKS BILL

Your lead editorial of July 14, while properly approving President Nixon's action in signing the Emergency Employment Act, evidences some misunderstanding of the Accelerated Public Works Bill which he vetoed.

In fairness to the supporters of the Accelerated Public Works Bill (APW) an overwhelming majority of the Congress—I hope you will clear the record.

You say "Public works projects, like dams and highways, create jobs . . . but it takes time to get such projects started. Moreover, it is hard to turn them off when the economic picture brightens—who needs a half-finished dam?"

I'm sure you are aware that no dams or highways are contemplated under APW. This bill calls for a small-project program. It would provide federal aid for water and sewage treatment plants, nursing homes, hospi-

tals and similar community facilities which can be started quickly and completed within one year to 18 months. The facility must be needed by the community and the community itself must be suffering from unemployment substantially higher than the national average.

Six thousand such projects already have been approved by the federal authorities, the necessary architectural, engineering and financial arrangements have been completed and most of them could be started in 60 to 90 days. Nothing is holding them back except presidential inertia and/or presidential indifference.

As to "turning them off when the economic picture brightens," the President's own chief economic adviser, Dr. Paul W. McCracken, told us just last week that he doesn't see much prospect of improvement in our economy for the rest of this year. How long must our jobless workers wait for things to get better of their own accord?

You say that workers with the skills and experience needed for public projects already are fully employed and that "the net effect may be to add to inflation without much reduction in unemployment."

Tell that to the so-called hard hats. The jobless rate among construction workers has been running well over 10 per cent for the past year; today it is almost twice as high as the national average for all workers. And it is higher still in the areas of severe depression that this bill was designed to help.

Moreover, APW is not merely a "construction" bill. It would provide, and provide quickly, as many as 170,000 on-site construction jobs; but it also would create 50,000 or more jobs in allied industries and services. That adds up to 420,000 desperately needed jobs—nearly 9 per cent of our present overall unemployment.

Today we are spending more than half a billion dollars a month on unemployment benefits and close to one billion dollars a month on welfare-public assistance. At least some of that non-productive spending, which certainly adds to our inflationary pressures, could be diverted into productive jobs, into the creation of essential facilities that will remain as a lasting contribution to the quality of life in our communities.

The President was not confronted with an "either-or" choice between the Emergency Employment Act and Accelerated Public Works. We need both, and need them now.

In Chicago several weeks ago, Mr. Nixon expressed concern over the poor quality of our care for the aged; APW would provide nursing homes for the aged. Mr. Nixon is concerned, as are all of us, over the deterioration of our environment; APW would help our communities build water and sewage treatment plants to protect the quality of our water resources.

APW won't end by tomorrow morning an unemployment crisis that has been two years in the making, but it's a long sight better than doing nothing; especially to all those jobless workers who have been trying for two years to live on presidential optimism.

JOHN A. BLATNIK,  
Chairman, House Committee on  
Public Works.

WASHINGTON.

**SEVEN YEARS AND 117 DAYS**

**HON. EDWARD HUTCHINSON**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. HUTCHINSON. Mr. Speaker, I take this opportunity to speak on the

issue of American prisoners of war in North Vietnam.

Seven years and 117 days ago Capt. Floyd Thompson was captured and became the first American prisoner of war. Today, there are more than 1,600 men who are listed as prisoners of war or missing in action. More than 300 of these brave Americans have been captured or missing longer than any U.S. serviceman was held prisoner during all of World War II.

It is not difficult to understand the severe emotional distress experienced by the families who have lived with uncertainty for so many years. The plight of these families has reached the hearts of millions of Americans who have participated in various campaigns to express their concern for the American servicemen held prisoner.

No one can dispute that this conflict has become increasingly unpopular with each passing day. But regardless of the attitude about the military conflict, Americans are united in the desire that Hanoi abandon its cynical and unfeeling policies of the past and demonstrate some humanitarian concern by allowing the safe return of all U.S. prisoners of war to their homes and families.

**DRASTIC CUTS IN CLINIC SERVICES  
THREATEN HEALTH AND SAFETY  
OF LOWER EAST SIDE RESIDENTS**

**HON. BELLA S. ABZUG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mrs. ABZUG. Mr. Speaker, I was shocked and upset this afternoon when I learned that Beth Israel Hospital, which is located in my district, will be forced to close down its outpatient clinic, effective August 1, and that in anticipation of this closing, it has begun to turn would-be patients away from its doors. This cutback will affect not only regular outpatient care, but also emergency room treatment, at the hospital, and it will no doubt result in the deaths of many individuals if it is carried out.

The clinic has received considerable funding through the ghetto medicine program, but recent cuts in the budget of the State of New York have resulted in so substantial a loss of funds that the hospital can no longer carry the burden. As a result, people who would be treated at Beth Israel are going to the Gouverneur Clinic, located miles away—in an emergency case, this could easily mean the difference between life and death. The Gouverneur Clinic is also extremely strapped for space and for funds. The sudden increase of about 20 percent in its caseload is placing it under intolerable pressure, and it too may be forced to close in the near future.

Mr. Speaker, we are desperate. The city of New York says that it cannot help us. The State of New York says that it cannot help us. We in Congress may represent the last hope for retaining the health facilities which serve thousands upon thousands of poor people on the

Lower East Side of Manhattan. I shall call upon Mayor Lindsay to provide funds from the city treasury, but this would be a stopgap solution at best.

The solution—the only solution—to the problem of providing decent health care for all Americans, rich and poor alike, lies in a comprehensive system of national health insurance and care. If the 92d Congress does nothing else, it can assure itself a prominent niche in the history of our Nation by enacting strong and comprehensive health care legislation. I urge upon you the need for action at this session to provide the medical facilities which are the birthright of every American.

At this point, I include in the RECORD the text of the letter to New York City's health commissioner, Dr. Mary McLaughlin, from Beth Israel's president, Charles H. Silver, and its general director, Dr. Ray E. Trussell:

BETH ISRAEL MEDICAL CENTER,  
New York, N.Y., July 15, 1971.

DR. MARY McLAUGHLIN,  
Commissioner of Health,  
125 Worth Street, New York, N.Y.

DEAR COMMISSIONER McLAUGHLIN: This letter is addressed to you in connection with the severe problems resulting from the combined State and City underfinancing of the Ghetto Medicine Program and some unfortunate decisions which must be made as a consequence.

Beth Israel is located next to the second highest concentration of poor people in Manhattan. The demands on us for services are enormous and growing every year, not only at Beth Israel but at Gouverneur and the Judson Clinic. One way or another Beth Israel met these demands and their costs until 1969 at which time the regressive actions of the State Legislature made their fatal impact. Cost control legislation, reduction in Medicaid eligibility, co-pay requirements and rising costs placed the Medical Center in a rapidly escalating deficit position which forced our Trustees to adopt a policy in the Fall of 1969 that unless public subsidy could be found to fund the public services we were performing we would have no choice but to eliminate the deficit producing services.

Beth Israel has no endowment and no reserves. It is in short term debt more than five million dollars. Beth Israel is in no position to subsidize the State and City. Philanthropy today provides less than one percent of our operating budget.

The Ghetto Medicine program is an administrative solution from the Governor's office to meet the crisis facing the voluntary hospitals. At best it is an interim device to be used until a more positive program can be authorized by the Legislature or until a comprehensive national health insurance program is passed by the Congress. However, regardless of real or imaginary defects the Ghetto Medicine Program has made it possible for us to continue to serve the poor without restriction since late 1969. One measure of "success" is that the number of visits to our clinics and emergency room have continued to increase. In addition, as you know, inspectors from your Department have given us the highest ratings both in Beth Israel and Gouverneur.

If we had not received this very substantial public funding necessary to meet our audited deficits our clinics would have been closed to half of our patients, our emergency service reduced to receiving ambulance patients only instead of providing 45,000 visits per year. Gouverneur services would have been severely cut back in a community of very great need.

Now, however, the City and the voluntary hospitals face a situation of serious under financing of the Ghetto Medicine Program, more State Legislature imposed Medicaid cutbacks, and unavoidable increases in costs due to our collective bargaining contracts. We are informed that this year under the Ghetto Medicine Program approximately 13 million dollars are available to the 23-25 programs seeking assistance—a figure far below the amount of money needed just to keep open at the present level of service.

We also are informed that in contrast to the last year's policy, you will not be allowed to write a contract for payments at the full amount needed per month for a period shorter than the full year in order to give time to all of us to seek more funding or to adjust program levels in an orderly way. In effect, we must accept a percentage of our deficit which obviously will be substantially below what we need to break even.

Some hospitals in your program which have been receiving relatively small amounts of Ghetto Medicine subsidy can survive this year if they receive only a partial subsidy. Beth Israel cannot. Last year Beth Israel received:

\$180,000 per month for Beth Israel Clinics & Emergency Room.

\$135,000 per month for Gouverneur-Judson.

\$315,000 Total per month.  
\$3,780,000 Annual rate.

This year (July 1, 1971-June 30, 1972) Beth Israel needs:

\$316,000 per month for Beth Israel Clinics & Emergency Room.

\$195,000 per month for Gouverneur-Judson.

\$511,000 Total per month.  
\$6,132,000 Annual rate.

The reasons for the increases are increased volume of services, collective bargaining contract mandatory increases, and the fact that last year we were underreimbursed. This year we must break even or cut back.

Gouverneur is a public facility and we look to you and/or the Health and Hospital Corporation to make it possible for us to keep it open by whatever combination of funding you work out. As you know we are prepared to fully staff the new Gouverneur and are anxiously awaiting the go ahead signal to start recruiting interns, residents, attending physicians, nurses, and other personnel to open on July 1, 1972. If we do not receive such a directive soon, the Hospital cannot open as an inpatient facility until July 1, 1973 since house staff recruitment is carried on and completed in the Fall of each year. We are fully committed and prepared to serve as soon as we are authorized. We know that somehow the City through the Health Department and the Corporation will keep the present Gouverneur open and get us into the new facility as soon as possible. To do otherwise would be to retreat from endless pledges to the community and to invite severe disturbances.

On the other hand, it is quite clear that there is not enough money available in the Ghetto Medicine appropriation for this year to meet the enormous deficits which Beth Israel is incurring in trying to meet the public need and demands on the Lower East Side. Faced with this reality and no other resources with which to meet such deficits there is no choice but to first cut clinic services to patients who have no resources (Medicaid and/or Medicare) and to refer such patients elsewhere. We will make every effort to care for such patients at Gouverneur but public transportation between Beth Israel and Gouverneur is very inadequate. Most such patients will prefer to go to Bellevue and we have advised the Executive Director of Bellevue of this contingency. More than 40,000 such clinic visits will be displaced from Beth Israel. Naturally this will be done in

an orderly way with transfer of medical records on request to whichever hospitals are selected by the patients.

It is most important that the Beth Israel emergency room remain open to all. We have become the family doctor for vast numbers of poor people especially during evenings and on weekends. In addition the Gouverneur ambulances bring all patients picked up in the Gouverneur district to us—a feature which will continue for surgical patients, injured patients, pregnant women and patients requiring intensive sophisticated care even after the new Gouverneur opens since there will be no surgical or maternity in-patient services in the new facility. It is incumbent on the City to make it possible for us to continue to operate our emergency services for the good of the immediate local community and of the residents of the Gouverneur area. Otherwise there will be a serious displacement of emergency patients to other institutions and a breakdown in the organizational pattern of care to the Lower East Side through Gouverneur-Beth Israel—a pattern which has operated successfully for almost ten years.

It is with the deepest regret that unless you can write a contract for the full amount needed per month we must advise you that Beth Israel will close its clinics to present and prospective non-Medicaid patients on August 1st because of the obvious inability of your Department to meet our operating deficits through the Ghetto Medicine Program. Thus we request a contract which will:

1. Reimburse us at the promised rates for April-June of 1971 (Total \$945,000)

2. Reimburse us for the same percentage of our Beth Israel clinic deficits for July and August of 1971 which you allow other hospitals. This will allow for an orderly rather than chaotic referral process and completion of care for most current patients.

3. Reimburse us for the 12 months beginning July 1st, 1971 for the combined Beth Israel-Gouverneur deficits in emergency room services in both locations and clinics in Gouverneur and Judson. This will require \$115,000 per month for Beth Israel and \$195,000 for Gouverneur.

Without such a contract we will close further services immediately both at Beth Israel and Gouverneur. It is a most serious situation that the State and Local governments in facing their own problem and economic stringencies fail to take the minimal steps necessary to keep the voluntary hospitals serving "ghetto" areas fully active in a partnership desperately needed by the public, and especially the poor in the public. Every voluntary hospital which is forced to reduce its services—and Beth Israel is next—places a greater burden on the public hospitals. It is ironic that we will continue to serve the very poor with Medicaid but must now turn away the not quite so poor without Medicaid and also without money to purchase care. The need for National Health Insurance—comprehensive, adequately financed, and equally available to all—was never more evident. Until that day arrives in this Nation and in the face of the current political and economic forces at play, voluntary hospitals in a situation such as Beth Israel can only seek to survive while still striving to serve. Our commitment to community service is unchanged. The step we first are taking cuts our total ambulatory visits at Beth Israel, Gouverneur and Judson only by 11% (excluding our several hundred thousand narcotic visits from the computations). However, this may be the forerunner of further cuts. Other hospitals with large deficits soon may follow our inescapable action. The solution to this crisis lies with increased funding by the State and City. It is beyond our control.

These cutbacks mean we must drastically reduce staffing and other costs unless we can

serve an equivalent number of patients who are covered by some form of third party insurance. For this reason we are most interested in negotiating a contract for the care of welfare patients. If you wish to enter into such negotiations which can be done expeditiously then it is imperative to cover our clinic deficits until the transfer of patients out and new patients in can be arranged. Otherwise we will suffer losses which we cannot sustain.

In closing we wish to thank you and your staff for the superb cooperation we have had from the Department of Health. We have enjoyed this new joint venture of maintaining and expanding services to the poor in our geographic areas of responsibility. We will work closely with you in implementing such changes as are necessary. We request early assurance regarding our remaining contract requests. Otherwise we will be forced to close our emergency room and the Gouverneur-Judson program. We sincerely trust and expect that such drastic action can be avoided with your help.

We have discussed this problem with our Advisory Committee. The members are most distressed and are planning political action.

Respectfully yours,

CHARLES H. SILVER,  
President.  
RAY E. TRUSSELL, M.D.,  
General Director.

#### JOBES FOR VETERANS PROGRAM

### HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, July 21, 1971

Mr. GRIFFIN. Mr. President, on Monday, July 19, Senator PHILIP A. HART and I cosponsored a jobs for veterans conference at the Veterans' Memorial Building in Detroit.

I ask unanimous consent that remarks I delivered at the conference together with a copy of the program which includes the names of others who participated as well as a list of 40 distinguished citizens who accepted assignment to the Southeast Region Jobs for Veterans Task Force, be printed in the RECORD.

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

#### REMARKS BY U.S. SENATOR ROBERT P. GRIFFIN

Mayor Gribbs, Lt. Governor Brickley, Administrator Johnson, Secretary Lovell, my old friend from Congress, Bill Ayers, the many distinguished leaders of Detroit and Michigan who have taken time to attend this important luncheon meeting; veterans, and friends of veterans:

Never in history has the nation asked more of our young men than it has asked of those who served in Vietnam.

Sent halfway around the world, these men have fought in the jungles of a strange and unfamiliar country—in a war that has been misunderstood and unpopular at home.

Some have returned to find themselves viewed with suspicion as drug addicts or even war criminals.

For the most part, these war veterans have not been welcomed by ticker-tape parades or brass band receptions. Instead, they have returned to a climate of indifference—bordering on hostility, which has made it all the more difficult for them to find jobs.

This is shabby treatment for those who have worn the uniform of our country.

This luncheon-conference, which has brought together so many leaders of this

city—leaders who are in a position to make things happen—is our collective way of saying to the Vietnam war veterans that, regardless of our differing views about the war, we do appreciate your personal sacrifices; that we intend to change that climate of indifference; and that we pledge to do all we can to see that you get the kind of a break you deserve.

That the leadership in the whole Detroit area shares a deep concern for these deserving young men is attested to by your presence here today. No major Michigan conference in recent history has brought together so many diverse and powerful interests in a concerted effort to do something about the problems of jobless veterans.

I am very pleased to welcome to this conference the top leadership of the major automobile manufacturing companies; top officials of the UAW, the AFL-CIO Council, as well as many of the skilled and trade unions in the area; key manufacturing and industrial employers in the five-county area surrounding Detroit; department executives and employment officials of the City of Detroit; mayors and city managers from large and small cities in the five-county area; representatives of the Wayne County Board of Commissioners; members of the Detroit City Council; members of the Legislature—and many others who are both distinguished and important to this crusade.

I am pleased that representatives of the major service club organizations in Michigan are here, along with officials from every veterans organization. Top people are here from the Detroit area academic community, and, as well as representatives from most federal agencies officed in Michigan. And last, but certainly not least, we are honored with representation of all branches of the armed services.

Surely, in this audience, we can find the resourcefulness as well as the resources to cope with the problem that confronts the jobless veteran.

A special word of appreciation and tribute is due some staff people whose tireless, dedicated efforts have made this conference possible. I refer, among others, to Jim Keck and Duke Grimshaw of the Greater Detroit Chamber of Commerce, to Jerry Kable of Senator Hart's staff, and to Anne Getz and Lee MacGregor of my own staff.

Speaking of Sen. Hart, he is not here because the Senate is considering important legislation on the floor this afternoon. Under the circumstances, we agreed that Michigan deserves and needs some representation in Washington today. He kindly volunteered to "mind the store" so I could be here.

This is typical of the kind of cooperation and support that has come from Senator Hart and from so many other quarters throughout the planning stages of this conference.

Obviously, this is a crucial period in the lives of Vietnam veterans. Most of them are in the 20-24 age group, and for that group the labor market is particularly tight. About 30 percent of the veterans are married; many have more than one dependent.

Many have been in military assignments in which their training has related solely to combat missions. As a result, they do not have marketable civilian skills, and often they find themselves handicapped by a lack of pre-service job experience.

So far, about one in four of the returning veterans has elected to continue his education under the GI Bill or a government-sponsored job training or apprenticeship program. In other words, the vast majority have been attempting to go directly into the civilian labor market—and in many cases they are seeking their first full-time jobs.

Throughout the nation, one veteran out of ten is classified as unemployed. But in our state the veteran unemployment picture is much worse. In Michigan, one out of every

five honorably discharged veteran is out of work.

More than one million men and women completed their military service and returned to civilian life throughout the U.S. in 1970.

That was nearly twice the number separated from service in 1965. In Michigan, 3500 men and women are returning each month to our state to look for jobs in civilian life.

Of the 79,000 unemployed veterans in Michigan, 48,000 or more than half, are Vietnam veterans.

More than 15 percent of this number are black. Nearly 20 percent have not completed high school.

In the Detroit area alone, there are 38,000 unemployed veterans, and about 23,000 of them are Vietnam war veterans.

Due to heavy troop withdrawals this year and the difficult economic situation that plagues the nation, unemployment among veterans in Michigan this year is higher than at any time since the end of the Korean war.

Perhaps that rough outline will serve to sketch in the dimensions of this very serious problem. But, of course, the real question for this conference is: What can the government and the private sector do about it?

As I indicated earlier, only one out of four veterans is continuing his education. I wish to stress that we could—and should—do something about that.

There are a number of things that could be done—some of them in Washington. For example, I am convinced that enactment of legislation now pending (which I have sponsored) to speed up the initial payment of benefits when a veteran enrolls in school under the GI bill would help a great deal. At present, veterans sometimes struggle along for two, three or four months before that first benefit check comes through.

I am pleased today to make an announcement that can be very important to many veterans in this area who seek job training. Secretary of Defense Laird has just approved a request by Senator Hart and me to make unused military installations at Selfridge Air Force Base available for job training programs for unemployed veterans.

Although further details still must be worked out, this move is designed to assist the State to provide training under the auspices of the U.S. Labor Department.

This is a pilot program here in Michigan, which should be a model for the rest of the nation.

As the Vietnam war continues to wind down, surely it only makes common sense that installations no longer needed for military purposes be used to help train veterans for civilian jobs.

Later in this program, you will hear from the V.A. Administrator, the Honorable Donald Johnson. But, in passing, I wish to note that more than 2,500 veterans are convalescing in Michigan's five VA hospitals. Today, I can announce that each of the five hospitals has been awarded an increase in appropriations for fiscal 1972 in order to begin needed remodeling and modernizing—and some expansion of facilities.

In the category of new facilities to be provided, I can also announce today that a new drug treatment unit for veterans is to be established at the VA Hospital in Allen Park. This is the second VA hospital in Michigan to begin needed drug treatment programs for veterans.

I've commented on the fact that the top leadership of the Detroit area is here in force today. But it should not be overlooked that many of them have already been at work on this problem of jobs for veterans.

Many of the firms represented today have adopted policies of priority hiring for veterans. Some of the firms have set up training and apprenticeship programs keyed to veterans. I urge others to follow their example.

I know that General Motors and Ford have been very actively participating in Operation Transition, a new Defense Department program which begins the process of training for civilian employment even before the serviceman has been discharged from service. Indeed, I understand that all of our major auto companies have sent teams to U.S. military bases to cooperate in this training prior-to-discharge program.

I am conscious of the fact that Lynn Townsend of Chrysler, Emil Masey of the UAW, and Alan Merrill of Ford have accepted assignments on the *National Jobs for Vets Committee* headed by Bill Ayers. Of course, that is a nationwide effort, from which this conference is an outgrowth.

And then, I wish also to mention that the *National Alliance of Businessmen*, founded by Henry Ford II, has recently made a nationwide commitment to secure 100,000 jobs for returning Vietnam veterans.

We should not overlook what's going on at places like Wayne State University, where its Center for the Education of Returning Veterans has launched a program to identify and recruit veterans, especially those in minority groups, who have not availed themselves of GI benefits. Incidentally, our office is working with them, trying to get some more money for this program through the Department of Health, Education, and Welfare.

One of the most exciting and important developments around the state has been the awakening of service club organizations to the key role they can play. They are recognizing that the readjustment problem of veterans today is just too big and complex to leave it to the V.A. and the veterans organizations. So, leaders in the Jaycees, Kiwanis, Lions, Rotary, and Optimists, as well as other service clubs, are setting up committees and programs to welcome home and assist returning veterans.

So far as employment in the public sector is concerned, we will soon hear from Mayor Gribbs, who may have something to say about the impact for Detroit of the new public service legislation, recently signed into law by President Nixon. This legislation, which will open up 200,000 new public service jobs throughout the nation, calls for priority consideration in hiring to be given to the veterans.

But the public and private programs I have reviewed must be viewed as only a beginning for what still remains to be done if we are to achieve the goals toward which this conference is striving.

Later on, after you have heard from some of the very distinguished people with whom I share the privilege of sitting here at the head table, I shall announce the names of 40 of Detroit's most distinguished citizens who have accepted assignments to a Task Force which will operate henceforth as the *Southeast Michigan Jobs for Vets Committee*. My special thanks go to the staff of the Greater Detroit Chamber of Commerce for helping to enlist such outstanding talent.

The ingenuity and determined effort we can expect from this Task Force—and from all of you who support them—will equal or surpass, I am sure, the imaginative efforts that have been cropping up elsewhere in the nation to help veterans find jobs.

For example, in Houston, arrangements were made so that newspaper want-ad space is available without charge to job-seeking veterans.

Buffalo and New York City committee issue daily veteran "hotline" job bulletins, in which employers list available jobs.

The AFL-CIO in California has sent expert teams to four mustering-out bases in the San Francisco area to advise returning veterans on day-to-day job opportunities in their home towns and throughout the state.

The National Institutes of Health in Bethesda, Maryland, is expanding its career-

guidance facilities to attract veterans into health careers in hospitals, public health agencies, research institutions and private industry:

The medical school at the University of Washington is using a computer to match veterans trained in the military in health fields with health jobs as they become available in the state.

These are only a few examples of many ways to work on solutions to this important, complex problem.

According to my wife, the biggest trouble with Senators is that they talk too long. And she's right.

Like you, I want to hear from the others who have a part in this program.

With their help—and with your continued, dedicated support—I'm confident that we can—and we shall—accomplish great things in this new effort to give those who served the flag of our country the kind of a break they deserve.

Thank you very much.

#### JOBS FOR VETERANS LUNCHEON PROGRAM

Master of Ceremonies: J. P. McCarthy, WJR Radio.

Military Color Guard: Selfridge Air Force Base.

National Anthem: Don Hill<sup>1</sup> and Catherine Grimshaw—Soloist.

Invocation: The Very Reverend Malcolm Carron, S.J.

Message: Philip A. Hart, United States Senator.

Address: Robert P. Griffin, United States Senator.

Remarks:  
James H. Brickley, Lieutenant Governor, State of Michigan.

Roman S. Gribbs, Mayor, City of Detroit.  
William Ayers, Director, National Jobs for Veterans.

Malcolm R. Lovell, Assistant Secretary for Manpower, U.S. Department of Labor.

Address: Donald Johnson, Administrator, Veterans Administration.

Announcement: Robert P. Griffin, United States Senator.

Response: Dean Richardson, President, Manufacturers National Bank.

Benediction: Right Reverend Archie H. Crowley.

#### SOUTHEAST MICHIGAN JOBS FOR VETERANS TASK FORCE Chairman

Dean Richardson, President, Manufacturers National Bank.

#### Ex officio members

Philip A. Hart, United States Senator.  
Robert P. Griffin, United States Senator.  
William G. Milliken, Governor, State of Michigan.

Roman S. Gribbs, Mayor, City of Detroit.

#### Members

H. Glenn Bixby, Chairman of the Board, Ex-Cell-O Corporation.  
Malcolm Carron, S. J., President, University of Detroit.

Roy D. Chapin, Jr., Chairman of the Board, American Motors Corporation.

Walker L. Cislser, Chairman of the Board, The Detroit Edison Company.

Peter B. Clark, President & Publisher, The Evening News Association.

Sherwood T. Culp, Group Manager, Sears, Roebuck & Company.

Harry B. Cunningham, Chairman of the Board, S. S. Kresge Company.

Lawrence F. Doss, President, New Detroit, Inc.

Rt. Rev. Richard S. Emrick, Diocesan Bishop, Episcopal Diocese.

<sup>1</sup>By permission, Detroit Federation of Musicians.

Henry Ford, II, Chairman of the Board, Ford Motor Company.

William Ford, Director, Michigan Employment Security Commission.

John H. French, Jr., Chairman of the Board, City National Bank.

Glendon Gould, President, Great Lakes Steel.

George E. Gullen, Acting President, Wayne State University.

David B. Harper, President, First Independence National Bank of Detroit.

Dwight Havens, CCE, President, Greater Detroit Chamber of Commerce.

Milo Hector, Regional Vice President, American Oil Company.

Joseph L. Hudson, Jr., Vice Chairman of the Board, The J. L. Hudson Company.

Lee Hills, President, Detroit Free Press.

Ray W. Macdonald, President, Burroughs Corporation.

William D. MacDonnell, President, Kelsey-Hayes Corporation.

Boniface Malle, Malle, Leach Schreier.

Emil Mazey, Secretary Treasurer, International UAW.

John C. McCabe, President, Michigan Blue Shield.

Garfield McDade, Vice President, The Great Atlantic & Pacific Tea Company.

Ralph T. McEivenny, President, Michigan Consolidated Gas Company.

James H. Quello, Vice President, WJR, Capitol Cities Broadcasting Company.

James M. Roche, Chairman of the Board, General Motors Corporation.

Alan E. Schwartz, Chairman of the Executive Committee, Cunningham Drug Stores.

Robert B. Semple, Manager, Wyandotte Chemical Corporation.

Patrick M. Sheridan, Manager Peat, Marwick & Mitchell.

Austin Smith, M.D., Chairman of the Board and Chief Executive Officer, Parke, Davis & Company.

C. Boyd Stockmeyer, President, Detroit Bank & Trust.

Robert M. Surdam, President, National Bank of Detroit.

Lynn A. Townsend, Chairman of the Board, Chrysler Corporation.

E. Robert Turner, Executive Director, Southeast Michigan Council of Governments.

Tom Turner, President, Metropolitan Detroit AFL-CIO Council.

Kenneth J. Whalen, President, Michigan Bell Telephone Company.

Joseph W. Williams, President, Booker T. Washington, Businessmen's Association.

Stanley J. Winkelman, President, Winkelman Stores, Inc.

#### "NEWSPEAK" AND THE PEOPLE'S RIGHT TO KNOW

#### HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. SCHMITZ. Mr. Speaker, in a move that lacked both enthusiasm and bravery, the House of Representatives voted recently to send a motion citing CBS President Frank Stanton for contempt of Congress back to the House Interstate and Foreign Commerce Committee. This committee, on which I serve, had previously voted, 25-13, to send the measure to the full House for a decision. The House's decision—or lack thereof—probably signifies the demise of the effort by the representatives of the people to insure a modicum of fairness in network news presentations.

The Selling of the Pentagon, CBS's sequel to the notorious Hunger in America, and its staged invasion of Haiti, had precipitated a controversy of wide dimensions. The controversy, however, despite what CBS claimed, was not a matter of congressional infringement on freedom of speech or of the press but, rather, whether the people have a right to know when they are being deliberately deceived.

The committee's action had arisen out of a refusal of Dr. Stanton to provide "outtakes" from the Selling of the Pentagon. These outtakes were not needed to prove that CBS deliberately doctored the program—the committee already had the proof—but to show how CBS doctored the quotes and material so that Congress might legislate on how to protect the public from such perfidious practices in the future. Dr. Stanton was being cited because, as committee chairman HARLEY STAGGERS said:

Of a willful refusal to comply with a legitimate Congressional inquiry . . . We have clear evidence of deceit—men's words electronically altered to change their very meaning . . . When deliberate attempts are made to deceive a great multitude of American citizens—the owners of the airwaves—their representatives have the duty to make careful inquiries . . . and I think the broadcaster who was responsible should be prepared to answer such questions.

Moreover, once the Government grants the mass media exclusive use of the public airwaves, it would be foolish to maintain that the elected representatives of the people should not insure against the abuse of this monopolistic privilege.

CBS' deliberate mendacity has far-reaching implications. As the Subcommittee on Investigations report states:

The American viewing public bases its decisions at the ballot box upon the information it obtains from its most prominent news source—the TV set. The raw naked power to manipulate by gross fabrication the input data is the power to manipulate, however well intentioned, the decision-making process of the American electorate.

CBS based its blockage of the public's right to know on claims of first amendment guarantees. But as the Supreme Court pointed out only a short time ago, calculated falsehood falls outside the fruitful exercise of the rights guaranteed by the first amendment. Moreover, CBS seems to have completely ignored the rights of free speech of those whose words were altered and the right of the viewing public to hear the views of others free from manipulation.

CBS also claimed that its "outtakes"—the portions which show how the false statements were constructed—were subject to the same privileges as a reporter's confidential sources. However, in the program itself CBS stated that "we sought no secret files, no politicians pleading special cases, no access to classified documents. We looked only at what is being done for the public—in public." Therefore, since the situation admittedly contained no confidential sources, the refusal by CBS to make known what it admitted was public is inconsistent. Additionally, the actions of the committee in attempting to see that the truth was told the public was not censorship or dictation

of editorial content. It was an attempt to deal with a deliberate, mechanical alteration of a person's words to make him say the opposite of what he actually said. One of those involved, Marine Col. John MacNeil, is suing CBS for \$12 million on a complaint that says the program "maliciously libeled and defamed his good name and character."

CBS, in addition to letting the public be damned, apparently is ignoring its own guidelines. In the November 23, 1959, issue of Broadcasting, James T. Aubrey, Jr., a CBS-TV network vice president, set out some "new rules for programing" for the industry. Part of this statement reads:

To the extent that any interview which purports to be spontaneous is not, that fact must be adequately disclosed. Regarding such interviews, any editing, preparation or rehearsal (other than rehearsal of physical position and movement on camera) must be indicated.

And as Stanton himself said in a "policy note" on June 28, 1971, with regard to editing:

*We must continue to be meticulously careful, in all circumstances, that the editing results in a clear and succinct statement which reflects fairly, honestly, and without distortion, what was said.* (emphasis added)

But despite these network pronouncements, past and present, the actual practice of CBS continues to be one of fostering deception. The writers and editors of the Selling of the Pentagon, Peter Davis and Perry Wolff, as I pointed out on April 1 of this year, were also the writers and editors of Hunger in America. The distortions and falsehoods incorporated in the latter "documentary" are by now common knowledge. And yet CBS allowed them to produce the "documentary" on the Pentagon. A measure of the propaganda value of the Selling of the Pentagon is seen when one considers that the Center for Marxist Studies in New York has been showing the CBS film on a regular basis.

As it stands now, the news media—with the tacit approval of the U.S. House of Representatives—can continue to engage in the worst kind of disregard for the rights of others and for the public's right to know.

ROBERT CLARK NAMED PRESIDENT OF HOFFMANN-LA ROCHE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. RODINO. Mr. Speaker, a recent Nutley Sun editorial aptly illuminates the abilities of Robert Clark who has been selected to succeed Dr. V. D. Mattia as president of Hoffmann-La Roche pharmaceutical firm. I join in saluting those responsible for this wise choice and in extending Bob Clark my every best wish for fulfillment in his new challenge:

NEW ROCHE PRESIDENT

Robert B. Clark, Executive Vice President of Hoffmann-La Roche Inc., last week was promoted to the presidency, a vacancy

created by the sudden and untimely death of 48-year-old Dr. Virginus Dante Mattia.

Mr. Clark was selected personally by Dr. Mattia three years ago to join the firm as his righthand man. During his term of employment with Hoffmann-La Roche, Bob Clark performed his duties in a manner that constantly won the admiration of his peers.

In the appointment of Bob Clark to the presidency, HLR management made a wise decision.

Hoffmann-La Roche is Nutley's most important neighbor. The institution is our most prestigious industrial possession. HLR is the leader in the pharmaceutical world. Clark's degrees in chemistry and law prepared him well for his chosen field of endeavors. During the period of over 20 years with the Warner-Hudnut, Warner-Chilcott and Warner-Lambert companies, Bob Clark acquired a tremendous amount of special knowledge in the pharmaceutical field, holding the offices of senior vice president, executive vice president and president in the various companies. He originally joined Warner-Hudnut as its patent attorney in 1947.

At HLR only three years, Clark's intimate knowledge of the Nutley-Belleville-Clifton area is astounding.

Bob Clark's immediate objectives are to achieve the goals authored by the late Dr. Mattia. He is determined that Hoffmann-La Roche remain the good Nutley citizen that we have come to know it all these years.

Bob Clark's rise in the industry has been steady and constant. Happily, Bob Clark knows his business, knows his company, knows his people and knows our town. To fill the vacancy caused by the tragedy of Dr. Mattia's early death, HLR management could have gone outside of the company for a successor. It is to its everlasting credit that it gave recognition to one of its own therein lies the success of HLR management.

Assuming the awesome burdens of the presidency of HLR and attempting to fill the shoes left vacant by the death of Dr. Mattia present a herculean task. We are confident Bob Clark is equal to the challenge. On behalf of a community which has enjoyed the benefits of its leading citizen—HLR—we wish Bob Clark every success as he undertakes the most difficult of all tasks—following in the footsteps of Dr. Mattia.

YOUR OPINION, PLEASE—1971

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. BRAY. Mr. Speaker, Thomas Jefferson said:

That government is the strongest of which every man feels himself a part.

In order to make this more possible, I have for some years conducted an annual public opinion poll. These polls stimulate a new interest in major national matters and give me the benefit of what people think should be done. They are valuable supplements to the more direct contacts I have through the years personally, by mail, wire, and telephone. The results will be tabulated and inserted into the CONGRESSIONAL RECORD, and everyone polled will receive a copy of the insert. Following are the questions for Your Opinion, Please—1971:

(1) France has passed legislation which holds that each individual who voluntarily joins a mob is civilly and criminally responsible for any acts committed by the mob. Should we have a similar law?

(2) a. Should penalties for the use of marijuana be repealed?

b. Should penalties for the sale of marijuana be repealed?

(3) Should American draft dodgers or military deserters who fled abroad be allowed to return without prosecution?

(4) Should the Government impose wage and price controls to fight inflation?

(5) Do you approve of the President's initiatives towards Peking, to be made without deserting allies and endangering our own security?

U.S. SUPREME COURT CONTRIBUTES TO CRIME—JUSTICE HAMLIN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. RARICK. Mr. Speaker, there are some great Americans in the legal profession who realize that the U.S. Supreme Court is itself responsible for the congestion of the Federal and State court dockets and that the Supreme Court has thereby been a major factor in the increasing crime rate that imperils our Nation. Some are willing to speak out against the current trend in judicial practice.

I am proud of the Honorable Walter B. Hamlin, associate justice of the Louisiana Supreme Court, and the contributions he has made to the legal profession and to our country during the course of a long and distinguished legal career.

Mr. Justice Hamlin has long recognized the dangers that result from the Supreme Court's trend in decisions that ignore the rights of the people as a whole and has spoken out against them. He plans to dedicate his retirement years to activities designed "to get the President of the United States to appoint judges who will recognize the rights of the people as a whole against these individuals who, with a blindness or perversion stunning to the national mind, would endanger the magnificent achievement of those who have gone before us in building this Nation." The cause of freedom under the law has never been better expressed than by Justice Hamlin who understands where the judicial problem lies.

I include in the RECORD at this point a copy of a letter which I received from Justice Hamlin relative to this issue and his remarks to the 14th Annual Attorney General's Conference for District Attorneys, held at the Monteleone Hotel in New Orleans, on March 5, 1971. I urge my colleagues to read them as the testimony of a man who has dedicated his life to the law—as the testimony of a great American jurist:

SUPREME COURT,  
STATE OF LOUISIANA,  
New Orleans, July 19, 1971.

HON. JOHN R. RARICK,  
Member of Congress,  
Washington, D.C.

DEAR JUDGE: I have carefully read your letter of July 14, 1971, together with enclosures. I appreciate your letter and heartily agree with you.

It is the same old story—conferences, conferences, conferences, and not one mention

as to why the dockets of the Federal and State Courts are clogged.

The United States Supreme Court is itself responsible for the congestion of these dockets because of its decisions since 1961 in its obsession to help the hardened criminal. I refer particularly to *Mapp v. Ohio*, *Boykin v. Alabama*, *Gideon v. Wainwright*, and the recent decisions compelling misdemeanors and certain contempt matters to be tried before juries.

You, as an experienced judge, certainly know that these are the cases that cause delays in the administration of criminal justice. The United States Supreme Court fails to take into consideration that these poor, indigent, cunning, malevolent, brutal, vicious, and hardened individuals know just as much about their rights, if not more, than the average citizen. If it weren't so tragic, it would be laughable to see how the United States Supreme Court has gone out of its way to foist these unchallengeably guilty people upon the public after they have been convicted by due process of law and as the result of a fair trial.

It is so simple. The true test is and should be: Did this defendant receive a fair trial? If so, then the Federal Court should not interfere with the Judges and Justices of State Courts who are just as experienced and just as honorable as they are in the administration of criminal justice.

I am enclosing herewith a copy of the May, 1971, issue of "The Identification Officer," the official Louisiana Police Science publication. This is the official publication of the Louisiana Division of the International Association for Identification, fully described on page 1. On pages 12 through 14 is quoted in full an address I delivered before the 14th Annual Attorney General's Conference for District Attorneys at the Monteleone Hotel in New Orleans, on Friday, March 5, 1971. On page 12 is marked off what I had previously stated to this same group in March, 1965. After discussing the recent decisions of the United States Supreme Court, I added what is marked off pages 13 and 14.

On March 13, 1973, I will have reached the compulsory retirement age of seventy-five years. If my health holds out, I am going to devote the balance of my life in trying to get the people of this State and Nation to insist that the President of the United States appoint Judges who will recognize the rights of the people as a whole against these individuals who, with a blindness or perversion stunning to the national mind, would endanger the magnificent achievement of those who have gone before us in building this Nation. It is my hope that I will have good citizens like you joining me in this endeavor.

With kindest regards and best wishes, I am  
Sincerely yours,

WALTER B. HAMLIN.

UNITED STATES SUPREME COURT DECISIONS  
(The Honorable Walter B. Hamlin, Associate Justice of the Louisiana Supreme Court, delivered the following timely address before the 14th Annual Attorney General's Conference for District Attorneys at the Monteleone Hotel in New Orleans, on Friday, March 5, 1971.)

I am again honored at having been invited to address you today. In March, 1965, six years ago, I delivered an address before this conference entitled, "A Discussion of Recent United States Supreme Court Decisions With Regard to Local Law Enforcement."

I discussed, among others, *Mapp v. Ohio* (1961), which overruled *Wolf v. Colorado* (1949), *Beck v. State of Ohio* (1964), *Agullar v. Texas* (1964), on search and seizure, *Masiah v. United States* (March, 1964), and *Escobedo v. Illinois* (June, 1964), and observed that, in spite of divergent views on the part of members of the court, no really fixed formula was set forth in the majority opinions.

The *Miranda* and *Johnson* cases were decided later and will be mentioned later.

In March, 1965, I stated:

"It is a matter of common knowledge that the number of serious crimes committed annually in the United States has increased by a shocking 50 percent over the last decade. The public generally is alarmed, because we are increasingly frustrating or throttling our law enforcement officers with judge-made rulings that stagger the commonsense of the average citizen. He simply cannot understand them. However, he does feel that there is today the danger of our having a nation of criminals within our great nation, simply because the criminal has increased in numbers. An article in the January, 1965, issue of the American Legion Magazine states that according to FBI head J. Edgar Hoover, the growing crime rate is out-stripping the population growth by a ratio of more than 5 to 1.

The average citizen is afraid of a taking over by this criminal element. And because of his feeling it could be that many years hence, after most of us passed on and there is an entirely different membership with its different philosophy on our highest court, the pendulum will swing again and a real 'police state' might come into being under the guise of striking at the criminal with an iron heel. The stream of history has recorded that should this occur, no one will be safe.

If the pendulum swings and a future Supreme Court should create a 'police state', it will be nationwide; whereas, the possibility of fifty 'police states' being in existence at one time is remote indeed. With the radio, television, news media and modern methods of communication, I believe that the people of our fifty states are too enlightened today to stand for the existence of a 'police state' in any one of them. The people possess an intrinsic human dignity, an inner majesty, which gives them an appetite, a passion for freedom. They will not willingly relinquish that which they have earned by the sweat of their brain or brow to either the criminal or the tyrant.

Under our system of government, men here, on this land, built from wilderness a nation with the most freedom for the greatest number of people enjoying the highest standard of living the world has ever known. The fact of this magnificent achievement is inescapable; it surrounds us; it is part of our blood and bone. Yet the ever-increasing criminal element, with a blindness or perversion stunning to the national mind, would destroy the system which produced this magnificent achievement.

Therefore, in these times of mounting danger from the criminal element, local law enforcement should not be handcuffed at the expense of the public safety and welfare. So, as Justices Clark and Black said in the *Beck* Case, I simply suggest that the United States Supreme Court try to allow the state courts to determine and resolve the issues involved in local law enforcement.

Let me observe that our state judges are sincere men, honorable men, and they know what is best to be done for the safety and welfare of their communities. They want their people to live with freedom from fear—either of the criminal or the tyrant. They know that the course of Right will not die; it suffers eclipses, but is born again; it may be ignored or trampled under foot, but it does not, therefore, cease to exist, and all good souls recognize it as the only rule of life. It is a useless endeavor to place Might upon the pedestal which others have raised to Right."

On May 5, 1969, the United States Supreme Court, by per curiam opinion, decided the case of *Halliday v. United States*, 89 S. Ct. 1498, 394 U.S. 831, 23 L. Ed. 2d 16 (1969). This matter involved the acceptance of a guilty plea in a case where a United States District

Judge who accepted it failed to comply with Rule 11 of the Federal Rules of Criminal Procedure. The per curiam of the United States Supreme Court stated in part:

In *McCarthy* we noted that the practice we were requiring had been previously followed by only one Circuit; that over 80% of all verdicts in the federal courts are obtained after guilty pleas; and that prior to Rule 11's recent amendment, not all district judges personally questioned defendants before accepting their guilty pleas. Thus, in view of the general application of Rule 11 in a manner inconsistent with our holding in *McCarthy*, and in view of the large number of constitutionally valid convictions that may have been obtained without full compliance with Rule 11, we decline to apply *McCarthy* retroactively. We hold that only those defendants whose guilty pleas were accepted after April 2, 1969, are entitled to plead anew if their plea was accepted without full compliance with Rule 11.

Accordingly, the judgment of the Court of Appeals for the First Circuit is affirmed.

It is my view that the foregoing per curiam was rendered to put an end to a massive and indiscriminate jail and penitentiary release and delivery from custody of convicted criminals, which had been caused by the rendition of *Gideon v. Wainwright* and similar decisions.

I am firmly of the opinion that the United States Supreme Court, in rendering this per curiam, realized the effect of the violence of these decisions to the enforcement of criminal justice in this Nation and established a deadline date.

I believe that my opinion is corroborated by the action of the United States Supreme Court in *Johnson v. State of New Jersey*, 348 U.S. 719, 16 L. Ed. 2d 882, 86 S. Ct. 1772, June 22, 1966, as follows:

We hold that *Escobedo* affects only those cases in which the trial began after June 22, 1964, the date of that decision. We hold further that *Miranda* applies only to cases in which the trial began after the date of our decision one week ago.

The Court established a deadline in *Johnson*; it evidently realized the devastating effect of its failure to set a deadline in *Miranda*.

*Dutton v. Evans*, 91 S. Ct. 210, was decided on December 15, 1970. In that case, the Supreme Court of the United States reversed the judgment of the Court of Appeal and remanded the case to that court for consideration of other issues presented. But what is most significant is the following quote from that decision:

"Almost 40 years ago, in *Snyder v. Massachusetts*, 291 U.S. 97, 54 S. Ct. 330, 78 L. Ed. 674, Mr. Justice Cardozo wrote an opinion for this Court refusing to set aside a state criminal conviction because of the claimed denial of the right of confrontation. The closing words of that opinion are worth repeating here:

There is danger that the criminal law will be brought into contempt—that discredit will even touch the great immunities assured by the Fourteenth Amendment—if gossamer possibilities of prejudice to a defendant are to nullify a sentence pronounced by a court of competent jurisdiction in obedience to local law, and set the guilty free. 291 U.S. 122, 54 S. Ct. 338."

In order to be sure about what Justice Cardozo meant by the use of the word "gossamer" I looked it up in the dictionary and found that it has two meanings, as follows:

1. A film of cobwebs floating in the air in calm clear weather.

2. Any gauzelike fabric.

At this point I am going to pause to render a great cheer, because at last the Supreme Court of the United States, as now constituted, has realized that what I said before this conference six years ago is correct.

The *Dutton* Decision is going to have a

salutary effect upon the people of this Nation, the enforcement officers and prosecutors, as it filters down.

I say this because for several years past, common sense has been put behind exaggerated judicial concern over the rights of an accused. This situation has been staggering to the national mind. People have never been able to understand why a convicted murderer or rapist—or anyone else—unchallengeably guilty, should be freed because of some inconsequential error which did not diminish by any common standard the fairness of his trial.

The true test, in my opinion, is and should be:—Not the legal technicalities involved, but whether the rules have denied the defendant a fair trial.

I do not desire to contribute to the devastating effect of technical decisions on the enforcement of criminal justice in this Nation. As a Justice of the Supreme Court of Louisiana, I am reluctant to adopt a technical ruling in favor of a guilty defendant, unless there is a ruling that fits like a glove the case under consideration. In that event, I am compelled to do so.

Another decision of importance is the recent case of *McGarry v. Fogliana*, 370 F. 2d 42, decided by the United States Court of Appeals, Ninth Circuit, on December 14, 1966, rehearing denied January 18, 1967, in which it was held in habeas corpus proceeding:

"Appellant also asserts that his retained counsel failed to perfect an appeal from his conviction. Standing alone, this is not a ground for federal habeas corpus. He makes no showing whatever that any prejudicial errors occurred that would have called for a reversal of his conviction."

I am quoting that decision because many applications for habeas corpus received by us today contain an allegation that defendant had ineffective counsel; that he wanted to appeal, but that his counsel did not or would not allow him to do so. Today, any lawyer who is compelled to accept appointment to defend these criminals is placing his reputation at their mercy. They do not hesitate to attack his ability, leaving it open for some demagogue to use what one of these people has had to say about him if he ever runs for public office.

It is my hope that the lower federal courts will take notice of the trend that the United States Supreme Court is establishing, as the United States Court of Appeals, Ninth Circuit, apparently did in *McGarry v. Fogliana*.

I am sure that the Supreme Court of the United States is going to continue this trend.

I hope that the lower federal courts will take heed. They have been unduly exercising the so-called "post-conviction remedies," which, as an old practitioner since 1919, stuns me. It is amazing that this expression crept into the jurisprudence. When I was admitted to the Bar in 1919, the only post-conviction remedy which was exercised was by application to the Board of Pardons for clemency. When a man was convicted he stood convicted unless the conscience of the State—the Board of Pardons—did something for him.

I have a simple remedy. All the Supreme Court of the United States has to do is to overrule *Mapp v. Ohio* and go back to *Wolf v. Colorado* and the previous jurisprudence. This will do away with Motions to suppress and the daily complaint "they arrested me too fast."

We all know that trials for murder are rare in the federal courts. Murder, manslaughter, robbery, burglary, rape, theft, and many other types of cases are tried in the state courts that are not tried in the federal courts.

The effect of *Mapp v. Ohio* has been to prevent the police from pursuing a murderer for the purpose of seizing the lethal weapon; from pursuing a burglar or robber for ob-

taining the money, jewels or articles stolen, when they have entered a building after the commission of a crime. I could go on and enumerate other instances, but I know it would not be feasible at this time.

It is my view that it was very unwise and ill-advised for the United States Supreme Court to have overruled *Wolf v. Colorado*, which it did ex proprio motu. The overruling of *Wolf* was not necessary to the decision.

*Mapp* put the police in handcuffs. This address may well close with a reading of a portion of an article appearing in the *Times-Picayune* of Wednesday, February 24, 1971, quoting Justice Hugo L. Black:

Justice Hugo L. Black, in explaining the Supreme Court's reversal of their actions, said federal district courts should not stand in the way of developing state prosecutions except when the prospective defendant proves he would suffer "irreparable injury" or that the state officials were guilty of "bad faith and harassment." What constitutes irreparable injury was not defined.

Black said there must be "a proper respect for state functions, a recognition of the fact that the entire country is made up of a union of separate state governments, and a continuance of the belief that the national government will fare best if the states and their institutions are left free to perform their separate functions in their separate ways."

#### REMARKS OF HON. JACK McDONALD OF MICHIGAN REGARDING HIGHWAY DEVELOPMENT

#### HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. CHAMBERLAIN. Mr. Speaker, my colleague and friend, Mr. JACK McDONALD of Michigan, has worked arduously not only here in Congress but in his home district on behalf of better and safer highways. He has brought his experience and expertise to bear on the many facets of highway construction, and has left his mark on the many highway bills which have come before this body in the past 5 years.

Yesterday, Mr. Speaker, Mr. McDONALD carried the message of highway development and its future to the members of the Michigan construction equipment dealers in East Lansing, Mich. The speech which he delivered to that group puts highway development in its proper perspective and has relevance to all of us in Congress. Because of its relevance, Mr. Speaker, I wish at this time to include a copy of Mr. McDONALD's speech for printing in the RECORD:

#### SPEECH OF MR. JACK McDONALD

The economic heartbeat of this nation is dependent on the thin ribbons of asphalt and cement which connect our population centers. Our Gross National Product is up to a trillion dollars a year because your work has made the marketplace accessible. Eight of every ten Americans commute to work by automobile. Every item you buy in a retail store traveled by truck somewhere on its way to you. In the economy as a whole, a whopping 17 percent of the Gross National Product is generated by the highway transportation industry.

I know I do not need to sell you on the importance of good roads to the nation. But

as your invited guest and as a member of the Subcommittee on Roads of the House Public Works Committee, I want to sketch in the accomplishments of the Federal road program in Michigan, then speak of its future here and across the Nation with special reference to the 1970 Federal Aid Highway Act, and finally to discuss the balanced-transportation concept and the threats to the Highway Trust Fund.

Fifteen years ago we began one of the greatest construction projects in the world's history—the Interstate Highway System. We have completed 75 percent, or 31,500 miles of that 42,500 mile project. Michigan ranks ninth in the States, with 1,174 miles of Interstate Highway in various stages of construction and planning. On March 31, there were 948 of those miles completed.

In dollar terms, since July, 1956 construction of the Interstate System has directly put more than one billion dollars into the Michigan economy, of which \$980 million came from the Highway Trust Fund. That is more Federal money than any of 43 other states.

In short, our state has an enviable record in the area of Interstate Highway achievement. By the same token, of course, those figures show we have only 9 per cent yet to be done in completing the entire task, 6 percent below the national average. Perhaps it sounded a bit gloomy for your business to note that our mileage progress is so far above average. But there is a counterbalancing factor. The most difficult and complex jobs were incomplete as we approached the end of the original program. And that is why last year in our committee, and in the 1970 Federal Aid Highway Act, we extended the life of the Highway Trust Fund another five years, to 1977.

Further evidence of this counterbalancing factor is the knowledge that the remaining 226 miles of Michigan's system will cost an average of two million, eight hundred thousand dollars per mile. The Federal share of \$468 million for remaining work will give our state the fourth largest amount of Federal Interstate Highway funds in the nation between now and the completion of the system.

I have gone into the Michigan picture for you much more thoroughly than I would with another kind of audience, because I know it is important for you to know just where we stand in this state and what the prospects are for the future. In order to complete this picture, we must also consider the status of the Federal-Aid primary, secondary and urban systems.

Since July 1, 1956, Michigan roadbuilders have completed construction of 9,381 miles of these roads, almost eight times our Interstate mileage. Now underway or authorized is an additional 434 miles, with the Federal contribution to this effort being nearly \$700 million. Despite the enormity of the task we have completed, the task ahead will keep us all busy.

Let's turn now to the broad picture of the federal role in highway building in the future. The 1970 Federal-Aid Highway Act, which was signed by the President on the very last day of 1970, makes some significant changes in operations of the Federal Highway Trust Fund. The Trust Fund has existed ever since the 1956 act designed it as a means to put into operation President Eisenhower's call for action on the 40,000-mile system—since extended by 2,500 miles—proposed ten years earlier in the 1944 Federal-Aid Highway Act.

As you know, the Federal Highway Trust Fund—and I might add that 28 states also have their own highway trust funds—is derived from excise taxes on motor fuels, lubricating oil, parts and accessories, tires, and a use tax on trucks and buses weighing more than 26,000 pounds. The money actually goes first into the general treasury, but twice a

month the Internal Revenue Service tells Treasury how much it estimates these taxes total for the period and the sum is transferred to the Trust Fund, subject to later revision to actual rather than estimated figures.

Appropriations from the Trust Fund are made to the Federal Highway Administration, which is now part of the Department of Transportation, every year by Congress. A small amount, totaling less than \$12 million in fiscal 1970, goes for roads maintained by the Forest Service and on Indian reservations, to the Corps of Engineers, and to the right-of-way revolving fund. But most of it is allocated to the states for highway construction under a formula which is part of the law.

Under the old law, from 1956 through June 30, 1970 the Federal Highway Trust Fund took in more than \$47 billion and spent nearly all of it for highway construction, except for the present invested balance. Under the "pay-as-you-go" provision, no money is advanced to the states until it is in hand. Appropriations have been in most years, and in every year since 1966, less than income. The last annual report of the Fund shows more than \$2½ billion unspent in the kitty, most of it invested in 6% Treasury certificates. Interest income in fiscal 1970 was over \$115 million.

Now, you can mark it down as axiomatic that any special-purpose fund with that much invested balance is going to feel some pressure from those who want to spend it for other things than those it was originally set up for. Here we run into another problem, the executive procedure by which the President refuses to spend all the money the Congress has appropriated. This impoundment has helped build the balance, which is expected to increase annually by more than a billion dollars to over \$10 billion in 1977. And of course the larger the balance the greater the pressure for spending it on other things than highway construction.

In every session of Congress since 1965 there have been bills offered for diversion of funds to other purposes than highway construction. Beginning in last 1966, in every year since, the executive branch has arbitrarily impounded money authorized by Congress to be paid from the Trust Fund. As of June 30, the cumulated deferment by this action had reached \$5.5 billion, about equal to the total fiscal 1972 apportionment to the states—and again, only about \$4.6 billion will be released to them in the year just starting.

You see, there are at least three steps involved in getting the actual money out into the construction pipeline. As a member of the Roads Subcommittee, I am in on only the first, which is authorization. We set in the law, as we did in the 1970 act, the amount which we believe should be spent. For example, the old law authorized spending \$2,225,000,000 on the interstate system for the year ending June 30, 1974. This was to have closed out the program. We increased that authorization to \$4 billion and added \$4 billion more for each of the next two years as well as extending the life of the program to 1977.

The second stage is carried out when the Appropriations Committee sets the amount to be actually spent, which we always hope will be the full amount authorized. This happens in all programs of the government—first the authorization, then the appropriation, which takes into account the annual budget requests from the Executive Branch. Often the Budget asks for less than is authorized, and occasionally the Appropriations Committee decides on more funds than the budget calls for, but never more than the authorization allows.

The third step is actual release of the funds to the operation. In many cases, especially in

recent years, and especially if the appropriation exceeds the budget request, the administration refuses to let the full authorization be spent. Instead it keeps the left-over money to reduce the next budget request. On the face of it, this practice is defiance of Congressional judgment, substituting not only judgment but contrary action by non-elected bureaucratic officials. It strikes directly at the roots of democracy and should be stopped everywhere. In effect, Congress says, "Do this," and the bureaucracy says, "We refuse." It is a grave question whether this whole matter of impounding millions and even billions is constitutional. It affects many other programs besides highways, and it will quite likely be tested in court some day.

As I said, this has happened to the Highway Trust Fund every year for the last five years. Because we object to this short-circuiting of what ought to be done, we put into the 1970 act a section prohibiting impounding of apportionments to the states and of diversion of funds. Unfortunately, it is only a "sense of Congress" statement without sufficient teeth if it should be ignored. But it clearly expresses the will of Congress to end the practice, at least with regard to the Highway Trust Fund.

As to other new provisions, one of the most important is the shift from 50-50 funding of the ABC system to a 70-30 ratio, with the increased federal share taking effect June 30, 1973. Thus the state and urban burden will be eased beginning two years from now.

But in accord with the recent thinking on "balanced transportation," some other provisions of the 1970 law change the exclusive highway-construction purposes of the fund. Within proper limits, there is nothing wrong with using trust funds for highway-related purposes other than roadbed construction. I agree with the "balanced" concept, but I do not agree with those who would raid the Fund for other than highway needs.

For instance, we set up in the new law a National Highway Institute for the education and training, including fellowships and up to 70% of the tuition, of State and local highway department employees in such things as highway planning, right-of-way acquisition, environmental factors, construction engineering, and so on. We authorized up to \$20 million a year in coming years for highway beautification and set up a Highway Beautification Commission. We authorized as part of future construction costs expenditures where necessary for constructing new housing, or for acquiring and rehabilitating existing housing, for people displaced by highway construction. We authorized demonstration projects for so-called "development highways" to aid economic growth in such needy regions as Appalachia to cut their economic isolation. We authorized a study of highways in relation to public transportation needs, and we authorized \$500,000 for urban transportation planning. We authorized upgrading the National Highway Safety Bureau to a National Highway Safety Administration, with two-thirds of the funding from the Trust Fund.

These and similar expansions of the use of Trust Fund Money, I believe, are both legitimate and needed. The proposals we have had to fight are the ones which would take money from highway use to spend on other kinds of transportation.

One of the strongest efforts to do this was by Senator Jennings Randolph last year—strong in part because he is chairman of the Public Works Committee in what we in the House call "the other body." His proposal, which passed the roads subcommittee which he also chairs only to be killed in full committee, would have permitted use of Trust Fund money derived from direct highway users, to purchase bus and even rail

transit equipment for existing systems, and even to pay some of the operating costs of transit systems. Such an unwarranted incursion on the Fund, using it for transit systems themselves, is simply an outright raid in the name of a distorted "balanced transportation" concept.

Under other law, the Urban Mass Transportation Administration went into operation the first of July as a parallel organization to the Federal Highway Administration. The lines should be kept separate, and the disbursement of funds from the trust money should not be for their purposes, except for roadbed construction of special bus lanes under certain circumstances, such as the three now operating experimentally. Under the 1970 act, these bus lanes can be built out of highway money where it is shown they will result in cutting back other highway construction otherwise needed for automobiles, with the transfer of riders to the express buses which save them commuting time. As to buses themselves, it may surprise you to learn that even in New York more people are moved by buses every day than by subway. With only about ten cities large enough to warrant city rail commuter systems, mass transit in effect means buses, and buses mean street and road and busway construction.

It is this great task of construction for the moving of our people, freeing them and furthering their personal, commercial and industrial activities from the geographical confinement of the pre-motor age, that is yours. Your task is not finished and it will not be even when the extension of time for interstate system has expired. Your work is construction, not tearing down. We have too much of that in this country in more than one sense. You are builders, and you can be proud of that fact, as I am to have counted myself also among builders in my business career. Now that I am a representative of the people in Congress, I hope that I may still count myself a builder in all that I do, even though the kind of building may be different.

So I close with a word to you from a favorite poem expressing that thought. Today I dedicate it to you who are here, and to all whom the words so truly fit:

I saw them tearing a building down:  
A gang of men in a dusty town.  
With a yo-heave-ho, and a lusty yell  
They swung a beam and the side wall fell.  
I asked the foreman if these men were skilled  
As those he'd hire, if he were to build.  
He laughed and said, Oh no, indeed;  
Common labor is all I need.  
For they can wreck in a day or two  
What builders have taken years to do.  
So I asked myself as I went my way,  
Which of these roles: m I to play?  
Am I the builder who builds with care,  
Measuring life with the rule and square?  
Or am I the wrecker who walks the town,  
Content with the role of tearing down?

#### POWERPLANT SITING ACT OF 1971

**HON. HAMILTON FISH, JR.**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. FISH. Mr. Speaker, today I am joining a number of my colleagues as a cosponsor of the "Powerplant Siting Act of 1971." This legislation aims at striking a proper balance between the need for adequate and reliable electric power and our obligation to protect and enhance the

quality of our environment. The emphasis is on the early identification of potential sites for power projects and transmission lines, long-range planning for future power needs and public participation in the decisionmaking process.

But, most importantly, this bill will insure the protection of environmental values. As we know, the intensity and breadth of public concern over the location of powerplants and the routing of transmission lines is related to the fact that these facilities can cause a number of negative environmental effects. Our environmental concern requires a special examination in the case of powerplants into problems of air pollution, water pollution, land degradation, solid waste disposal, noise pollution, and radiation effects. There is a compelling need for a national policy on the siting of power projects that calls for the full consideration of environmental problems. This bill emphasizes time—time to plan, time to consider alternatives, and time to fully explore the pollution problems caused by power facilities before the need for those facilities gives us only the alternatives: build or degrade, or brown out or preserve.

The key elements of this measure are as follows:

First. State or regional certifying agencies would be established to license power companies and review all plans for the location of powerplants or large transmission lines. The certifying bodies would provide for the participation in its decisionmaking process of environmental protection, natural resources planning, and electrical power service components of the local and State governments involved.

Second. All public utilities would be required to submit general plans for expansion which describe the general location and the size and type of proposed power facilities. These plans would have to be submitted at least 10 years before any construction could take place. They would also have to be filed with the Federal Power Commission and the EPA.

Third. Actual sites of plants and general locations of transmission lines would have to be disclosed 5 years before construction. Public hearings on detailed plans would have to be held at least 2 years prior to any construction.

Fourth. This process would also establish a "one-stop" certification procedure on power siting. At present, in many cases it is necessary for utilities to obtain up to several dozen separate local, State, regional, and Federal approvals, permits, licenses, and so forth. In fact, at present, in many States, power agencies have only ratemaking powers and have no authority over the actual sites of plants and transmission lines.

This legislation is strongly endorsed by the Nixon administration and, in particular, by the Department of the Interior and the Council on Environmental Quality. In this era of pressing power needs and serious environmental problems, this measure creates a framework for the early review and resolution of conflicts between these two important areas of public policy.

#### AFRICAN SWINE FEVER COULD BE NEW THREAT TO NATION'S LIVESTOCK

**HON. JOHN G. DOW**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DOW. Mr. Speaker, in the past several weeks I have been investigating several livestock diseases which are a threat to our country. On Monday, July 19, I reported to my colleagues what I had learned about the history of Venezuelan equine encephalomyelitis—VEE—and the way in which it could have been prevented if the Department of Agriculture had pursued different policies. My remarks appeared on page 26003 of the RECORD.

Today I would like to advise my colleagues about African swine fever, which is potentially the most dangerous and destructive of all communicable swine diseases. Unlike VEE, this disease does not infect humans.

African swine fever now exists in Spain, Portugal, France, Italy, and all countries in Africa. Most recently—and this is a cause for alarm—the disease has been discovered in Cuba, right here in our hemisphere.

Yesterday Dr. Fred Mauer of Texas A. & M. expressed his concern that this disease could be spread into the United States from Mexico, which has in the past imported pork products from Cuba. The causative virus of African swine fever is highly virulent and may be present in pork and pork products originating in countries where the disease exists. Dr. Mauer urged that Mexican and American officials meet to discuss ways of averting the introduction of the disease onto this continent.

The State Department has advised me that the U.S. Department of Agriculture has been and is in direct contact with Mexican officials about African swine fever. Over the weekend, officials of USDA met with Mexican officials to discuss both VEE and African swine fever. An agreement is in effect under which the Mexicans will not import pork products from Cuba, although there might be some difficulty in fully enforcing this ban.

The Cubans are likewise very concerned, and they have called upon Canadian authorities for assistance in combating this disease. There is no vaccine against African swine fever, and it can only be eliminated through quarantine and slaughter of infected animals. Accordingly the Cuban Government has taken the drastic step of ordering the extermination of 500,000 hogs in Havana Province where the disease is concentrated. Of these, 130,000 hogs are in the city of Havana itself.

The Agency for International Development has just sent circulars to all posts advising agricultural attaches to be prepared to render advice and assistance to local governments that may request it.

With reference to our country, we currently have the capability of diagnosing this disease, although its symptoms are

quite similar to hog cholera. The USDA is capable of differentiating the two, however.

I am hopeful that USDA has or is now developing contingency plans for dealing with this disease in case it should enter the United States despite our efforts to keep it out. I am writing to Secretary Hardin asking him to take action in case these plans do not now exist. The threat posed by African swine fever to our livestock is enormous, and the consequences to the American consumer and to the farming industry could be very grave. We must not be unprepared for this disease as we were in the case of VEE. African swine fever has no cure and no vaccine, and prevention is of the utmost importance for this reason.

CARRIER ENDS CRUISE WITH NO WAR LOSSES

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. COLLINS of Texas. Mr. Speaker, the July 1 issue of the Los Angeles Times contained an article by Staff Writer George McArthur entitled "Carrier Ends Cruise With No War Losses." I bring this to the attention of my colleagues because one of the aircraft mentioned in the article is produced in my district of Texas. The A-7 Corsair II, built by the Vought Aeronautics Co., a division of LTV Aerospace Corp. of Dallas, is one "triforce" aircraft program that has worked. In this day of cost overruns and schedule slippage in our major aircraft programs, it is refreshing to have one program that is on schedule and on cost. More importantly, the A-7 Corsair II is the best close air support and interdiction bombing system in the world today. Presently utilized by both the Navy and Air Force, the workhorse A-7 aircraft is this country's light attack bomber of the 1970's. The people of Dallas are proud of this accomplishment.

The article follows:

YANKEE STATION.—The U.S. aircraft carrier Kitty Hawk was headed back to her home port of San Diego after a unique Vietnam cruise—27,000 flight hours, mostly over Laos—without the combat loss of a single plane or man.

In the five months the carrier cruised at Yankee Station in the South China Sea, the carrier lost only one man—a sailor who disappeared and is presumed to have fallen overnight one night.

And one plane was lost—a jet which developed engine trouble and from which the pilot successfully ejected.

The cruise was a far cry from the earlier days of the war or even the earlier days of carrier aviation when just landing aboard a flattop sometimes gave pilots the shivers. In the worst of her previous four cruises off Vietnam—during the bombing of North Vietnam—the Kitty Hawk had 15 planes shot down.

BOMBING OF TRAIL

In a war that has become casualty-conscious, the last cruise of the Kitty Hawk will be closely studied by the military planners. The U.S. command realizes that continued American air support and the bombing of

the Ho Chi Minh Trail is probably necessary for the next few years if the Saigon government is to survive. Such a continued air campaign would obviously raise less opposition if the loss of planes and men was minimal.

The Kitty Hawk showed it could be done at minimal cost—though also probably at some cost in effectiveness. The fact that America is winding down its commitments is not lost on the pilots.

"My guys are very conscious of that situation," one veteran flight commander admitted. "They are not as Hawkish and gung ho as we once were."

Another pilot added, "The way things are in Laos now there isn't a target over there worth a pilot or a \$4.5 million airplane. You play it cool."

"A SUNDAY DRIVE"

The old hands also say that bombing the Ho Chi Minh Trail bears no comparison to the hazards encountered bombing North Vietnam. Some of the older pilots call bombing Laos "a Sunday drive"—though the younger ones naturally disagree.

Since March 1970 when the U.S. command began announcing air losses over Laos, Communist gunners have shot down 64 U.S. warplanes, mostly from the Air Force, although the Navy has flown about half the strike missions. In the last 3 months, for example, eight Air Force planes have been downed while only two Navy planes were lost in combat.

Rear Adm. Damon W. Cooper, who commands carrier operations on Yankee Station, refuses to engage in a Navy-Air Force comparison of losses. He notes that there are too many variables. For example, the Air Force flies all the low-level spotter missions which are the most vulnerable to ground fire.

He does, however, attribute the low Navy losses in good part to the A-7 Corsair, a jet developed for the Navy by Ling-Temco-Vought. The A-7 can carry its weight in hardware and is jammed with electronics enabling the pilot to bomb and strafé accurately from altitudes outside the effective range of smaller caliber anti aircraft weapons—the type most prevalent in Laos.

Although the Kitty Hawk did use its supersonic F-4 Phantoms for some ground strikes, they were generally used to fly cover (and the Kitty Hawk's fliers fought one of the rare recent engagements with Hanoi's MIG). The Air Force, on the other hand, has relied more and more on the Phantoms for bombing missions over Laos.

While the Phantom is an excellent aircraft it was not specifically designed for such missions and is consequently more vulnerable than planes with electronic fire control systems like the A-7.

The Kitty Hawk's pilots were also aware that plain old-fashion luck was favoring them this trip. More than one flier came back from Laos to discover bullet holes in his plane when he had not even realized he had been hit. One was Lt. Scott Shields who came back with his Phantom peppered with holes from a SAM missile.

As the cruise neared its end, the fliers avoided the subject of losses—like baseball players who realize their pitcher has a no-hitter going.

RECOGNIZE ALL POTENTIAL

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. ANDERSON of Tennessee. Mr. Speaker, our country faces numerous domestic challenges in the seventies, but

none are more serious than the problem of drug abuse. This problem extends beyond our national boundaries for a large portion of the hard drug source is found in South Asia where opium is exported in large quantities both for its legitimate conversion into morphine, one of the medical profession's valued pain killers, and for its illegitimate conversion into heroin, which has rapidly become one of our Nation's most serious health threats and another cause of crime, especially among our youth.

When our people are threatened by such a serious problem, it has been the American tradition for the people to respond. I am most encouraged by a new organization known as RAP of Tennessee, Inc., the RAP meaning Recognize All Potential, which has been organized as a nonprofit counseling and treatment center in Sewanee, Tenn. I commend all those responsible for organizing to combat drug abuse and wish them Godspeed in their efforts.

I have received a letter from Dr. Roger A. Way which explains in some detail the approach RAP makes toward solving the drug problem and I include it in the RECORD in hope it will prove valuable both to my colleagues and to all those now trying to solve the drug abuse problem:

RAP OF TENNESSEE, INC.,  
Sewanee, Tenn., July 17, 1971.

HON. WILLIAM R. ANDERSON,  
U.S. House of Representatives,  
Washington, D.C.

DEAR SIR: We are organizing a non-profit counseling and treatment center near Sewanee to combat drug abuse.

We would appreciate a letter from you stating your concern and an endorsement of efforts to control this growing menace to our youth. This letter is to be used in a brochure for raising funds and making the presence of the facility known.

We are fortunate in obtaining Mrs. Richard Packard as Director. She has had some six years experience in dealing with drug users in Pittsburgh, Pennsylvania, and has effected a high percentage of cures. Her approach is based on the concept that unless the basic insecurity of the individual, the inability of the individual to adjust to his environment, and the distorted thinking of the drug user are corrected, continued drug use can be expected.

Our organization, RAP (Reorganize All Potential) of Tennessee, Inc., has no regional affiliation but is connected with RAP (Reorganize All Potential) of Pittsburgh, Inc. It has no official connection with the University of the South, but is a separate organization.

We will be awaiting your reply with great expectation.

Cordially,

ROGER A. WAY, M.D.,  
Chairman of the Board.

NEED FOR PARAPLEGIC RESEARCH

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. HANSEN of Idaho. Mr. Speaker, recently there came to my attention a copy of a most remarkable address delivered to the National Paraplegic Foundation by Dr. William F. Windle,

one of the Nation's most highly respected research neurologists. Dr. Windle has articulated in this speech the hope for the ultimate prevention and cure of paraplegia.

Like so many others, until a few months ago I was unaware that there was a basis for the hope that "regeneration in the central nervous system, previously considered hopeless, is amenable to solution through basic research."

This quotation, which Dr. Windle explains in his speech, is not his conclusion alone, but is the corporate conclusion of a group of 22 eminent scientists. These individuals represent a wide range of scientific disciplines, from neurology to zoology, and they issued this remarkable statement at the conclusion of a national conference on applications of new technology to the enigma of the central nervous regeneration. Though I am told that many of these distinguished scientists arrived at the conference skeptical of such a chance, after a pooling of their knowledges, they departed from the conference converted to the idea that a reappraisal of the prospects was indeed justified.

My interest in this subject, Mr. Speaker, is the result of a tragic accident which rendered paraplegic the son of a good friend. From my conversations with his father, I learned that the deputy assistant secretary for educational and cultural affairs, Mr. Allen A. Reich, was also president of the National Paraplegic Foundation. Subsequently, I had the pleasure of making the acquaintance of Mr. Reich who, himself a paraplegic because of a swimming accident, is attempting to marshal support for efforts in funding which would make such basic research possible. Mr. Reich's energies and optimism are infectious, Mr. Speaker, and at his urging, I have read a great deal about the subject which has convinced me that the question must be more fully pursued, and that this pursuit must ultimately be encouraged by the funding resources of the Federal Government. The need for this support arises not only because of the scope of the problem and the need for a central coordinating agency, such as the National Institute of Neurological Diseases and Stroke; but also because many of the victims who are so afflicted received their injuries as members of our Armed Forces.

I recently received a letter from the Administrator of the Veterans' Administration, Donald E. Johnson, in which I was informed that 2,235 such injured men were transferred from the Armed Forces to the Veterans' Administration from August 1964 through April 1971. These patients sustained an injury to the spinal cord which produced a paralysis—either paraplegia or quadriplegia.

Recently, Mr. Speaker, the National Paraplegia Foundation received a sizable donation which has enabled it to offer a \$10,000 award to the Scientist of the World making the greatest contribution toward a cure for paraplegia. A distinguished panel of scientists has been drawn together to select the award recipient, and further information on the worldwide competition, Mr. Speaker, can

be obtained from the National Paraplegia Foundation office at 333 N. Michigan Avenue, Chicago, Ill., 60601.

There is much more information which I wish to share with my colleagues, Mr. Speaker, and I will do so at a later date. But, for the present, I think that the following information will convince my colleagues that the question merits their close attention.

Mr. Speaker, I insert Dr. Windle's remarks, along with other information, into the RECORD at this point:

A NATIONAL EFFORT FOR RESEARCH IN PARAPLEGIA

(By William F. Windle of Denison University)

Our long-term goal is prevention and cure of paraplegia. Progress toward it has been slow because of attitudes of pessimism and defeatism. Now I think a new ray of hope is piercing the gloom, but I fear it will become dim without hard work to keep it shining. The previous speaker summarized recent basic research findings that support this optimism. I shall comment on what we believe needs to be done to expedite work toward prevention and cure of this tragic affliction.

The problem of paraplegia, as you know too well, is one of damage to the spinal cord resulting in its functional impairment. Sometimes the cord is severed, but relatively few people become paraplegic or quadriplegic because of a severed spinal cord. Most of them lose control over their lower body through traumatic accidents in which the spine is injured but its cord, though crushed, is largely intact. Why does a functional deficit exist in an otherwise intact spinal cord whose nerve fibers are still there but are not conducting messages. Obviously, the normal physiology has been altered. It should be possible to restore it, but no amount of physical therapy is going to do so. This aspect of the problem of paraplegia demands basic neurophysiological research to find the answer. Quite probably the solution will precede that of the age-old enigma of regeneration in the severed spinal cord whose nerve fibers are no longer there. Major financial support is needed to mount the research that will solve this problem.

How large a public health factor is spinal injury? It goes beyond the totally disabled citizen. Some individuals with spinal cord damage retain partial function although they are crippled and must go through life with impaired ability of locomotion. One can hardly separate these patients with partial spinal cord disfunction from those with total loss. Traumatic accidents are the cause of most cases. They constitute the fourth ranking cause of death—now more than 100 thousand annually. To these we must add victims of the war—at east 2500 paraplegics from Viet Nam. But there is more to the picture. Those temporarily disabled by traumatic accidents (about 10 million) and those permanently disabled (roughly 400 thousand) require more days of hospitalization than does any other group of medical-surgical patients. The cost of this is staggering: in the billions—not millions—of dollars each year. It would seem to me that our affluent society, even if insensitive to the vast human suffering, should afford to do more than is now being done to reduce this enormous dollar drain.

What are we doing? We are keeping most of them alive, but beyond that, precious little. I cannot separate the dollar effort on research toward prevention of accidents or curing the spinal injury patients from the total amount we spend for all medical research, which is little enough. The total of all medical research is only about 1/3 of that spent on space exploration, no more than 1/20 of that for the Indochina war, and 1/60 of the defense budget. Indeed, it is hardly 1/7 of what we

spend for the highways on which most of the accidents occur. And yet, some of our leaders in Washington have no qualms about imposing economic restrictions on dollars for medical research, while eagerly supporting these other projects; and the reason for this is that they hear no voices from the citizens who are most tragically affected. If advances are to be made in research toward a cure for paraplegia, the Congress must hear from you—loud and clear. It is not enough to ask for appropriations for patients' care. There must be generous support of research of a very basic kind. The type of research that is sorely needed is that which was considered at our Palm Beach conference in February 1970. You have heard it reviewed.

Perhaps the most vexing problem is that of nerve fiber regeneration in the damaged or severed spinal cord. We have known for the better part of a century that this is within the realm of possibility, but research on the subject has commanded very little support. One of the most firmly established medical dogmas is that "regeneration in the human central nervous system is impossible". Well do I remember the discussion of a paper I presented 20 years ago before which I had demonstrated a way to promote regeneration in the severed spinal cord of cats. An eminent neurologist declared that the title of my paper should be changed so that no one would be misled into thinking that the demonstrated spinal cord regeneration in animals could apply to man, because of course every neurologist knew that to be impossible. Well, at that time spinal cord severance was usually fatal. We have come a long way in keeping the paraplegic patient alive. But we still need to know how to cure him.

Most body tissues are capable of either repair or regeneration, but further efforts are needed to ascertain methods for increasing to maximum the rate of effectiveness of these natural processes. A broadly based program of research into mechanisms of repair of all types of tissue could prove effective.

The problem of spinal cord regeneration has been brought to the present state of hopefulness primarily by research which was directed towards understanding basic processes of the nervous system rather than specifically aimed at finding a cure for paraplegia.

The recent report of our conference on spinal cord regeneration concluded with the cautiously optimistic statement that "it is now entirely reasonable to abandon the view that central nervous regeneration cannot be accomplished in man". Furthermore, the conferees agreed that the path of future research is now clear. It remains to recommend the best means for stimulating and channeling research efforts in this field. We need more basic research in neutral fine structure, neurochemistry, neurophysiology, and euromacromolecules if we are to realize the goal.

The National Paraplegia Foundation should call upon the National Institutes of Health to pursue more dynamically research toward finding a way to central nervous regeneration. The path is clear for a national commitment to solve the problem of paraplegia by eliminating it through basic research. This is the "Call to Action."

[From Science News magazine]

SPINAL CORD REGENERATION—SCIENTISTS ARE CALLING FOR RESEARCH ON A NOT-POSSIBLE DREAM

Hope that a paralyzed human spinal cord can regenerate is not dead.

That hope, generally cast off as cruel dreaming, has been brought cautiously to life by a small corps of scientists. They believe that the time is ripe for applying the knowledge gained from 20 years of fruitful research in biochemistry and molecular bi-

ology to problems of central nervous system regeneration in man.

The issue of human spinal cord regeneration is, with good reason, one of the most sensitive subjects in medicine. Because of disease, accidents and war injuries in Vietnam, nearly 200,000 Americans are confined to wheelchairs or bed with partial or total paralysis. Efforts at rehabilitation are expensive, slow and frustratingly unsuccessful in many cases. Occasionally, a physician will announce to his colleagues and the press a dramatic cure of a paralyzed patient. Inevitably, such claims have proved unfounded, earning their maker the scorn of his colleagues for raising hopes that cannot be fulfilled. Clearly, no responsible physician gives a paraplegic reason to believe that he will get up and walk. Indeed, most investigators have considered the probability of spinal cord regeneration so remote that they called research in that direction a waste of time.

With all of this in mind, 22 scientists from a variety of disciplines nevertheless agreed earlier this year to accept an invitation from the National Paraplegia Foundation to assemble in Palm Beach, Fla., for a conference on the Application of New Technology to the Enigma of Central Nervous System Regeneration. They came as skeptics. They departed converted to the idea that a tentative reappraisal of the situation was justified. In a summary report, to be published in a forthcoming issue of *Experimental Neurology*, they conclude that, "As of today the problem should no longer be considered insoluble."

At the same time, they hasten to emphasize that while they are calling for a new research effort, they are by no means suggesting that any practical, medical application looms in the immediate future. Nor do they guarantee even long-range results. But they think it is worth a try. The meeting was called by Dr. William Windle of New York University, a pioneer in studies of human spinal cord regeneration.

Conference participants, from the United States and abroad, represented a wide range of scientific disciplines from neurochemistry to zoology. Focusing their attention exclusively on experimental, fundamental areas of science, they urge investigations of at least four specific phenomena that can now be rationally studied because of recently acquired understanding of cellular behavior. In the 1950's and 1960's such efforts would have been fruitless.

The four areas of increased interest are collateral sprouting, growth of the neuron, neurotrophic interactions and nerve specificities.

If peripheral nerve fibers are severed, one of two reactions may occur. The severed fibers may regenerate, or adjacent, intact fibers may develop what are called collateral sprouts to reinnervate the damaged tissue. A similar process is thought to occur in central nervous tissue, including the spinal cord, and scientists have reasoned that if this collateral sprouting could be controlled and directed, nerve function might be restored.

But Dr. Geoffrey Raisman, an anatomist at Oxford University, presents data indicating that collateral sprouting may actually inhibit restitution of severed nerves in the central nervous system. His studies of adult rat tissues show that an injury to nerve fibers does act as a stimulus to their growth and to the growth of adjacent nerve axons. But the collateral sprouting or growth of these adjacent axons is nonspecific—collateral sprouts may grow to terminal sites in tissue where they themselves cannot function. In effect, they get in the way of proper regenerating nerve fibers. Further studies of this problem need to be carried out.

Studies of rats by Dr. Raisman and others show that mammalian neurons of the central nervous system do have some capacity for regrowth. And studies of fish by Dr. Bernice Grafstein of Cornell University

Medical School, and others, demonstrate that these animals have a clear ability to regenerate nervous tissue. Nevertheless, it remains possible that regenerating mammalian neurons fail to reestablish functional connections because they are unable to regenerate fully.

Preservation of the neuron or nerve cell body is essential to regrowth. For some reason which remains unclear, severing the axon—the long tail that extends from the cell body and conducts nerve signals—often results in death of the nerve cell. Scientists, speculating about the relationship between severing the axon and neuron death postulate that either some feedback mechanism exists between axon and cell body that is vital to neuronal life or the protein loss resulting from axon severing may result in annihilation of the cell.

Still other factors may be implicated in neuron preservation. One is a mechanism functioning locally in the axon that permits sprouting to occur. Another is a set of systems for signaling the neuron to engage in new protein synthesis and for maintaining that synthesis until new nerve cell growth is completed. Understanding of any of these myriad processes could illuminate features of spinal cord regeneration.

Neurotrophic interactions, as they are called, refer to a general class of cellular interactions by which a neuron controls or initiates molecular changes in another cell. Experiments conducted by Dr. Stanley Crain and his colleagues at Albert Einstein College of Medicine in the Bronx reveal that the development of organized networks of synaptically connected neurons is not dependent upon prior electrical activity. Studying fetal mouse brain cells in what he calls a drugged cell culture (Novocain was added to the medium to block electrical discharges during the entire period of weeks in culture), he finds that the cells nonetheless form a neural network composed of normal, highly specific connections. After the Novocain is withdrawn, complex, patterned electrical discharges can then occur as in tissue grown in normal culture media. It is tempting, scientists say, to speculate that neurotrophic (chemical) influences may be operating between these neurons as they develop functional CNS relationships.

Among the first investigators to offer evidence supporting this hypothesis was Dr. Marcus Singer of Case Western Reserve University in Cleveland. Addressing the Palm Beach conference, Dr. Singer reported that he and his colleagues believe, from experiments with salamanders with amputated limbs, that the trophic, or regulating, property of neurons derives from a macromolecule or large chemical agent. Dr. Singer's trophic chemical, which has yet to be characterized, is presumed to be nonspecific in its effects—it acts broadly on a variety of cells.

In a somewhat similar vein, neuroanatomist Lloyd Guth of the National Institutes of Health in Bethesda, Md., reported evidence of highly specific trophic influences. In fact, Dr. Guth proposes that one of the trophic actions of a neuron is the regulation of gene expression in the peripheral cells that the neuron innervates.

A series of recent experiments with rat muscle cells supports his hypothesis. There are two main types of muscle fibers. Slow fibers are those that emit continuous electrical signals and perform such functions as maintaining posture. Fast fibers are employed in, for example, raising an arm.

Each type of muscle fiber is innervated by specific nerve fibers, and the biochemical activity of each is associated with the presence of two specific and distinct forms of the contractile protein myosin and its enzyme ATPase. When Dr. Guth and his colleagues cross-innervated slow and fast muscles, send-

ing fast nerves to slow muscle fibers and vice versa, they discovered that the muscle fibers began producing the type of protein and enzyme characteristic of the muscle that nerve normally innervated. Because protein synthesis is known to be controlled by genes, he concludes that the neurons by some undetermined mechanism, are regulating gene expression in muscle cells.

"It seems eminently worthwhile," he declares, "that a search for both nonspecific and specific trophic interactions between neurons of the adult central nervous system be undertaken."

Advances in techniques of tissue culturing allow researchers to probe the specific relationships and trophic influences of neurons on neurons and of neurons on muscles. Studies reported by Dr. Crain are among those of interest in this regard. He has been introducing nerve cells to muscle fiber in culture to investigate the chemical that may be involved in trophic interactions and to observe the results of those interactions. Though data on the former point have yet to accumulate, "we are," he says, "preparing to use a variety of drugs to block postulated trophic factors and thereby gain some insight into their nature."

Although trophic chemicals remain unknown, fascinating observations of interacting nerve and muscle cells have already been recorded. In one case, adult human muscle cells were transferred to a culture medium where, as anticipated, they did not grow at all. Then, by adding mouse fetal spinal cord so that nerve fibers could grow into contact with dormant muscle fibers, the investigators discovered they had created a milieu conducive to muscle regeneration. The mouse fetal spinal cord (nerve fibers) clearly stimulated human muscle cell regeneration.

A series of future experiments are planned to determine whether a similar response occurs if adult human spinal cord or brain tissues are exposed to mouse fetal spinal cord neurons in culture. Likewise, Dr. Crain is attempting to obtain human fetal spinal cord tissue for similar experiments. Fetal tissue is generally known to survive better in culture than does adult tissue, possibly because it is naturally undergoing processes of growth and differentiation that are not common to adult tissue. The implications of this work for spinal cord regeneration in adult human beings are exciting but definitely preliminary.

Indeed, the implications of all the proposed neurobiological research for treatment of paraplegia are speculative and tentative at present. As Dr. Guth observes, however, "In the past, many of us felt that supporting research in human spinal cord regeneration was a case of throwing good money after bad. This is no longer the case. It now seems more sensible to abandon the view that central nervous system regeneration cannot be accomplished in man."

CLEVELAND, OHIO, AND ITS MAYOR

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. JAMES V. STANTON. Mr. Speaker, Thomas Vail, the distinguished editor and publisher of the *Cleveland Plain Dealer*, described the problems facing Cleveland and its mayor in a timely column last Sunday. I feel this is a fair and accurate reflection of the mayor's last 4 years, and I wish to place it in the *Record* at this point:

## A SUMMING UP ON CARL STOKES

(By Thomas Vail)

*Reflections on Carl Stokes as mayor of Cleveland.*

Has Carl Stokes been good or bad for Cleveland?

This is a question you hear repeatedly among concerned citizens.

As Carl Stokes will conclude his four dramatic years as mayor of Cleveland on Nov. 8, some preliminary assessments of his performance are due.

As a breakthrough image maker, the first black mayor of a major American city, Stokes has been very good. A brilliant speaker with a ready smile and a keen sense of humor, Stokes has entertained far and wide.

In this visual age, no one should underestimate looks and delivery, also called star quality and charisma. These potent media requirements Stokes has used everywhere to the benefit particularly of himself but also to the benefit of Cleveland's image.

When Stokes came into office in 1967 he possessed, in addition to his show biz personality, other extraordinary assets.

Republican business leaders, scared by the Hough riots of 1966, were for him in hopes that urban black violence would become less under a black mayor.

Liberal whites were naturally attracted to a new breakthrough experiment in black power. The blacks were excited to see one of their own up there and projecting so well.

The media, especially *The Plain Dealer*, provided vital coverage and support.

The new black mayor had other friends in high places. President Johnson and Vice President Humphrey, interested in black political support, helped with increased federal aid, including especially restoration of Cleveland's urban renewal funds.

Some exciting, young, able people (black and white) came to Cleveland to man City Hall administrative posts because of Stokes and their hopes for his success.

Action was forthcoming. The downtown building boom increased, a port authority was created, and the city raised its income tax from one half of 1% to 1%.

Also during the first year of the Stokes administration, the mayor and Cleveland received plenty of complimentary national media attention.

Then in 1968 things started coming apart. The business community's urban money action program, called "Cleveland: NOW," started to dry up when some of the money ended up in less than responsible hands.

A shocked Police Department stood by when it was eliminated from enforcing public safety after three policemen were killed in the Glenville gunfight. Fred (Ahamed) Evans was found guilty of first-degree murder in the deaths of the three policemen and one civilian.

Two of Stokes' appointees to the Civil Service Commission were indicated for tampering with police promotion and appointment exams.

The Cleveland community again was shocked in 1970 when a police chief, one William P. Ellenburg, was hired from Detroit. The newly appointed chief was found to have questionable connections publicized by the *Plain Dealer*. When *The Plain Dealer* and the *Detroit Free Press* unearthed the Ellenburg story, Mayor Stokes questioned the integrity and facts of *The Plain Dealer* and then after a trip to Detroit accepted the chief's resignation nine days after making the appointment.

Finally, in two city elections the people of Cleveland, who had elected Mayor Stokes, refused to increase their taxes for more city revenues, although at one of the two elections (1970) they approved money for the city school systems.

During the Stokes era (1967-71) Cleveland experienced problems common to many large,

mature, heavy-industry urban centers. Blacks and whites, who could afford to do so, moved out. Downtown buildings sprouted up but public housing went practically nowhere. The population of Cleveland suburbs surpassed the city of Cleveland and the per capita tax base of the inner city was depleted further. The executive branch under Mayor Stokes, and the legislative branch under ethnic control, became increasingly reluctant to agree on anything.

But even though no mayor under such circumstances can perform urban miracles, after Stokes' first year, hopes faded. What went wrong?

Why did Stokes try to forget and even attack the people and institutions without which he could never have become mayor in the first place?

Why is racism blamed for all our urban problems? Why in four Stokes' years did Cleveland have five police chiefs and four safety directors? Why were there so many able black leaders who left the ship during the Stokes administration?

Most important, what is the final assessment of the Stokes mayoralty?

In terms of image Mayor Stokes helped Cleveland a lot.

As one outstanding educator observed: "No longer can black children say that they cannot make it in the system."

For a change people everywhere recognized who was mayor of Cleveland, where Cleveland was located, and seemed interested in the city's condition.

But in terms of improvement in the field of administration and of building a base for further community development for rich or poor there has been no real progress.

Stokes is leaving City Hall with the image of a fellow who overcame humble beginnings, had everything going for him when he stepped upon the scene, and finally for some reason or other just "blew it."

## NIXON CHINA VISIT SPURS PEACE HOPES

## HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. CHAMBERLAIN. Mr. Speaker, the surprise announcement by President Nixon of his coming trip to Communist China has opened a new chapter in the history of East-West relations. Clearly it comes at a time when people both here at home and around the world are yearning for a breakthrough toward the President's goal of a generation of peace. While it is, of course, premature to speculate as to what these developments portend, I find the press reaction to this dramatic news to be of particular interest and, accordingly, I ask that the editorial appearing in the *State Journal of Lansing, Mich.*, on July 16 be included in the RECORD.

[From the *State Journal (Mich.)*, July 16, 1971]

## NIXON CHINA VISIT SPURS PEACE HOPES

President Nixon's stunning announcement Thursday night that he has accepted an invitation from Premier Chou En-lai to visit Red China is one of the most hopeful events that has transpired during the past decade in a war-weary world.

The President's proposed visit to the China mainland, of course, can guarantee no settlement of the long-standing disputes be-

tween the two nations. But the fact that the President and chief officials of the Peoples Republic of China are going to sit down and talk after a 20-year Cold War freeze may well mean that the ice jam is finally starting to break up.

Even more hopeful is evidence that the more moderate wing of the Chinese Communist leadership may be gaining the upper hand in guiding the destiny of that giant Asian power.

It has long been evident, as President Nixon noted Thursday night, that "there can be no stable and enduring peace without the participation of the People's Republic of China and its 750 million people."

The President's diplomatic bombshell predictably set off worldwide speculation ranging from high praise to denunciation. But certainly there can be little doubt that the major issues facing Asia and the world today cannot be resolved with one of the world's great powers sitting isolated on the sidelines, and the move bodes well in this direction.

Chou-En-lai's invitation and the President's acceptance appear to be a setback for some of Nixon's more vehement critics, who have contended that the chief executive has no real intention of removing the American military presence in Indochina.

Various experts have contended that Chou would never agree to such a meeting if he was not convinced that the United States is pulling out of that Asian morass, and the fact that such a thing is about to happen should provide thought for those critics.

The problems facing Nixon and the Peking leaders, as some China experts note, are monumental. There is the deadlock over the status of Taiwan and the Chinese Nationalist government, which the U.S. has backed for more than 20 years.

There is also the question of whether this nation will support Red China's admission to the United Nations while still managing to keep Nationalist representation in that body. And there is the question, too, of bringing the Peoples Republic of China into the nuclear disarmament talks at a time when China and Russia are exchanging war threats.

One thing certain, however, is that the hopes for future world peace can only start to move forward when leaders of the great powers sit down and start direct negotiations at the conference table.

The President has long stressed his desire to bring an end to the wall of hostility which separates the United States from the China mainland. It was a view he expressed while visiting Lansing during the 1968 presidential campaign.

Now, it appears that some progress toward this goal may at last be in sight.

The planned visit to China during the next few months (a date has not been disclosed) does not in itself assure any immediate results.

But the simple fact that the step is being taken provides hope that a new era of negotiations and understanding may be arriving.

It is spectacular news that cannot help but generate enthusiasm and optimism as well as hope.

## PROPOSED FOREIGN CRIMES ACT OF 1971

## HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. BENNETT. Mr. Speaker, I have introduced H.R. 9597 which I have called the "Foreign Crimes Act of 1971." I first

introduced this legislation several years ago in an effort to fill the jurisdictional void resulting from decisions of the Supreme Court of the United States relating to crimes committed by certain nationals or citizens of the United States in foreign lands. My legislation would confer jurisdiction on the U.S. district courts to try certain civilians who are or have been connected with the Armed Forces.

Until the year 1960 the U.S. Government exercised court-martial jurisdiction over civilians serving with, employed by, or accompanying the Armed Forces outside the United States. However, in that year, the Supreme Court declared this exercise of criminal jurisdiction unconstitutional during peacetime. (*Kinsella v. Singleton*, 361 U.S. 234; *Grisham v. Hagan*, 261 U.S. 278; *McElroy v. Guagliardo*, 361 U.S. 281).

One would ordinarily think that the courts of foreign countries could exercise jurisdiction over civilians working overseas who committed crimes in those countries. Unfortunately, most foreign tribunals nevertheless do not wish to accept jurisdiction of cases involving offenses in which the parties involved are exclusively members of the American military establishment stationed in that country.

Also, wrongful acts committed by civilian employees and dependents in foreign countries which would be crimes if committed in the United States, do not always violate any laws of the United States if committed out of the country. The seriousness of the situation has become all too apparent from the reports of the multitude of crimes committed in Southeast Asia that go unprosecuted because of the present state of the law.

My bill would therefore permit the U.S. district court to exercise jurisdiction over serious crimes which foreign countries choose not to try because local interests are not considered sufficiently involved or where they cannot act effectively.

The only persons affected by my bill would be members of the United States Armed Forces and persons serving with, employed by, or accompanying the Armed Forces of the United States who are nationals or citizens of the United States. I am happy to report that the Department of Defense has long recognized the need for action in this area and favors the prompt enactment of this proposal.

Of course, merely conferring jurisdiction upon the courts will not effectively deal with the problem unless authority is given certain officials to perform an arrest or to apprehend or restrain civilians who are serving with, employed by, or accompanying the Armed Forces in time of peace. Therefore, my bill also provides the necessary authority to enable U.S. officials in foreign countries to apprehend such a person and to provide for his return to the United States to stand trial when there is probable cause to believe that he has committed an offense against the laws of the United States. The bill would also grant such authority when there is probable cause to believe that such a person has committed an offense against the

laws of a foreign country. The legislation would also apply when competent officials of the foreign country request the assistance of the United States officials in effecting the apprehension of such a person and his delivery to them for proceedings in accordance with the Status of Forces arrangements. At the present time the Department of Defense has been handicapped in discharging the obligations of the United States under the Status of Forces agreements in reliance upon which foreign countries permit military personnel and civilians to enter their territory.

Since the Department of Defense has supported this proposal in the past I am hopeful that I can soon secure a favorable report from the Department on this measure and that it can be carefully and quickly considered and enacted by the Congress.

**MORE THAN 80 MEMBERS SUPPORT  
ANTI-GAG RULE POSTAL SERVICES  
BILL**

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, today I am reintroducing a bill that I introduced on June 28 which would guarantee the right of Postal Service employees to communicate with Members of Congress. I have been joined by more than 80 of my colleagues from both sides of the aisle, representing 29 States.

Members who have indicated their support for this bill represent the views of the entire political spectrum but we all share one common belief. We all believe that the right of postal employees to petition Congress or to furnish information to either House of Congress shall not be denied.

My bill would prohibit anyone from interfering with this right. It contains a penalty provision which is exactly the same as the penalty provision contained in the Hatch Act, passed by Congress in 1939 to prevent pernicious political activities.

The proposal which we are reintroducing today provides for a maximum \$1,000 fine and up to a year in prison for any Federal officer or employee who discriminates in any manner against any postal employee for communicating with a Member of Congress or a congressional committee.

It is unfortunate that legislation of this nature has become necessary. However, in view of the policies being implemented by the Postmaster General, I can see no other way to guarantee the postal employees' right to communicate with their elected representatives in Congress.

There can be no doubt about the Postmaster General's attitude in this matter. In his now infamous memorandum of last January 12, he stated in part:

It is mandatory that postal employees immediately cease any direct or indirect con-

tacts with Congressional offices on matters involving the Postal Service.

He later attempted to clarify this "gag rule," but his intention remains obvious. In his "clarifying" directive, the Postmaster General stated:

In the event that a direct contact with a Congressional office becomes necessary, it is to be coordinated in advance with the (new) Congressional Liaison Office.

Perhaps the Postmaster General simply does not realize that the enforcement of this policy would contravene the laws of the United States. Perhaps it has not occurred to him that enforcement of the "gag rule" would interfere with a basic constitutional right to which every American citizen is entitled—the right to petition his Government.

But there can be little doubt that the policy presently advocated by the Postmaster General does interfere, both directly and indirectly, with the postal employee's right to communicate with his Representative in Congress. There can be little doubt that present policy unnecessarily inhibits the free and open communication which has traditionally existed between postal employees and Congress.

The bill which I am introducing today, rather than creating any new rights, would simply provide for the protection of presently existing legal rights. The specific language setting forth the postal employee's right to communicate with his Congressman was written into law in 1912. Section 7102 of title 5 of the United States Code states:

The right of (postal) employees, individually or collectively, to petition Congress or a Member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied.

My bill would simply make the existing law something more than a hollow pronouncement of this right. It would assure that this right could actually be enforced. Under my proposal, the postal employee would have the assurance that his right to communicate freely with his Congressman would not be violated, and Congress would have the assurance that it would always have the access to the information it needs to evaluate the operation of the Postal Service.

I would like to emphasize that the penalties provided under this legislation are the same as those provided under the Hatch Act. The Hatch Act, as we are well aware, forbids the employees of the executive branch of the Federal Government from using their official authority or influence for the purpose of interfering with an election or affecting the result thereof.

It would seem to me that the activities Congress has attempted to prevent by enacting the Hatch Act—interfering with or affecting the result of an election—are certainly no less pernicious than the activities which could and would be prevented by the enactment of this bill—interfering with a Federal employee's right to communicate with his Representative in Congress. For these reasons, I feel that enactment of this bill is vital.

Mr. Speaker, broad bipartisan support for this measure is readily apparent in view of the more than 80 Members who are joining me today in reintroducing this bill. I would hope that my colleagues will give this legislation the prompt and favorable consideration which it deserves.

At this point, I would like to insert the text of the bill into the RECORD.

H.R. 9948

A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to facilitate direct communication between officers and employees of the United States Postal Service and Members of Congress, and other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That (a) chapter 4 of title 39, United States Code, as enacted by the Postal Reorganization Act (84 Stat. 722-727; Public Law 91-375), is amended by adding at the end thereof the following new section:

"§ 413. Communications between Postal Service personnel and committees and Members of Congress

"(a) Notwithstanding any other provision of this title or of any other law, or any rule, regulation, order, or directive of, or applicable to, the Postal Service, neither the Postal Service nor any officer or employee of the Government of the United States outside the Postal Service shall prohibit or prevent any officer or employee of the Postal Service from having any direct oral or written communication or contact with any Member of Congress or with any committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of any such Member or committee.

"(b) The preceding provisions of this section shall not be construed to affect in any way the authority of the Postal Service to establish, operate and maintain any office or other organizational unit within the Postal Service to maintain liaison with the Congress and process all inquiries, requests, and other communications from the Congress to the Postal Service on an official basis; but such office or other organizational unit shall not be operated and maintained in any manner, or in accordance with any rule, regulation, order, or directive, which is in violation of subsection (a) of this section."

(b) The table of sections of chapter 4 of title 39, United States Code, as enacted by the Postal Reorganization Act (84 Stat. 722; Public Law 91-375), is amended by adding at the end thereof—

"413. Communications between Postal Service personnel and committees and Members of Congress."

SEC. 2. (a) Chapter 92 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1924. Interference with communications by Postal Service personnel to Congress

"Whoever, being an officer or employee of the Postal Service or any officer or employee of the Government of the United States outside the Postal Service, removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, re-locates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any officer or employee of the Postal Service, or threatens

to commit any of the foregoing actions with respect to such officer or employee, by reason of any communication or contact of such officer or employee with any Member of Congress or any committee of Congress as described in section 413(a) of title 39, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

(b) The table of sections of chapter 93 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"1924. Interference with communications by Postal Service personnel to Congress."

SEC. 3. The amendments made by this Act shall become effective at the beginning of the second calendar month following the date of enactment of this Act.

### THE DETERIORATING MAIL SERVICE

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. BARRETT. Mr. Speaker, I recently had occasion to write to the Postmaster General regarding the continued deterioration of mail delivery service and the increased incidents of destruction of mail prior to delivery. The situation has reached epidemic proportions and since I cannot risk having my mail pilfered and stolen I am having it picked up at the post office. I have received hundreds of phone calls from my constituents complaining of the situation and now am receiving mail from many of our irate citizens around the country who also complain of the mail service.

Many of our colleagues have told me of their experience, which is akin to mine, and the complaints being received from their constituents.

Mr. Speaker, the mail service has greatly deteriorated in the past 2 years, causing a multitude of problems for our people and businesses—deteriorated to a point where it is a disgrace.

Among the letters I have received is one from Mr. James G. Robinson of Beaver Creek, Oreg., which I insert at this point in the RECORD along with a clipping from and Oregon newspaper:

BEAVERCREEK, OREG.,  
July 17, 1971.

HON. WILLIAM A. BARRETT,  
U.S. Representative,  
Washington, D.C.

DEAR SIR: I am attaching an article from our Sunday Paper, July 11th. I have a like condition at our home.

For the last 18 months or longer I have been compelled to pick up my mail at the Beaver Creek, Oregon, 97004, Post Office.

Our Christmas mail was opened, my veterans mail was lost.

I sent to the Postal Inspector in Washington, D.C. letters from our Farm Paper, "Capital Press", Salem, Oregon, and my wife's religious mail, and mail from our relatives in Oklahoma proving mail loss.

Finally an inspector came to our home from the Seattle, Washington Office, but nothing came of it. I finally requested of the Washington, D.C. office to order the carriers to put my mail in our mail box. It is well marked with our name in metal letters, the number 256 in 3 inch reflecting letters; as

my wife is critically ill and it is six or seven miles to the Post Office.

After several months, a local inspector, Mr. Moon, came to my home and suggested for my own peace of mind that I should continue to go to the Beaver Creek Post Office and get my mail there. This I have done. No effort was ever made as far as I know to correct this intolerable condition. There were several other people with like problems, so I have heard.

I had asked for a hearing with the local postmaster and inspector—no go.

We had for many years loved and respected our U.S. Mail and all those concerned with it, but today I feel thoroughly "whitewashed". I feel a lot of strings were pulled that would allow this to continue without a hearing.

I hope your condition will improve.

Sincerely,

JAMES G. ROBINSON.

### SOLOMON SAYS NO TO HOME DELIVERY

PHILADELPHIA.—A Philadelphia congressman who says his mail has been stolen, mutilated, and on one occasion, burned, has asked the U.S. Postal Service to halt deliveries at his home here.

U.S. Rep. William A. Barrett, D-Pa., a 30-year veteran of the House, says he will pick his mail up at the post office rather than enjoy the convenience of home delivery.

"The situation has reached epidemic proportions," Barrett said Saturday. "I cannot risk having my mail pilfered and stolen any longer."

Barrett, who represents a large West Philadelphia district, says his constituents have placed "hundreds of phone calls" to his office complaining of mail thefts. He said most complain about missing pension and welfare checks, money orders and personal letters.

### MODEL CITIES—"SOFTWARE" IS THE WORD

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. THOMPSON of Georgia. Mr. Speaker, I insert in the RECORD the 5th of a series of articles concerning Model Cities that recently appeared in The Atlanta Constitution.

BUREAUCRATIC CODE—"SOFTWARE" IS THE WORD  
(By Duane Riner)

Atlanta chief administrative officer Dan Sweat says the "whole thrust" of Atlanta's Model Cities program thus far has been "to spend 80 per cent in software programs."

Chuck Straub, a Model Cities official with the U.S. Department of Housing and Urban Development (HUD), says, "They put a lot of effort in software."

"Software" is a bureaucratic code word for the whole range of social programs in the Model Cities cupboard—education, job training, medical services, day care centers, planned parenthood and the like.

"A lot of the appearance of the program has been judged on what's visible in the neighborhood. That's unfortunate," says Straub.

As in the ill-fated housing effort, the Model Cities agency hands out "software contracts to operating agencies such as the State Labor department, the Atlanta Board of Education, the Atlanta Urban League and a total of about 30 public and private service-type agencies.

But even here, the Model Cities agency has been charged with failing to do its principal job: coordination.

The last publicly-released HUD review slapped the Atlanta Model Cities agency on the wrist for failing to audit its 28 operating agencies.

So HUD took the bull by the horns and inspected accounting records of six agencies. It found "certain deficiencies" in two of the six "which we believe could have been detected by regular on-site monitoring of fiscal transactions."

Without identifying the errant agencies, HUD said its reviews disclosed:

"(1) Ineligible expenditures; (2) lack of documentation to support expenditures; (3) improper or no bank reconciliations; (4) checks not countersigned by two officers; (5) use of petty cash as a source from which to borrow money, and (6) purchase orders and/or contracts not available for inspection."

Needless to say, HUD recommended that Model Cities "give priority" to monitoring fiscal activities of its operating agencies.

Another snafu in coordination, according to the federal auditors, involved Model Cities' failure to document follow-up action it takes to correct deficiencies uncovered in evaluation reports.

Yet another section of the audit reveals the Model Cities agency has not bothered to obtain copies of the administrative policies of its various operating agencies.

The auditors said Model Cities should review the administrative policies and procedures of the operating agencies "and take exception to any cost which is in excess of those costs allowed by (Model Cities') own administrative policy."

Another eyebrow-raiser was failure of the Model Cities agency to document the basis on which contractors are selected or consultant fees paid.

Model Cities, the audit noted, awarded contracts to nine consulting firms. Not a word was found in the contract files to indicate how many other prospective contractors—if any—were considered, the basis on which the winners were chosen or how the fees were decided.

The auditors said the city purchasing agent advised them that the city does not require bids for professional services.

But they added: "We believe, however, that in any HUD-assisted program the consultant services contract files should, as a minimum, include the following information:

(1) An explanation of how the amount of compensation or reimbursement to be paid was determined.

(2) Identification of each prospective contractor considered.

(3) Summary of bids and proposals, if any, received.

(4) Justification for non-competitive procurement of contract services and reasons for selection of the contractor, or justification for selection of other than the lowest bidder in competitive procurement.

Singled out for special attention by the auditors was James S. Robinson, doing business as Urban East Housing Consultant.

Urban East, no longer under contract, received \$144,569, including \$30,000 for "consultant and contract services."

What concerned the auditors was the absence of any cost breakdown to justify \$30,000 for consultant and contract services.

In a classic piece of bureaucratic understatement, the auditors commented, "We believe, however, that even though this contract is being phased out that the operating agency should furnish the (Model Cities agency) some evidence of the reasonableness of the value of services rendered."

Here's what an Atlanta Urban Observatory housing study had to say about Urban East:

"The role of Urban East in housing development is something of an enigma from information and evaluations derived from our informants. Most of our informants agree

that Urban East has accomplished very little in stimulating new housing."

The report said the firm's specific responsibility "is variably interpreted by our informants."

Some described it as a stop-gap organization designed to aid individual families in arranging for new housing.

Urban East told the academic evaluators that its broad responsibilities included counseling families with legal difficulties in existing housing, supervision of management in housing projects, developing feasibility studies for housing construction, aiding residents in applying for housing assistance under low-interest federal programs and locating sponsors for new housing on designated tracts.

But like other agencies involved in the no-go housing effort, Urban East's role was described by Urban Observatory officials as "fuzzy" and its ability to generate new housing "remained at a continuous level of inadequacy."

#### THE PERSIAN GULF

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. HAMILTON. Mr. Speaker, the Persian Gulf could become an increasingly important for the United States in the next decade. Without radical changes in the U.S. fuel and natural gas priorities and many new discoveries of energy deposits, the United States will, in the late 1970's and early 1980's, have to import more than a third of its oil from the Persian Gulf according to a State Department estimate. These estimates, however, never approach the nearly 90 percent dependency of Western Europe and Japan on Middle East oil.

Unfortunately, this time of increased potential importance of the oil deposits in the gulf corresponds with a time of increased potential political instability. The correct British decision to end its fig leaf of protection in the lower gulf area will have repercussions on an area that has changed little politically over the last century.

Many of the dormant political rivalries that could bring the whole gulf area to the brink of a period of violent upheaval were recently documented in an excellent article by David Holden entitled "The Persian Gulf: After the British Raj," which appeared in the July 1971 issue of *Foreign Affairs*.

The two major causes of the rivalries in the gulf area are religious and ethnic: the Persians or Iranians are mostly on the north side and the Arabs on the south side of the gulf; and the inhabitants of the area are both Shi'i and Sunni Muslims, the two largest sects in Islam. The Arab side of the gulf is predominantly Sunni, except for parts of the lower gulf, and Iraq and Iran are largely Shi'i.

In an area of small states, there are four major gulf powers, each of which is trying to assert some kind of great presence or influence as the British leave. Iran sees only increasing instability on the Arab side of the gulf and in order to protect her position, she indicates that she will reclaim three small

islands near the mouth of the gulf—the Straits of Hormuz. Both Iraq and Saudi Arabia have interests in improving their respective positions in the area; they also spend some time feuding with each other. Kuwait, a small state with a big purse, is quietly using its influence to insure greater political stability in the lower Arab gulf.

Ten small entities occupy the rest of the Arab side of the gulf, but their smallness is accompanied by longstanding tribal rivalries and a penchant for being unable to reason together. Oman has been independent for some time and, indeed, had relations with the United States in the 1830's. Today, Oman faces a south Yemeni and Chinese-inspired revolt at its back door. Bahrein, an island which refines and produces oil, is also seeking independence, and Qatar, a smaller producer of oil, is expected to follow. The seven remaining Trucial States, so-called because of the treaty relationship with England since the 1830's, are, with varying degrees of enthusiasm, considering the possibility of joining together in a federation which the British seek to establish before they depart at the end of 1971. Recently, six of the Trucial States ratified a federation constitution but there may be more changes before the British leave. Indeed, old family feuds between tribal leaders and the disparities between rich oil sheikhdoms and they very poor fishing communities threaten such a conglomeration before it comes into being.

Whether all these states will be able to stand alone remains to be seen. The revolutionary forces in the Arab world are becoming increasingly vocal and dominant. If social change and massive education are not given to the entire population of the area, tribal leaders, kings and sultans will be overthrown. For the United States there is only the role of providing technical assistance and acquainting itself with the problems of the region. In this exercise, David Holden's article is most useful. It follows:

#### THE PERSIAN GULF: AFTER THE BRITISH RAJ (By David Holden)

When Sir Alec Douglas-Home, the British Foreign Secretary, told the House of Commons in March that all permanent British forces in the Persian Gulf would be withdrawn by the beginning of 1972 he signaled the end of the last important vestige of the nineteenth century's *Pax Britannica* and opened the door to what could be a major, and possibly painful, reconstruction of the Middle Eastern map.

Ever since Britain signed her first Arabian treaty with the Sultan of Muscat in 1798, in a successful attempt to close the Gulf to French naval forces during the Napoleonic wars, a "special relationship" has existed between Britain and the territories around the Gulf. In Persia, as Iran was generally known until after the Second World War, the British established a sphere of interest so important to them as an answer to Russia's imperial designs upon India that for a time in the nineteenth century there were two separate British diplomatic missions in Tehran—one appointed by the British Government in India and the other from the London Foreign Office. On the Arab shore of the Gulf the relationship was for many decades more arbitrary and more tenuous, being based essentially upon the exercise of Britain's maritime power over a number of

scattered, impoverished and generally piratical coastal tribes. These were compelled by the threats of gunboat diplomacy to sign a series of treaties suppressing piracy and the slave trade and eventually granting Britain exclusive rights to the control of their foreign affairs and defense, in return for a promise of British protection. At its peak, during and immediately after the First World War, this apparatus of British hegemony was complete from one end of the Gulf to the other, comprising special relationships, written or unwritten, with all the Gulf states, great or small, including Persia, Iraq, and Saudi Arabia.

The rise of local nationalism, the development of the Gulf oil industry and the fall of Britain's Indian Empire a quarter-of-a-century ago changed most of that. Today all that is left of the complex yet effective structure of British power in the Gulf, which imposed a rough stability upon its affairs for the better part of 150 years, is the so-called Trucial system in the lower Gulf, with which—after that first treaty with the Sultan of Muscat—it all began. In a few months from now that, too, will disappear; and for the first time since the heyday of Britain's East India Company all the territories around the Gulf will be at liberty to seek their own salvation without the threat of British intervention or the comfort of British protection.

This final remnant of the British Raj—for that, in effect, is what it is—has been for some years now an obvious, if in some ways charming, anachronism. Its basis was a "perpetual maritime truce" forced upon the unruly coastal tribes of Oman in 1853 and extended later to the nearby shajkhdoms of Qatar and Bahrain. Its result in our own day has been the extension of British protection to nine tiny, quasi-independent states which, since the discovery of oil, have included some of the richest, some of the smallest and some of the poorest states in the world.

Bahrain, with 200,000 people and a small oil field now 40 years old, has by far the largest and most sophisticated population of these nine states. The Trucial Shajkhdom of Abu Dhabi, with a population of around 25,000 and an oil income of some £120 million a year is by far the richest—per capita, the richest state in the world, bar none—although only ten years ago it was sunk in the traditional penury of desert isolation.

Qatar lies roughly midway in riches between these two and Dubai, the biggest of the seven Trucial Shajkhdoms, with about 70,000 people, whose flourishing entrepôt and gold smuggling trade as well as a small new offshore oil field make it the commercial center of the Trucial Coast.

The remaining five Trucial Shajkhdoms—Sharja, Ajman, Umm al-Qaiwain, Ras al-Khaima and Fujaira—are scarcely more than strips of desert and lagoon interspersed with fishing villages. Their populations vary from about 5,000 to 20,000 each, their chief pastime is dreaming of the day when they, too, may strike it rich, and their principal sources of income meanwhile are bizarre excursions into the field of international philately and money obtained from an almost equally bizarre assortment of oil companies for exploration concessions that have so far proved unrewarding. Of these five, only Sharja has any pretensions to prosperity, derived mostly from the presence of a British military base and airfield which will be among those partially sacrificed in the British withdrawal.

## II

This withdrawal itself has two aspects. The first is the military one, involving the recall of about 6,000 British ground troops stationed in Bahrain and Sharja, together with their air support units. The second is political, and follows from the first: the termination of the old treaties of protection and their replacement by a simple treaty of

friendship, carrying no significant obligations for either side. It is proposed, however, that a British "presence" shall continue in the Gulf through the use of existing airfields as staging posts for the Royal Air Force, as well as through occasional naval visits, specialized desert training for small British Army units and, most importantly, the provision of British officers and equipment for local armed forces. In addition, Britain will continue its present arrangements with the neighboring Sultanate of Oman where de facto British protection has existed since 1798. These arrangements are now regulated by an exchange of letters which took place between Britain and the former Sultan in 1955, in which Britain undertook to train and equip the Sultan's forces in exchange for staging rights on the airfield of Masirah, an island off the southern coast of the Sultanate.<sup>1</sup>

In spite of these qualifications, however, the purpose of the British withdrawal is clear: to disengage, as far as possible, from military and political commitments which have become increasingly untenable. In terms of the Gulf's history, where the British umbrella has provided the only guarantee of stability for the past 150 years, this is tantamount to a diplomatic and strategic revolution; and the fact that it is accompanied by equally radical economic, social and political changes within the Gulf territories themselves as a consequence of soaring oil wealth and burgeoning nationalism only multiplies the uncertainties and tensions which it must release throughout the region.

The decision to withdraw was not taken, therefore, without misgiving. As late as the beginning of 1968 Britain's Labour Government of the day was committed to maintaining the special British position in the Gulf in the belief that it might ensure stability there for a few more years. Only when a sharply deteriorating balance of payments forced London to reduce its overseas defense commitments did withdrawal from the Gulf become one of the imperatives of Labour's policy, with Harold Wilson's announcement that all British forces would be withdrawn from "East of Suez." In opposition, the Conservative Party condemned this policy as a "scuttle;" and after its return to power in June 1970, one of Sir Alec Douglas-Home's first moves was to begin a series of consultations with Gulf rulers, from the Shah of Iran downwards, to see whether a reversal of Labour policy was either practicable or desirable. Many critics in Britain and America believed strongly that it was both, pointing especially to the need to secure the Gulf's vital oil resources (amounting to approximately two-thirds of the non-communist world's proved reserves) against Arab intransigence or Soviet-inspired subversion and arguing that the low foreign exchange cost of maintaining the British forces there (estimated at about £17 million a year) was a minimal insurance premium for the £2,000 million or so of annual revenues to Western oil companies from their Gulf production. Without the British presence, the critics said, the Gulf might become an area of persistent unrest in which local conflicts between rival Arab states and subversive movements as well as international tension between Arabs and Iranians could erupt and be exploited by the Soviet Union, imperiling Western oil interests and supplies.

Such risks certainly cannot be ignored. Historically, the Gulf has usually been an area of division and flux rather than of unity and stability, partly because it marks the line of stress between rival Arab and Persian cultures and partly because it lacks any indigenous focus for its small and scattered

Arab communities. Only sporadically and by conquest has unity been imposed upon its disparate elements: once by the Arabs after the birth of Islam when they swept into Persia with their new religion and, for a time, controlled both shores; more than once by the Persians who have several times occupied parts of the Arab shore; and in the last two centuries by the diffuse overlordship of the British imperial system. If the last-named disappears without any international or regional system of security to replace it the prospect of renewed instability must, on the face of things, be rated pretty high. For the sake of clarity it will be as well to consider the threats of disorder, in this case, under three separate though somewhat overlapping headings: territorial disputes, revolutionary movements and external influences.

## III

The territorial disputes in the area comprise a formidable list, ranging from a general sense of territorial rivalry (as well as cultural suspicion) between Iran on one side and the Arabs on the other, to the intricate but damaging squabbles of the tiny Trucial Shajkhdoms. Between Iraq and Iran there are conflicting claims to navigation rights in the Shatt al-Arab waterway at the mouth of the Tigris-Euphrates and a long-standing dispute over Iranian sovereignty in the neighboring province of Khuzistan. In addition, Iraq has accused Iran of fomenting the sporadic Kurdish rebellion in northern Iraq and also of using her position as the leading Shiite Muslim country to stir up trouble among the large Shiite community in Iraq.<sup>2</sup> These disputes are exacerbated by the ideological antipathy of the "revolutionary" Baath (Socialist Renaissance) Party régime in Iraq for the allegedly "monarchist-imperialist" rule of the Shah in Iran.

Between Iran and Saudi Arabia and some of the smaller shajkhdoms there have been several disputes over the so-called median line in the Gulf, which demarcates the areas of offshore oil exploration and exploitation, and between Iran and two of the Trucial Shajkhdoms there is an urgent and possibly explosive contention over the disposition of three tiny islands near the mouth of the Gulf. The biggest of these, Abu Musa, has a shifting population of only a few dozen Arab fishermen and has been regarded up to now by the British, in their traditional capacity as arbiters of Gulf affairs, as being part of the territory of Sharja. The other two, known as the Tumbs, are even smaller and virtually uninhabited, and have been listed so far among the domains of Ras al-Khaima. Iran now argues that this allocation of sovereignty was mistaken and was acceptable only as long as Britain remained responsible for the foreign affairs of the Trucial States. Now that Britain is abandoning that responsibility Iran is reasserting its claim to sovereignty, supporting it with the strategic argument that possession of these islands by weak and unstable Arab régimes could lead to their occupation by revolutionary or hostile forces which might then be able to impose a blockade on Iran's vital oil trade through the mouth of the Gulf.

On the Arab side, internecine territorial or family disputes are legion. Iraq has not wholly abandoned its hope of seizing the rich oil shajkhdom of Kuwait, to which the late General Kassem laid claim in 1961 only to be thwarted by the last major action of British forces in the Gulf. Saudi Arabia has

<sup>2</sup> The division between Shiite and Sunni Muslims is the chief religious schism in Islam. A majority of Arabs belong to the Sunni groups, while almost all Iranians are Shiite. There are significant Shiite communities among the Gulf Arabs, however, especially in Iraq and Bahrain.

<sup>1</sup> The Sultanate of Muscat and Oman changed its name officially to the Sultanate of Oman after the palace coup of July 1970.

recently reaffirmed its claim to the Oasis of Buraimi whose eight small villages have been shared until now between the Shaikhdoms of Abu Dhabi (six) and the Sultanate of Oman (two)—both under British protection. On the other hand, there is a traditional link of overlordship between several of the shaikhs of the Trucial Coast and the Sultan of Oman that has been in abeyance for over a century but may well be revived in the near future; while between the Trucial Shaikhdoms themselves there are complex family jealousies and unresolved territorial disputes which resulted in frequent tribal war and murder up to 1948 and which might yet lead to more of the same in the absence of a British referee. One of these disputes currently under review involves the offshore boundaries of Sharja and Ajman and conflicting claims to exploration rights around the island of Abu Musa advanced by two American oil companies.

The second factor threatening the stability of the area—revolutionary movements—is partly a result of the rapid growth of oil wealth in recent years. All the traditional regimes around the Gulf are now subject to some degree to the menace of modern revolutionary movements feeding upon a combination of old tribal jealousies and the usual resentments of a disoriented new class. Until the 1967 Arab-Israeli war, much of the external support for these movements came from Cairo, but the change in Egyptian policies since then has left the field open to two other contenders for the revolutionary spoils. First is the Baathist regime in Baghdad, which is hostile to all forms of traditional government—particular Shaikhs, Sultans and Shahs—and which has been extending its cells lately in Kuwait, Bahrain and even in Dubai and Abu Dhabi on the Trucial Coast. The second, and currently more menacing, movement is the so-called Popular Front for the Liberation of the Occupied Arab Gulf (PFLOAG) which is an extension of the earlier Dhofar Liberation Front—an indigenous movement against the rule of the former Sultan of Muscat and Oman in his southernmost province of Dhofar. PFLOAG is now greatly influenced by the Marxist government of the People's Republic of Yemen (formerly South Arabia) which took over in Aden after the British withdrawal from there at the end of 1967; and there have been persistent reports from British sources of Chinese advisers and arms filtering through from Aden to aid the PFLOAG rebels in Dhofar.

Their grip on most of the interior of Dhofar and the threat of their extension through the mountains of Oman into the Gulf shaikhdoms was the principal reason for the palace coup of July 1970, in which the old and reactionary Sultan of Muscat was overthrown by his son, Qabus. He, in turn, is now trying to overcome the poverty and isolation of the last century in his kingdom by spending the Sultanate's new oil revenues of approximately £40 million a year on economic development. Qabus is handicapped in this, however, by the simultaneous need to increase his small armed forces to cope with the Dhofari rebels. Success on both fronts—if it can be achieved at all—is likely to come slowly. The situation in the Sultanate meanwhile cannot be regarded as stable; and from the British view there remains a risk that the obligations involved in the 1955 exchange of letters could drag U.K. forces into a minor war with the Dhofari rebels.

Finally, there are four chief external influences which (apart from the possibility of Chinese influence in southern Yemen and Dhofar) may increase the instability of the area. First, there is the residue of the old British presence which will remain after 1971. There is little doubt that as long as the current regimes in Bahrain, Qatar and the seven Trucial States remain in power

they will continue to follow the habits of the past 150 years and look to Britain for help and advice, even if direct military protection is denied them. To this extent Britain may continue to contribute to stability. There is, however, an obvious risk that even the greatly diminished British presence will arouse hostility among the revolutionaries and the discontented, without providing the strength on the ground to combat that hostility. Next, there is the American commercial presence manifested chiefly in the big U.S. oil companies which control between them about two-thirds of all production from the territories around the Gulf. They, too, are a stabilizing force in so far as they produce the cash which all the Gulf regimes desire, but they are also natural targets for "anti-imperialist" hostility. Third, there is a cautiously expanding Russian influence in the area, expressed partly through arms and commercial deals with Iran, partly through the establishment of diplomatic missions, as in Kuwait, and partly through the classic medium of naval visits to Gulf ports. The direction of Soviet policy here, however, is still unclear and its capacity for creating trouble may be limited by the Russian desire to remain equally friendly, if possible, with both Iran and the Arabs as well as by the uncertain relationship of future Russian and world oil requirements.

Lastly, and probably most importantly, there remains beyond these great-power interests the influence of the Arab-Israeli dispute. If there is no peace agreement there a renewal of extremist Palestinian activity is likely, together with a general strengthening of left-wing and possibly Maoist influences throughout the Arab world. This could be reflected in unrest in Kuwait, where the immigrant Palestinian population is large and potentially restive and also in Saudi Arabia, where the aging King Faisal has suffered several attempts in recent years to overthrow or modify his regime. A Libyan-type coup d'état in Saudi Arabia would have profound repercussions throughout the Gulf, and cannot be discounted. A further round of Arab-Israeli fighting might also exacerbate relations between the Arab states and Iran, whose National Oil Company is Israel's chief source of oil. The Western oil companies also might be subjected to growing Arab pressure, if only as a means of gaining revenge for Western failure to "compel" Israel to make peace on terms acceptable to the Arab governments.

#### iv

In view of all these actual or potential sources of radical change or instability the Gulf must be regarded as on the brink of a period of upheaval greater than anything it has known since the British Raj took it under its capacious wing. It is understandable, therefore, that the British decision to withdraw was greeted in some quarters with dismay. Yet two crucial arguments support the decision. First, the value of British troops as an "insurance premium" for the Gulf's oil supplies has proved illusory in the past and looks still more illusory for the future. British forces were unable to do anything to prevent Dr. Mossadeq from cutting off Iranian oil supplies in the Abadan crisis of 1951, or to insure the uninterrupted flow of oil from Saudi Arabia or Iraq in the Suez crisis of 1956 and the Arab-Israeli war of 1967. They were also utterly irrelevant to the Tehran oil negotiations earlier this year when the oil-producing countries drove an unprecedentedly hard bargain with the companies purely on the basis of their strength in a sellers' market. Second, to retain British forces in the Gulf once their withdrawal had been promised would have done more than any other single thing to promote the disorder which their continued presence would have been supposed to prevent.

In his consultations after June 1970, Sir

Alec Douglas-Home was clearly looking for someone in the Gulf who would give him the excuse to say that the British would stay. But no such excuse was offered him. All the major powers of the Gulf—Iraq, Saudi Arabia and Kuwait—were adamant that Britain should honor her withdrawal commitment. So were all the other Arab states beyond the Gulf; and although the smaller Gulf shaikhdoms evinced a clear private preference for the old British protection, only one—Dubai—was prepared to do so much as hint in public that Britain should change her mind. Under these circumstances any effort by Britain to retain permanent forces in the area after 1971 would have been interpreted as a return to "imperialism" and would have provided the Iraqi and Dhofari revolutionaries—not to mention the Soviet Union and China—with the best possible grounds for capturing young hearts and minds throughout the Gulf. Egypt then would almost certainly have felt obliged to return to the fray, adding powerfully to the chorus of denunciation in order to retain her leadership in the rest of the Arab world. The result would have been, inevitably, to place Britain and the Western interests she would have been ostensibly defending in an impossible position—pilloried by their enemies and deserted by their friends, with the prospect in the fairly near future of British forces being employed to protect shakily rulers and their disputed territorial boundaries against local revolution or aggression.

This prospect is now excluded; yet the vacuum of power which will remain after 1971 will also be dangerous, and it is not easy to see how it will be filled. No external power seems likely to replace the old British presence with its own. The U.S. Government is in no mood to take on new Middle East commitments, nor would its intervention be welcomed by any of the states concerned. The Soviet Union would find overt support to revolutionary movements damaging to its current posture in Iran and Kuwait. On the other hand, local security arrangements are still embryonic and, in their present form, seem increasingly likely to be still born. Indeed, the most unfortunate aspect of the uncertainty about British intentions introduced by the Conservative Party and Government after 1968 was the encouragement it offered, until March of this year, to Bahrain, Qatar and the Trucial Shaikhdoms to postpone firm decisions about their own future in the hope that Britain might, after all, decide to stay on. Now, with only a few months left before the British withdrawal, the creation of realistic local arrangements to take the place of the old British protection is going to be a hurried and probably botched affair.

A beginning with local security systems was made, in some panic, when the Union of Arab Emirates thrust itself upon a somewhat skeptical world in 1968, immediately after the Labour Government's announcement of its intention to withdraw British forces from the Gulf by the end of this year. The Union declared itself to be a federation (the implied contradiction between these two terms is typical of its inability so far to make up its mind on the most fundamental matters) of "the nine"—Bahrain, Qatar and the seven Trucial States—which together would compose a viable, independent entity to which Britain could transfer its defense and foreign affairs responsibilities before withdrawing from the scene. To the surprise of no one who knows the Gulf, however, the Union proved a decidedly spastic infant whose future now seems certain to lie alongside such other short-lived post-colonial federations as those of South Arabia, Malaysia and Central Africa. In spite of repeated meetings, much rhetoric and a good deal of unconcealed arm-twisting by Britain, Kuwait and Saudi Arabia, the nine have

achieved little beyond declarations of intent whose pious promises are more than outweighed by the sort of practical rivalry that has resulted in three separate "international" airports on the Trucial Coast within 100 miles of each other (Abu Dhabi, Dubai and Sharja), and at least four separate armed forces (Abu Dhabi, Qatar, Ras al-Khalma and the Trucial Oman Scouts, the last named a unified force under British command).

Much of the reluctance to advance toward federation results from old inter-tribal jealousies, especially among the four principal shaikhdoms. The ruling families of Bahrain and Qatar have a long history of enmity, as also do those of Dubai and Abu Dhabi. On the other hand, Dubai and Qatar have close ties of marriage which in turn make the relationship of Dubai and Bahrain uneasy, while all four have contended jealously for a special position within a federation based on their respective claims to influence. With its relatively large and well-educated population—almost twice that of all seven Trucial States together—Bahrain insists upon additional power and preferably the privilege of providing the federal capital as well. Abu Dhabi replies that as the richest of the nine it is entitled to equally preferential treatment. Qatar tries to keep up with both. And Dubai, with two-thirds of Trucial Oman's population and a highly successful record of commercial enterprise, bolstered by a large Iranian immigrant community and the benevolent interest of Tehran, is inclined to opt out of the federal structure altogether and continue independently as a free port—the Hong Kong or Beirut of the Gulf.

v

To resolve these ancient conflicts in the time now available before British withdrawal seems impossible; other avenues will need to be explored. Pressure is already growing rapidly in Bahrain for independence on the Kuwaiti model, with membership in the United Nations, a gradual increase in representative forms of government under the ruling shaikh and a degree of protection from Saudi Arabia. If that happens, Qatar will probably follow suit, finding an equal protection in Saudi Arabia, with which there are, in any case, close religious ties through the puritanical Wahhabi sect of the Sunni Muslims. A federation of the seven Trucial Shaikhdoms would then seem the last possibility.

But this, too, could disappear over the horizon within the coming year as a result of a threefold rivalry between Abu Dhabi, Dubai and a revived Sultanate of Oman under its new ruler, Qabus. The four tiniest shaikhdoms have already shown some interest in restoring relations with the Sultanate which could, in time, lead to the creation of a "Greater Oman" such as sometimes existed under earlier Sultans before the British froze the tribal pattern as they happened to find it in the nineteenth century. Dubai, supported by Iran, would then seek to remain independent, and Abu Dhabi would be confronted with the choice of either entering some kind of federal relationship with the new Oman or, conceivably, falling prey to Saudi Arabia, intent upon asserting its claim to Buraimi. An alternative scenario suggests that Abu Dhabi may use its wealth and its new armed forces—with 4,000 soldiers and a small but modern air force this is now easily the strongest of the nine shaikhdoms—to absorb at least four of the other Trucial States, leaving Dubai and possibly Sharja to fend for themselves as best they could.

Meanwhile, two more immediate problems must be solved if the lower Gulf is not to be abandoned to turmoil. One is the disposition of the Trucial Oman Scouts, a competent force of some 2,000 men which has kept the peace throughout the Trucial Coast for nearly 20 years under British authority and

now is looking for a new master. The other, potentially more dangerous, is the fate of the three small islands at the mouth of the Gulf to which Iran lays claim. There was some hope in 1970 that Iran's claim might be settled as part of a package deal over a similar claim to Iranian sovereignty in Bahrain. Initially, Iran refused to accept any federation of the nine shaikhdoms until its Bahrain aspirations had been dealt with, although these were neither historically nor geographically well founded. Two years of delicate negotiation were required before all parties agreed last year to the face-saving device of a U.N. mission of inquiry which duly reported that the Bahrainis believed themselves to be Arabs rather than Persians and wished to exercise their right to self-determination in that capacity.

With that, Iran generously abandoned her claim, only, however, to insist more vigorously upon her other claim to Abu Musa and the Tumbs. Hopes of a package deal have been dashed, and the Shah seems adamant in his determination to take possession of these islands, willy-nilly. The Iranians point out that it will be easier for him to do so before the British leave than afterward, for Britain—as a final act of penitence for the "sins" of Raj, perhaps?—can easily bear the Arab odium that may be involved in handing them to Iran.

After Britain has ceased to be responsible for the affairs of the Trucial States, on the other hand, any attempt to seize the islands by force might place Iran in the embarrassing position of taking action against fellow members of the United Nations, assuming that the Trucial States had by then attained some internationally recognized and independent form. Iran is willing to pay the Trucial rulers compensation, and there is little doubt that if Arab pride could be surmounted the rulers would happily settle for that. But Arab pride is easily touched; and the "sacrifice" to Iran of portions of the "sacred soil of Arabism"—however small and unproductive—might undermine the fragile solidarity between Iran and the Arab traditionalists in Saudi Arabia, Kuwait and elsewhere, and would certainly present the Iraqi and Dhofari revolutionaries with an apt rallying cry. The fundamental division of the Gulf between Arabs and Persians would then be uppermost, with serious and possibly violent repercussions on both sides.

In the last resort there is little doubt that Iran would win a purely military contest among the Gulf states, with her powerful armed forces and her larger and more cohesive population. But the struggle, if it comes, is unlikely to be a purely military one. Diplomatic, ideological and commercial battles would be more probable, in which the Western powers—and probably Russia, too—might be forced to choose between Iran and the Arabs. For the Western powers, especially, that choice might be all the more uncomfortable for knowing that it would be linked in Arab minds with their stance on the Arab-Israeli crisis as well, in view of Iran's oil shipments to Israel.

One cannot safely look more than a year or two ahead in the Gulf in any case; and it is not at all out of the reckoning that within the next few months we shall be forced to recognize the Gulf as an area of major international instability and concern. The fact is that whatever happens the Gulf has already entered a new period of flux in which neither existing boundaries nor traditional regimes can be expected to prevail. The combination of the economic and social revolutions now under way in the wake of oil riches and modern nationalism, and the diplomatic and strategic revolution implicit in the British withdrawal will obviously generate extensive change, although perhaps not immediately. If one looks for comfort in what must seem to many a disturbing scene,

it is probably best found in the element that inspires most of the concern: oil.

It is true that oil and the wealth it has generated have been the principal catalysts of change in the Gulf so far, and will no doubt continue to be so for years to come. But it is also true that oil has been, and may remain, one of the best safeguards against total disorder. As the late President Nasser once remarked, "You can't drink it;" and as the major markets for the Gulf's immense reserves will remain beyond local control, there will always be an incentive, even for the revolutionaries, to come to some terms with those who buy it.

Moreover, if the dispute over Abu Musa and the Tumbs can be resolved before the end of 1971 there is at least a fair chance that other matters in the Gulf can evolve peacefully over the next year or two, as long as Iran and the larger Arab states (except Iraq) can maintain a *modus vivendi* in opposition to the revolutionary movements. A breathing space of this kind would give the last remnant of the British Raj more time to work out its destiny.

Meanwhile, we must recognize that the best policy now may be to stand back as far as possible from the Gulf and let its constituent peoples find their own levels, untrammelled at least by the old requirements of foreign hegemony; for as the twentieth century moves toward its final quarter we can hardly conceive of this region's destiny in terms of the arrangements, or divisions, thought appropriate at the beginning of the nineteenth century. The *Pax Britannica* has served its turn in the Gulf, not ignobly and not without profit to practically all concerned. But its day is over, and we must be prepared now for some fairly bracing years of readjustment, if not of revolution, in its wake.

## MEDIA AND DEMOCRACY

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. EDWARDS of California. Mr. Speaker, in the last decade, and especially during the last few years, we have seen our churches take their place among other institutions in America in the constructive criticism of present cultural patterns and institutions. William F. Fore, the executive director of the National Council of the Churches of Christ in the United States of America is among those church leaders concerned about secular affairs. He has prepared an interesting and insightful commentary on the effect of media on our democratic society which I believe is worthy of consideration by all my colleagues:

#### THE CHURCHES AND PARTICIPATIVE DEMOCRACY: AN ANALYSIS AND PROPOSAL RAPID SOCIAL CHANGE

During the past three or four years we have experienced the mushrooming of futurism. Instead of trying to understand the present by looking to the past, men increasingly spend their creative energies trying to describe the future. The prophets of futurism include such diverse thinkers as Buckminster Fuller, Marshall McLuhan, Teilhard de Chardin, Arthur C. Clarke, B. F. Skinner and Harvey Cox. Its popularizers include Herman Kahn, Vance Packard, and Peter Drucker. The idea is that the acceleration of change has become so rapid that we are entering a quantum jump into a whole new world, a world which will require

totally new theological underpinnings, moral and ethical guidelines, and social institutions. The theorists of change admonish us that, unless we envision the future, imagine its alternatives, and then work to achieve the right alternatives, the rate of technological change will sweep us away to become obsolete and perhaps extinct as the ecology simply moves on relentlessly without us.

A recent provocative summary of this thinking is *Future Shock*, by Alvin Toffler. Here is a highly literate yet unhysterical description of our possible futures, and I recommend its reading to anyone not wishing to follow the ostrich into the more marginal reaches of life. Toffler describes and documents the disquieting symptoms of change about which we read, and which we are now beginning to experience almost daily. A shorthand summary of the main features of this future should be sufficient:

The rapid increase in the rate of information flow; the speed-up in novelty of all kinds; the fractured family; the disintegration of the old bureaucratic and technological models of organization; the throw-away society; the surfeit of subcults and differing life-styles; the specter of "overchoice."

#### THE PRESENT ROLE OF MASS MEDIA

In this increasing speed-up of cultural change, the mass media of communication are playing a significant, perhaps crucial role. They reflect the changes and transmit them with great speed, which results in accelerating them even faster. They provide new ways of looking at the world, new frameworks of perception, which becomes no longer a response to change but a cause of change.

Let us examine in more detail the role of mass media today, and in particular, television in the United States where electronic media have now achieved a place of dominance, in order to see what clues this may give us about the future.

1. Both radio and TV have grown and prospered to an extent almost unparalleled in our national economy. Total revenue for radio has increased at prodigious compound rates every year except two (1954 and 1961) since 1935, increasing from \$80 million in 1935 to \$1.168 billion in 1969.

Television grew even faster in a much shorter span of years, from \$9 million in 1948 to some \$2.299 billion in 1969. In the last ten years television advertising revenue has expanded at an average rate of 9.3% annually. 1970 revenues increased only 4.2% over the year before, but most observers agree this "slump" will be over by late this year. Clearly, broadcasting remains a lucrative byproduct of the technological speedup.

2. Though we do not really understand what it is doing to us, researchers, advertisers, broadcasters and social critics alike agree that the modern communications media have a tremendous impact upon our lives and our values and are a major cause of social change. TV has become a principal instrument of education, both for our children who are exposed to more hours of TV than to formal elementary education, and for adults where across all income levels the TV set is on some forty-six hours a week, or longer than the average work week, in 95% of all households.

Yet we do not treat television with the same care that we treat our public educational system, in terms of the kinds of adults we want our children to become, or what kind of citizens we want our adults to become. In other words, the goals of our society have not been related to the medium by which many of these goals can be achieved.

3. Over the past forty years, broadcasting has performed a function essential to the life of the nation. The networks, partly by accident, partly by the vision of their leaders, and partly by the requirements of their broadcast licenses, have provided the in-

formational linkage without which the nation simply could not have dealt with the political, economic and social changes of the past four decades.

This is not to say that the social value of broadcasting has been all or even predominantly beneficial. But broadcasting has been the essential mover of goods without which we could not have today's tyrannies of overchoice. And network broadcasting has brought us an essential commonality of experience which has helped bind the nation together. One has only to recall times of real national crisis, and the central importance of radio and television to our experience springs into memory.

4. Broadcasting has radically affected the way people make political decisions. When F. D. R. used his Fireside Chats to leapfrog over the heads of an obstructionist Congress and a hostile press, politics entered a new era. With the advent of television, General Eisenhower in 1952 employed media experts and in a few months developed a new coalition of voters which cut across all the old party lines. John Kennedy refined TV's political power; Lyndon Johnson was cut down by it. Frank Shakespeare packaged Richard Nixon and sold him as a television commodity.

Today every politician recognizes the pivotal role TV plays in his election. In the elections of November 1970, more than half of all candidates for the Senate and Governor's offices felt they had to retain out-of-state consultants on the use of television. This has created a new power center: the media expert. For example, Dave Garth, a New York based political media man famous for his campaigns for Robert Kennedy and John Lindsay, won last November with John Tunney in California and Adlai Stevenson III in Illinois; it is said he will probably have as much clout as any other individual in the process of picking a Democratic nominee for President in 1972.

Thus television has actually become a part of political process, and so long as candidates must pay for commercial time to reach the electorate, candidates will continue to be packaged, discussion of issues will continue to be truncated, and the electorate will have to make its political decisions largely on the basis of 30 second and one-minute commercial spots.

5. Broadcasting, and television in particular, is becoming less rather than more responsive to the needs of society. This is not because there are no responsible men in the TV power centers but because of the very nature of the medium itself and the lack of social control exercised over it.

For example, although the networks and their wholly owned stations accounted for 40% of all industry profits in 1969, they are continuing to reduce the number of low-profit public service programs. Jack Gould quotes a TV executive as saying: "You can put the whole bag in one sentence. Get the top rating for the bottom dollar." As for specials, *VARIETY* called the 1971 line-up "a season of new specials thoroughly dominated by travelog and patriotism" but without insight and creativity.

Regarding documentaries, three commercial TV producers and a major program producer agreed in an industry symposium in late 1970 that the fear of low ratings or sponsor disapproval had made today's commercial documentary series "bland and blander." They agreed that most modern documentaries have failed to keep up with the times in identifying those responsible for social abuses rather than merely reciting a list of ills, and that "experimentation in ideas and techniques was a memory of TV's yesteryear."

So far as news coverage of issues is concerned, television has the inescapable tendency to act like a searchlight that reaches

out in the darkness and plays on anything that moves. The President and other conventional voices can be heard. But the only other access available is melodrama—the crazies, the radicals, the bizarre, and those with enough sophistication and calculation to stage a pseudo-event. Meanwhile the prospects for sustained, reasoned and serious debate has become almost nil. Even commentary is difficult. As Theodore H. White, said recently, "TV is a medium where you are carrying a twelve-ton pen and you have a hundred people helping you carry the pen. It's collective, not an individual effort." Thus radio's contribution, the insightful personal commentary, has almost disappeared from the TV scene.

#### THE FUTURE ROLE OF MASS MEDIA

Now let us project into the future. What will be the role of mass media as the nation and the world face increasingly rapid social change? Here are a few educated guesses:

1. In the next decade television will slowly cease to play the centralized, unifying information roles which it has played for the past two decades. The old charge of the 50's and 60's, that television is a monolith tending toward centralized control of everything from news input to clothes and life styles, was true to a considerable extent. But the advance in communications technology is slowly decentralizing communication input, and consequent destandardization of cultural output will follow. CATV, video cartridge, broadcast groups, station specialization, not to mention the possibilities of laser and satellite carriers in the near future—all augur for a radical de-monopolizing of communications. Alvin Toffler describes it this way: "Television (today) may still be homogenizing taste; but the other media have already passed beyond the technological state at which standardization is necessary. When technical break-throughs alter the economics of television by providing more channels and lowering costs of production, we can anticipate that that medium, too, will begin to fragment its output and cater to, rather than counter, the increasing diversity of the consuming public." This has already happened to magazines, records, radio and the movies. The 1970's is the decade for it to happen to TV.

2. The broadcast networks are going to cease to exist as we know them today, probably within ten years. This is due partly to the competition from new technology—cable, then video cassette. But it is due also to the gradual diversification of consumer demand and pressure from the FCC for stations to meet local needs and interests and to divest themselves of multi-media ownership. The roots of this development go back twenty years. Radio networks suffered tremendous declines from about 1948 to 1960, and since 1960 its increases in time sales have hardly kept up with the general economy; on the other hand, non-network sales have soared. The picture has been the same with TV since about 1961: network sales have hardly kept pace with the cost of living, while national non-network and local have both more than doubled in those ten years.

Today the old-style radio networks are just about finished. N.B.C. has announced that its 12 radio stations are up for sale, and President Arthur Watson currently is sifting through eight different bids. When its owned stations are sold, network feed then will become unprofitable. The C.B.S. radio network already is reduced to only the Arthur Godfrey show and hourly newscasts. The A.B.C. radio network is actually a series of specialized feeds rather than a national network.

The attrition of national TV networks will take much longer. Probably there will continue to be network feeds of programming with the broadest mass audience appeal—

the I Love Lucys—for many years to come. But the old idea of three networks dominating all programming, and forming the staple of entertainment for the vast majority of people, will gradually erode during the next decade under the onslaught of alternative forms of entertainment which provide more diversity and greater choice to the listening public.

3. Unfortunately, this erosion of the old network pattern will further reduce the public service capabilities of broadcasting. The money which the networks were able to siphon off to support their complex and well staffed news operation—simply no longer will be available. Local news coverage may improve and diversify to some extent, but the national and international "global village" approach inherent in the media will not be available to huge audiences as they are today.

The national TV newscasts, despite their failings, today provide a sounding board to which the entire country can react. When the President or other national leader wishes to reach the nation, he can do so at the push of a button. But already this unifying force is beginning to wane; today when there is a moon-shot, Senate hearing or Presidential speech, only a few stations in a market carry it; the options on other channels are far greater than they were during the time of FDR's radio chats or Kennedy's news conferences. And, as the networks become increasingly oriented to "top rating for the bottom dollar" there won't be many dollars left for unprofitable coverage of news and special events.

4. As national broadcast news declines, there will be a growing centralization of local control over news. For some years the major broadcast interests have been buying into local newspapers. We already are moving into an age when more than 95% of all the daily newspapers in the United States will have no local print competition, and where only two national news-gathering organizations will supply virtually all national and international news. As TV networks decline, we can expect the local newscasters will have to take whatever comes off the two major wire services, as radio does now.

In summary, the prospect for mass communications is a disaster for the public interest. Despite the new technologies, news and information about what is going on in our nation and world will become less available, more centralized and increasingly pre-digested and truncated.

The smart communications money is going to go where profits are to be made, not where social responsibilities are to be picked up and carried. Radio and TV became a unifying force in American life, not because the entrepreneurs decided it would be good for the country, but because such a network was good for business. Public service programming developed not out of the impulse of corporate concern for the public, but because it was required by law and it took some of the sting out of private enterprise making huge profits from the use of public airwaves.

Thus, when radio and TV networks become unprofitable they will be dumped, and with them, the public service functions they contain. In the decade ahead more and more money will be put into program packaging, into local stations, into diversification to embrace and control every form of communication outlet in a given market—broadcast, cable, cassette and print. Since most of these outlets require little or no public service accountability at present, the results will be a catering to the demands for greater diversity in entertainment, with consequent high profits—and a disappearance of costly public service programs.

There will be no equivalent of the large, responsible newsgathering agencies of the three networks. Political campaigns will become increasingly personality-package ori-

ented, less and less issue oriented. Major questions which were once publically debated before millions of viewers will simply be replaced by fifth-run, and eventually fifteenth-run I Love Lucys.

The one potential solution to the problem lies with cable TV. Cable potentially could deliver an audience as large as broadcast television. It could provide fifty or eighty channels and it could charge the consumer or the communicator on the basis of homes delivered. It could make cable cost of local events profitable. It could make enough money nationally to support a massive news bureau. And it could do one thing broadcasting could never do: provide two-way communication. Furthermore, it could become a common carrier and could allow anyone to purchase time on the basis of the number and the distance of the receiving sets—a dial-access system.

Through cable local town meetings would be possible, and each Congressman could reach his district without the present waste of broadcasting into all the unwanted districts. Issues could be examined in depth, paid for either by the persons dialing in, or from the share of profits designated for public affairs programming as required by law or franchise.

But cable is not likely to reach its potential. The present growth of cable is a morass of conflicting jurisdictions and rules. No two cable systems are alike. Most are incompatible with each other. Most have minimal public service accountabilities. The technological mechanism which could bind the nation together with common information and feedback is being destroyed by the lack of social mechanisms to bring it into being.

#### PARTICIPATIVE DEMOCRACY

Given this bleak prospect for the future, what can we do about it? According to Toffler, the way to deal with "future shock" is to create machinery to exert systematic social control of technology. This requires setting goals for the future. But the problem thus far is that goal-setting has come from the top down. "This technocratic premise perfectly mirrors the old bureaucratic forms of organization in which line and staff were separated, in which rigid, undemocratic hierarchies distinguished leader from led, manager from managed, planner from plannee." This is a major manifestation of our national unease: people want to have a part in determining their future.

The key to overcoming this break-down of planning is to make political democracy really work. This in turn requires a highly efficient and responsive communication process. Says Toffler: "Political democracy, by incorporating larger and larger numbers in social decision-making, facilitates feedback. And it is precisely this feedback that is essential to control. To assume control over accelerant change, we shall need still more advanced—and more democratic—feedback mechanisms."

Thomas Jefferson said essentially the same thing almost two hundred years ago: "The way to prevent error is to give the people full information of their affairs." In other words, a massive, continuous, responsive information flow is essential to make our democracy work.

#### THE CHURCH'S STAKE

What has the church to do with this problem? In the first place, it is a moral problem—the kind of moral problem that has to do with the whole society rather than with an individual. As Theodore White has said: "Americans are not being oppressed by evil men. We are being oppressed by institutions that don't seem to work." The institutions of communication in our society aren't working very well, and they promise to perform even more poorly unless something is done to improve them.

Second, there is a close relationship be-

tween theism and democracy. Sidney Mead has pointed out that every living religion affirms the fact that "no man is God." To say that God is infinite is to insist that no man is absolute. This is also a premise of democratic systems. This idea—that no one person may play God with men—is as fundamental to democracy as it is to Christianity.

And third, if the church wants to do those elements in society which prevent men from being tyrannized by other men and which help uphold the worth and dignity of persons, then it must get to the roots of the problems in our society (technology, political power, psychological manipulation, information control) and attack them there.

Thus, on moral, philosophical and practical grounds, the churches in the next decade must help develop a massive, sophisticated and responsive communication system—a process which links all members of the nation together and which involves them with their leaders in feedback loops so that goals can be developed to deal with unprecedented technological change.

#### SPECIFIC PROPOSALS

What can the churches do? By "churches" I do not mean that we can expect all or most of the members of a given denomination to become knowledgeable or interested in this problem. I do not believe we can expect many national plenary groups to adopt resolutions in this area. What is possible, however, is that the communication leadership in denominations can exert continuous and enlightened pressure—through ecumenical and denominational action with the Congress, the F.C.C., other regulatory bodies and so on—toward securing adequate social regulation of communications.

In the past decade the church communication agencies have shown themselves capable of influencing public policy in significant ways. The current F.C.C. license forms, establishing standing of the public before the F.C.C., adequate treatment of minority interests by broadcasters, creation of the Corporation for Public Broadcasting, Supreme Court validation of the Fairness Doctrine, and the fair employment practices in broadcasting—all were significantly influenced by church action.

The following are four specific proposals to which we should address ourselves immediately.

1. The churches should work with other national organizations to have the Secretary of Commerce call a Fifth Communications Congress, the purpose of which would be to develop a plan to overhaul the entire regulatory system currently in force. Such a Congress is as vitally needed today as when Herbert Hoover called the ones in the 1920's to solve the problems pertaining to radio. It would take into account the vastly expanded technology and the need for new and more effective regulatory patterns.

2. The churches should seek to secure through the Congress and the F.C.C. the establishment of a cable TV service which is nationwide in scope, broadband in capability, with common carrier service and uniform technical standards, operated under common carrier and public utility regulation. Such a system, and only such a system, can provide the necessary forum function at the national, state and local levels which will be needed to secure genuine participative democracy in the decades ahead.

3. The churches should assist other national organizations in establishment of a quasi-governmental Communications Research Center. This Center would be supported by grants from foundations and the communications industry, plus project grants from governmental agencies. It would be attached to a university with a reputable graduate school in communications, and for its research projects it would draw upon local faculty and also seek out the most expert re-

searchers in specialized fields. Studies would be made of the influence of various media upon learning, perception, decision making, adjustment to change, crime, delinquency, aggression and other anti-social behavior, consumption, creativity and so on, thus providing a firm basis for regulation (In England the Television Research Committee was begun in 1961 by the Home Secretary at the behest of religious, educational and social service interests. The Centre for Mass Communication Research has become attached to the University of Leicester, it is supported by grants from the BBC, ITC, educational and social science groups, and the University).

4. The churches should generate and support the development of an effective national citizen's organization in the area of mass communication, whose purpose it would be to give voice to the public interest in the mass communications field. Several attempts have been made in this direction, but none thus far has been able to galvanize the attention of large segments of the public.

#### CONCLUSION

There is little question that mankind is facing one of its greatest tests in the form of technological change. If we believe that all men should be part of the decision-making process, and if we reject the view that a few men should play God with our future, then we must quickly set about the task of developing a workable participative democracy. In the kind of society in which we live, this can only be done through intelligent use of the electronic communications media. Conventional broadcasting partially meets this need at present, but its adequacy to do so in the future is being seriously questioned.

The churches, more than any other institution, have a stake in the development of an effective nation-wide communication system, since it will have a fundamental impact on what men become.

In *Man Evolving*, Theodosius Dobzhansky says: "By changing what he knows about the world, man changes the world he knows; and by changing the world in which he lives, man changes himself."

As Christian communication specialists, our job is to call attention to changing what we know about the world, before it is too late.

WILLIAM F. FORE.

### LARRY SPINELLI REPORTS ON KIDNEY DISEASE IN AMERICA

#### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. RODINO. Mr. Speaker, this summer I have been fortunate to have working in my office as a summer intern Mr. Larry Spinelli of Belleville, N.J. Larry has just finished his freshman year at Seton Hall University and plans to continue his college work at Drew University next fall. I consider him one of the outstanding young citizens of my congressional district. He has worked actively with various civic and public service organizations and is an able and talented asset to his community and the State of New Jersey.

One of his projects this summer was to undertake a study of kidney disease in America, for this is, in my judgment, a much neglected health problem in our country. Kidney disease is a great threat to all Americans, and we must combat it by properly funding programs and agencies that are working to solve this

health problem and by developing further legislative initiatives that may be needed. Larry's report to me on the situation is both concise and informative, and I ask that it be printed in the RECORD so my colleagues may have the benefit of this excellent analysis of the kidney disease problem during our deliberations on steps that can be taken by Congress to solve it.

#### KIDNEY DISEASE IN AMERICA

(By Larry Spinelli)

##### INTRODUCTION

Last year, over 100,000 people in the United States died of some form of kidney disease. Kidney diseases are a major problem in America today. Unlike cancer, we have many cures, both temporary and permanent. Dr. Willem Kloff, the inventor of the first practical artificial kidney, feels that it is "criminal" that in many cases a "death committee" must decide who will get an artificial kidney and who will not.

This report on kidney disease in America tries to show the full scope of the problem from all aspects. This problem is a severe and difficult one. Mr. Virgil Smirnow, Executive Director of the National Kidney Foundation, stated that kidney disease is one of the few diseases today in which "only the rich survive."

We have tried for a long time in America to truly make all men equal. Just as we will not allow race, creed, or national origin to put an individual at a disadvantage, so it must also be economically. We cannot let money put an American at a disadvantage in life. And we must not, and cannot, let it be a matter of life and death.

##### Description

The kidneys are two bean-shaped, purplish-brown organs, located in the small of the back with one on each side of the spine. The right kidney is normally somewhat lower than the left because of the liver above. Each kidney is approximately 4.5 inches long and 1.5 inches thick. The kidneys are supplied with blood through the renal artery. Each kidney is connected to the bladder by an elongated tube called the ureter. This ureter conveys the urine from the kidneys to the bladder.

If cut along its axis, the kidney appears to be made up of three major sections. These sections are the outer cortex, an intermediate medulla, and the pelvis. The cortex contains the major functioning segments of the organ. The medulla consists mainly of a system of tubes that drain into the pelvis, which is a pouch-like organ that collects the urine.

The basic functioning unit of the kidney is the nephron. It has been estimated that there are about one million nephrons in each kidney. Each nephron is supplied by many blood vessels. The function of the nephron is to filter the blood. Through this filtering process the nephron can also control the chemical balance in the body.

##### Function

A person's entire blood supply is filtered through the kidneys about twenty to twenty-five times a day. Within the outermost layers of the kidney, the blood passes through an intricate network of arteries. These arteries grow progressively smaller until they join at the nephron. The nephron removes all fluids containing waste products and minerals. The minerals are returned through the nephron back into the blood and the remaining product is urine. The urine collects in the pelvis and then travels through the ureter into the bladder until it is discharged. Although the average man filters more than 180 quarts of fluid a day, all but some 1½ quarts are absorbed back into the blood.

#### Description of kidney diseases

##### Pyleonephritis

This is an infectious inflammation of the kidney tissues. At the beginning stages it does not interfere with the kidney's function, but if untreated it can lead to more serious disturbances of kidney functions. Pyleonephritis is caused by infectious germs entering the kidneys through the blood stream or urinary tract. This is usually the result of some obstruction in the urinary tract.

The acute form of this disease is characterized by chills and fever associated with frequent and painful urination. The body can be virtually free of symptoms until the inflammation reaches the acute stage. If untreated, it can become chronic and eventually lead to renal failure and death. Pyleonephritis is found both in the young and the old and can either involve one or both kidneys.

##### Nephrotic Syndrome

This is a non-inflammatory disease that settles in the kidney membrane. It results in large amounts of protein escaping from the blood and flowing into the urine instead. Nephrotic Syndrome is usually found in young children. Childhood nephrosis is uncommon and no cause for it or prevention of it is known. The first symptom is swelling in various parts of the body. A check of the urine will show that it contains large amounts of albumin (protein). If not treated, the disease may subside permanently or it can lead to permanent kidney failure and death. Today, about 80% of the patients can have this disease brought under control by "steroids" (cortisone, prednisone). This keeps the child in nearly normal health with no swelling and normal urine. The danger of any infection is reduced. Steroids do not cure the disease and the patient must have frequent urine checks for many years before he can feel that a complete cure has been achieved. The remaining 20%, where steroids are not a satisfactory cure, are a continuing problem to doctors. Research is continuing to find an effective cure for those who do not respond to steroids.

##### Glomerulonephritis (Nephritis, Bright's Disease)

Acute.—This is a kidney disease occurring most frequently in children and young adults. Although adults are often stricken with the disease, 2/3 of all cases occur in children. The first sign of the disease is an acute sore throat. This is followed by swelling in some parts of the body and also blood in the urine. It is still not known how this throat infection is related to the kidneys. No infectious bacteria are found in the kidneys. Many doctors feel that it is in some way related to an allergy in the kidneys.

The acute phase of the disease lasts from 3-4 weeks. During this time, severe illness or death may occur from high blood pressure, heart failure, convulsions, or kidney failure. Fortunately, these complications generally can be treated successfully if recognized early enough. Following this period, there is a general improvement over a 3-7 month period with eventual recovery for 95% to 97% of children and 60% to 80% in adults.

Chronic Nephritis.—If acute nephritis is not cured the patient develops chronic nephritis. There usually aren't any symptoms, the infection causes gradually kidney damage and finally death. There is no known cure.

##### Urinary Tract Stones

When crystals of chemical substances are present in the urine, they may form stones (calculi) at any level in the urinary tract, from the kidneys through the bladder. The stone can make its presence known by causing painful renal "colic". On the other hand, stones may produce painless obstructions that in turn may cause kidney damage. The

stone can be removed through a high intake of fluids, medication, or surgery.

#### Polycystic

Polycystic kidneys result from structural defects in the formation of the nephron. This condition is present at birth. If the defect is very severe, the infant will die within a short period of time. If it is mild, it may not reveal its presence until adult life. The kidney becomes filled with small holes or fluid filled cavities. High blood pressure is present and uremia develops. Most people with polycystic kidneys can lead a fairly normal life with regular medical care.

#### Uremia

Uremia is not a disease of the kidneys but a condition that results from the failure of the kidneys to function properly. This can be caused by any one of the many kidney diseases that can create this condition. The kidney fails in excreting the wastes from the blood. Instead, these wastes now accumulate in the blood. The severity of this condition depends on the extent of renal failure. Its signs are headache, nausea and vomiting and finally convulsions, coma and death.

#### Acute Renal Shutdown

This is the condition in which both kidneys stop forming urine. It is one of the most serious disorders of the kidneys. This is caused by an interference with the flow of the blood. This can be caused by a sudden "crush accident" or reactions to poisons or blood transfusions. Acute renal shutdown can also occur when any of the described above kidney diseases progresses to the critical stages. Unless the function of the kidneys is corrected, death is certain. There are only two cures for this. A physician can either rely on an artificial kidney or a kidney transplant.

#### The artificial kidney

In order to understand how an artificial kidney works we must first understand the process of dialysis. We can best illustrate this process if we take a cellophane bag filled with salty water and place it in a container filled with pure water. The salty water and the pure water will mix so that each liquid will be equal in salinity. This equilibrium is possible because the molecules can pass through the pores of the cellophane. This same process (dialysis) occurs in our own kidneys and it is the basis of the artificial kidney machine.

In the artificial kidney, a cellophane sheet is placed between the blood of the patient and a cleansing fluid called dialysate. Since dialysate is free of wastes, the wastes from the blood flow into this solution in order to create a state of equilibrium between the two liquids. In the same sense, the minerals and chemical substances in the dialysate (that are absent in the blood) flow into the blood to maintain this perfect balance. Any patient using the artificial kidney machine must have a cannulas placed in his arm. This cannulas is a tiny tube that regulates the flow of blood into the artificial kidney.

As of March 1970, there were approximately 3,753 people receiving dialysis, about 1,400 of these in their own home. Dr. Iray Creifer of the New York Kidney Foundation believes that there are over 10,000 people that are "prime candidates" for dialysis. Dr. Deane, medical director of the New York Nephrology Foundation estimated that the cost of dialysis in a hospital was about \$250 per treatment, plus fees. He further stated that if a patient needs 2-3 treatments a week, the annual cost would range between \$35,000 and \$40,000 a year. If a patient receives ambulatory care (treatment in the hospital but the patient lives at home) the cost of dialysis would be between \$14,000 and \$20,000 a year. The first year of treatment at home is estimated to be about \$18,000, and after this initial cost about \$3,500 a year.

An artificial kidney costs between \$1,750 and \$40,000. As the cost increases, so does the power of the machine and the less number of times the patient needs treatment. The majority of the machines in use cost about \$3,000. Two to three treatments are needed a week, and the operating expense is about \$30 a treatment.

#### Kidney transplantation

The only alternative to an artificial kidney is a kidney transplant. Kidney transplantation has been accomplished in more than three thousand different cases since the first successful one in 1954. Since the discovery in 1961 of drugs to suppress graft rejections, kidney transplants have been more successful. The transplant operation itself is usually a surgical success, but it is the immunological barrier that causes the patient to die. Dr. Kloff of the University of Utah stated that "Transplants of a kidney—when successful—are far more desirable than the best possible treatment with the artificial kidney. But after a few years, only 60% of such homografts survive, so the risk is higher." 90% of the kidney transplant patients have survived more than two years, if the donor was a relative. If the organ is from a cadaver, 50% to 60% of the patients survive one year and 25% for at least five years. The cost of the transplant operation ranges from \$1,500 to \$80,000, with the average cost being about \$10,000. After the operation, the surgeon must continue to see the patient on a regular basis, giving rise to a very high medical bill.

Even if the transplant is initially successful, the patient will eventually die of body rejection. The hope of doctors is to increase the period of survival. Some transplant patients have survived for six years, others have died on the operating table.

#### FINANCING

Today, there are a variety of different funding programs to help the end-stage kidney patient. Each program has certain merits but yet none of the programs is completely successful or has yet fully solved the problem.

#### Medicaid

Medicaid (Title 19), is a project run by the individual states and supported by matching funds from the federal government. In many states, coverage for hemodialysis and transplantation is excluded on the basis that they are not "routine, generally accepted medical procedure." Often, it excludes outpatient or home care and all care not rendered in approved treatment centers. The amount of care is very fluctuating because of the unsteady and severe budgetary strains of states. The patient must be receiving welfare at the time he applies for the Medicaid program. In New Jersey, hemodialysis and kidney transplantation are covered by the Medicaid program. The patient must go only to state approved treatment centers. There are currently nine centers in the state, two in New York and three in Pennsylvania that are approved.

#### Regional medical program

Through the passage of PL-91-515, kidney disease was added to the Regional Health Program. This program was appropriated 44.5 million dollars this year, with 25% of this sum for kidney disease. As of July 1971, President Nixon has withheld these funds from their respective programs. The real problem with this RMP is that it is only a contracting and granting agency. Through a medical board, certain hospitals and medical centers are chosen that are believed best qualified to receive federal monies. This money can only be used for research or the improvement of methods of care. No money can be used for the purchasing of dialysis machines or aid for the individual.

#### OEO and HUD

The anti-poverty program (OEO), the model cities program (HUD) and other programs oriented to the urban poor are not at all designed to help the chronically ill. Although these programs can, in certain cases, defray the initial cost, they do not help with any prolonged illness that would accompany a transplant operation or the use of an artificial kidney.

#### The Veterans Administration program

The Veterans Administration is the one federal program that is a direct provider of medical care. There are currently 277 dialysis machines operating within the VA system. These machines are available for service-connected individuals and also for all veterans. The machines are usually kept in the confines of the Veterans hospital but in special cases a machine can be used at home with the VA paying for all operating costs. Under PL-89-785, the Veterans hospitals are authorized to work with community centers patients whenever possible. The Veterans hospital will also perform a kidney transplant operation for all veterans when a suitable donor can be found. They will pay the cost of the operation and also supply post-operation care.

#### Vocational rehabilitation

The federal-state vocational rehabilitation program is large enough to allow coverage of patients with end-stage kidney disease. There are many problems with this program. It excludes all non-working women. It also works under limited funds since the emphasis of the program is in the area of retraining. The main objective of the program is to get the individual back into the labor force. This is quickly accomplished with the artificial kidney machine, but that does not end the problem. A renal failure patient cannot be rehabilitated because without a kidney machine he will die. This program does not cover kidney transplant operations. The amount of funds allotted to kidney disease patients under this program is relatively small.

#### State programs

State programs for end-stage kidney patients vary from state to state. New Jersey has become one of the model states with the passage of bill No. 769 in May, 1969. This bill authorized the New Jersey State Department of Health to begin a program to aid kidney patients. This aid is offered to any resident suffering from kidney failure. These funds are used only as a last resort, when all other resources have been used up. The thrust of the program is for patient care. The patient must go to an approved center, but there are several scattered throughout the state. As of July 1, the state has spent \$400,000. The original appropriation was \$250,000 but additional funds were supplied. As of now, the Department of Health feels it is operating an adequate program and no needy patient is turned away.

#### Private health insurance

As of 1967, there were 82.8% of all Americans covered by some form of health insurance. There were 76.4% covered by surgical benefits and 62.3% receiving in-hospital medical benefits. Over 163 million Americans are covered by health insurance today. However, most are too inadequate to cover chronic kidney diseases. In order to be covered for chronic kidney disease, the patient must have a high-paying policy. According to income, only 35% of the people with a \$3,000 or less income are covered by health insurance. In the \$10,000 or more income bracket, 90% are covered by health insurance.

According to Blue Cross, a kidney transplant operation would be treated as any major surgery. The cost would be based on a fee

schedule and the doctor's cost. Major medical would pay for any supplemental kidney care, including an artificial kidney, up to the total payment allowed by the individual policy. When considering the cost of an artificial kidney, a \$10,000 or \$20,000 policy would not help for too long a period of time.

#### THE INFORMATION BUDDY SYSTEM

### HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. GALLAGHER. Mr. Speaker, ever since I have been concerned with privacy, beginning 7 years ago, I have noted what I call "the information buddy system." This describes a subculture of investigators whose negotiable commodity is information they have which is desired by someone else. All laws and all normal codes of conduct are broken by these men, for if they have data you want today, you will have data they want tomorrow. They are intimately tied up in the old school tie concept.

A particularly flagrant example was disclosed in the Washington Star of July 21, 1971. The activities of the information buddy system knows no bounds of private business or public service. According to the Star, the former head of the Army's domestic intelligence network did a favor for a Western Union executive and utilized the might and majesty of the U.S. Army to dig up embarrassing material about an employee.

In addition, here again we see the cloak of national security being used to gain information from credit bureaus, police files, bank accounts, and other supposedly confidential sources. Interestingly, my privacy inquiry conducted detailed investigations on the credit reporting system and was the first formal group to criticize the Army's incursion into the domestic, peaceful, and constitutionally protected activities of civilians. The Army system utilized computerized information systems—again a threat my privacy inquiry first disclosed.

Mr. Speaker, I have become convinced that trends this example highlights are leading the United States into the era of post-constitutional America. To put it another way, giving the powerful aid of the new surveillance technology to information buddies will make the age of Aquarius into the age of Aquariums, where every citizen's life is lived in a fishbowl.

It may well be that this compulsive insiderness, coupled with preemptive strikes of presumptive surveillance of potential suspects, may lead this Nation to a point where the only ones left to govern are either those of so little imagination and energy that their dossier is a total blank or else those whose unprincipled skill and experience gives them access to everybody's dossier. By using the computer to magnify this access to include each and every record, we see that the datamaniacs can undertake purges by a program and not have to

bloody their hands with a pogrom. That, of course, would be the most efficient and economical form of totalitarianism because in such a formula-ridden Cybernetic State, there are no people, only statistical abstracts of those who deviate from the norm.

Mr. Speaker, some people call this possibility a managed society. I choose to call it dictatorship and as one further signpost on this beckoning road, I insert the article referred to into the RECORD at this point:

[From the Washington Star, July 21, 1971]

ARMY SPY CHIEF OUSTED OVER "FAVOR"

(By Jared Stout)

The former head of Army spying on civilians has been ousted from his intelligence post for his part in an attempted cover-up of an Army probe done as a favor for a private businessman. The probe cost a civilian his job.

Col. Arthur J. Halligan was removed from his job as director of investigations for the U.S. Army Intelligence Command at Ft. Holar, Md., and given a written reprimand March 18 for "dereliction of duty" in failing to investigate complaints about the probe.

Halligan, who is scheduled to retire August 31, was one of three officers punished in the case—which has just come to light and is the first known instance of Army action against misuse of domestic intelligence. Halligan ran the civilian spy program until the Pentagon moved to end it after it was exposed last year.

He was one of two officers who, Pentagon investigators found, tried to cover up the probe for eight months because they believed it was ordered by the then head of intelligence, Gen. William H. Blakefield, and concerned a Blakefield relative.

#### NATIONAL SECURITY CITED

The Pentagon inquiry also showed that Halligan claimed national security as grounds for the probe and warned an agent who complained about it that he could be prosecuted under U.S. espionage laws if he talked about the case.

Documents on file with the Army and Senator Sam J. Ervin's constitutional rights subcommittee outlined the case. A letter to Ervin, a North Carolina Democrat, from the Army's acting general counsel, R. Kenly Webster, disclosed the punishments.

The other officers punished were Col. Cline Lampkin, deputy commander of the intelligence command until his June retirement, and a captain who ordered the probe while with the 771st Military Intelligence Attachment (MID) at San Juan, Puerto Rico.

Lampkin was given an oral reprimand for failing to investigate. The captain, whose name was not disclosed in documents available in the case, was given a written reprimand and steps to take away his Army commendation medal were underway.

#### AGENT SPARKS PROBE

According to the Webster letter and documents filed with the Army and Ervin's subcommittee, the case arose from an agent's complaint to superiors over an assignment given him on Aug. 13, 1969.

The agent, who asked not to be identified, was told to gather information on Joseph Lynch, then a messenger in the St. Croix office of Western Union International. Lynch had no connection with the Army or access to classified material.

The agent was told by the assistant operations officer of the 771st MID to be "extremely discreet," inquire into Lynch's credit and police records, and report his findings to Lynch's superior, Nitel B. Davis, chief of the Western Union cable office.

Davis was "a drinking buddy" of the operations officer, the documents said. Davis told the investigating agent Western Union was trying to fire Lynch, but did not have sufficient evidence to do so.

The agent's information supplied the needed data. Although Lynch had never been arrested, he was mentioned in some police intelligence files, the documents said, and that apparently was enough. The documents did not show specifically what information was gathered on Lynch.

#### BANK RECORDS CHECKED

The documents did show, however, that the information was obtained by the agent claiming national security was involved. The claim opened the normally confidential records of the First National City Bank to the investigators, for example.

Access to police intelligence and court records was gained through Army liaison with local authorities, a link supposedly limited to providing data useful in preparing the Army for antiriot duty in U.S. cities.

The investigating agent complained to Halligan on August 19, 1969, reporting what he thought was "a flagrant violation of everything I've come to believe is expected from military intelligence personnel."

"I don't feel the Army should be in the private investigative business, nor do I feel that we have the right to delve into the private comings and goings on private citizens with whom we have no business," the agent wrote Halligan.

#### INVESTIGATION PROMISED

According to the Army and subcommittee documents, Halligan called the agent two weeks later and assured him the Lynch matter would be investigated. But eight months passed without further word.

The agent wrote Halligan again, saying he was considering using another route to have the Lynch case investigated. Halligan replied this time with a letter stamped "confidential." It was read to the agent before witnesses and his commander.

The letter cited penalties of U.S. espionage laws and said the agent would be open to prosecution if he talked of the Lynch case further. Halligan also claimed to have conducted a complete inquiry.

Halligan wrote that the checks on a telegraph messenger involved "elements of a highly classified and sensitive intelligence operation, the full scope of which you have no need to know." The checks were warranted, the letter said.

On his release from service, the agent took his complaint to the inspector general for the assistant chief of staff for intelligence, Halligan's Pentagon superiors. The inquiry, started there in November, 1970 was the basis for the letter to Ervin.

#### TREASURY GESTAPO AT WORK

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a signed front page editorial by Mr. William Loeb, publisher of the distinguished Manchester, N.H., Union Leader.

Mr. Loeb expresses the concern of American citizens at the outrageous conduct of Secretary of the Treasury Connally's Gestapo in their raid on the home of an innocent, law-abiding citizen.

The Nation is becoming curious as to why Secretary Connally has not brought forward a more vigorous investigation to ferret out the wrongdoing, correct the evil, and punish those responsible for the maiming of Mr. Kenyon Ballew in his home by agents of the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service.

The matter requires vigorous attention by Secretary Connally lest it come to be assumed that this action represents something endorsed by him:

**TREASURY GESTAPO AT WORK**

The other night Kenyon F. Ballew, a life member of the National Rifle Association and a Boy Scout leader and gun collector, and his wife, Sara Louise, were washing up and getting ready to go to bed. Mrs. Ballew, clad in panties, was in the apartment living room and her husband was in the bathroom washing.

Suddenly, there was a loud banging at the door and the words, "Open up. Open up." The door was broken open and a bearded man wearing a yellow sweatshirt and carrying a handgun came in followed by a man in a striped shirt.

Mrs. Ballew screamed and Mr. Ballew emerged dripping wet from the bathroom and picked up a .44. He fired simultaneously with the raiders.

After the shots were exchanged, Mrs. Ballew saw her husband on the floor. He was bleeding from the head. Mrs. Ballew started to scream, "Get the police! Murder!" And one of the raiding party said, "We ARE the police!"

It seemed that, based on the flimsiest of information that the apartment contained live hand grenades, agents of the Treasury Department, which is responsible for the enforcement of the 1968 Gun Control Act, decided to raid the Ballew home. Why they came in the dead of night and why they didn't identify themselves as the police and why they felt it was necessary to break down the door are questions that need to be answered by the Treasury Department.

All decent people are outraged by this unnecessary, stupid brutality. Such Nazi Storm Trooper-like behavior indicates not only arrogance but also utter stupidity.

As it turns out, Mr. Ballew has a responsible job as a Washington pressroom worker. He is a former Air Force military policeman. He has a fine character and no record of conviction for any crime.

This blundering performance apparently is not the first that Treasury Department agents, operating in the middle of the night, have broken into the homes of people suspected of violating the Gun Control Act. The total number of night raids that has been admitted by the Treasury Department is 11. But, it should be 24 if the police are to be believed.

Mr. Ballew, as of this writing, has a bullet in his brain and a 40 per cent chance of recovery. This is the result of this outrageous action.

Washington is the scene of numerous daily murders, assaults, rapes, etc. This fact completely justifies any defensive action that Mr. Ballew may have taken when the unidentified individuals broke down his door. The occupant of any home can only expect the worst in that atmosphere.

Undoubtedly, the Treasury Department will do its best to cover up this horrible situation, which will remind many Americans of the horrors of Nazi Germany, but it is to be hoped that the White House will not allow the Treasury Department to cover up the situation but will demand a thorough report.

It would seem that the enforcement of the 1968 Gun Control Act should be transferred to an arm of the government which would

carry out its duties in a more professional fashion—and more in line with the fundamental American principle of the rights of the individual.

WILLIAM LOEB, *Publisher.*

**ROPER SURVEY ASKS: WHAT SHOULD A PURCHASER KNOW?**

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. ROSENTHAL. Mr. Speaker, the consumer movement is growing steadily. As is evidenced by the following article, the consumer is extremely discontent with the failure of manufacturers at all levels of the marketplace—from food weights, to drug names, and to packaging techniques.

The reluctance on the part of most manufacturers to provide the consumer with information sufficient to enable him to make an intelligent purchase is disgraceful. The consumer still stumbles through the aisles in the supermarket having to choose from what seems to be intentionally disstandardized packages of goods seeking to force him to rely almost exclusively on advertising claims in making his purchase.

I insert in the RECORD at this point the following article:

**PUT IT ON THE PACKAGE—WHAT SHOULD A PURCHASER KNOW?**

On one consumer issue, consumers know what they think: rules and regulations to prevent buying confusion. A recent Roper survey asked the public to react to six proposals affecting packaging and labeling of the products that they buy. The results are quite definite. Majorities ranging from just under two-thirds to nearly nine-tenths of the public think stricter regulations are "a good idea." Separate matched samples of approximately 1000 people across the nation were each asked this question about three proposals:

"There has recently been a good deal of agitation for the government to impose some stricter rules and regulations concerning products sold to the public in order to avoid consumer confusion or deception. To take some examples—do you think it is a good idea or not such a good idea to require (proposal)?"

The results are shown in Table I below.

Two suggested requirements, those for grade labeling and packages no larger than necessary for their contents, generated virtually no controversy. A third, the showing of octane rating on gasoline pumps, produced the most uncertain reaction from some groups—older people, the less educated, women and non-car owners—who may have had some doubts about what octane rating is. The item that drew the strongest objections was standardization of package size and shapes, which nearly one-quarter of those interviewed thought "not such a good idea."

This is not the whole story, however. In presenting these consumer proposals no attempt was made to balance their benefits with the drawbacks that might accompany them. While they were stated as objectively as possible, the descriptions themselves inevitably carry implications of the desirable ends they set out to accomplish, and give no hint of any unforeseen and undesirable consequences that might result from them.

Octane, for example, is no longer a direct indicator of gasoline performance. Loaded with additives, modern gasoline is, for practical purposes, a chemical compound. Hence, octane is only a single dimension of gasoline performance, argue the oil companies. Putting octane rating on the pump could put it up front in the public consciousness, forcing gasoline producers to compete for the highest octane score, at the expense of other possibly more important components. Similarly, other industries see undesirable side effects in each of these well intended attempts at consumer protection. The inclusion of generic terms with brand names will destroy the incentive to research and develop new drugs, argue the companies in question. If others can immediately and prominently feature the same chemical formula, why invest in the high costs of R & D? Better copy another drug in the first place.

Grade labeling, it is claimed, will push products toward the lowest permissible quality level for each grade, since manufacturers will get no credit for surpassing minimum specifications. It will also tend to inhibit innovation, since a new formulation may not comply with the established mix of ingredients. (Building codes, while assuring minimum standards, have also held back technological progress.) The same charge can be leveled at standard packaging. Why should manufacturers come up with a better box, if their product has to be distributed in the regulation container? What about the consumer inconvenience if the official bottle doesn't fit his corner cupboard? Not to mention the boredom engendered by those rows of identical boxes lined up on supermarket shelves. So go the counterarguments.

To get a clue to consumer awareness of these pitfalls, those favoring each proposal were asked whether they saw any drawbacks to making the requirement. The results are shown in Table II below.

Again, no ambiguity appears in the answers. For most people, stricter rules on product labeling and packaging are all to the good. If they have heard the case against them, they don't accept it. More likely, they are unaware that one exists.

However, there are some exceptions. Nearly one-third of the public can see some drawbacks in standard packaging, nearly one-quarter have doubts about drug label changes, and one-quarter see disadvantages in labeling per ounce or pound. This last is interesting because it is the only one of the six already in effect in some stores. As regulations become reality, their pros and cons may be more thoughtfully considered, and for some disenchantment may result.

These dubious minorities, like dissidents on other issues, may ultimately carry more weight than their present numbers. If most people, as is likely, have not begun to think about the practical effects of consumer regulations, the current level of criticism may be only the start of controversy to come. Another straw in the wind is that college-educated people are least in favor of most of the controls on the list. And even where they are most in favor, as on grade labeling, favored by 88%, they are most ready, too, to admit that disadvantages exist (14% see drawbacks, as compared to 7% with grade schooling or less).

Public discussion of possible consumer controls should begin before legislation is passed, not after it has become a fact of buying life. Further research is needed into the public's receptivity and resistance to the growing movement for "truth in packaging." The issues will not go away; they must be explored and faced and dealt with. Manufacturers may feel they have a good case against labeling changes, but the public doesn't see it. Whether they are unaware or unimpressed was beyond the scope of this research.

[In percent]

	Table I			Table II			Not asked (not in favor)
	Good idea	Not such good idea	No opinion	See draw-backs	No draw-backs	No opinion	
That all processed food products be graded A, B, or C according to the quality and amounts of key ingredients in them?	87	5	8	10	71	6	13
That a package be no larger in size than is needed for the amount of product in it?	85	7	8	10	69	6	15
Grocery stores to show the price per ounce or pound as well as the total price of all packaged foods that come in cans, boxes, or bottles?	78	15	8	9	63	5	23
Drug companies to print the technical or chemical name of a medicine on the label in as large letters as the advertised brand name?	74	13	13	9	60	4	26
Gas stations to show the octane rating of their gasoline on the pumps?	72	7	21	6	61	4	28
That all brands of a given product be sold in packages of standard sizes and shapes?	63	23	14	7	51	4	37

**HONORABLE BILL SCOTT'S SPEECH AT THE MANASSAS BATTLEFIELD**

**HON. WM. JENNINGS BRYAN DORN**  
OF SOUTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, July 21, 1971

Mr. DORN. Mr. Speaker, my distinguished colleague and warm personal friend, the Honorable WILLIAM L. SCOTT, of Virginia's Eighth District, made an outstanding address before the United Daughters of the Confederacy at Manassas Battlefield Park on July 17, 1971. Representative SCOTT spoke to the UDC on the 110th anniversary of the first battle of Manassas. His excellent speech applies some of the lessons learned from the history of the United States and the Commonwealth of Virginia to problems of attitude which we are currently facing in our country, and I commend BILL SCOTT's penetrating and thought-provoking address to the attention of the Congress and the people of America.

ADDRESS BY CONGRESSMAN WILLIAM L. SCOTT

I appreciate the kindness of Mrs. O'Bannon, as president of the District of Columbia division of the United Daughters of the Confederacy, in inviting me to speak here at the park today. Certainly, it would be presumptuous to attempt in any detail to tell the Daughters of the Confederacy about the first battle of Manassas. We might remember, however, in commemorating the 110th anniversary of the battle, that the South was the underdog, that the North wanted action, wanted the rebels thrashed and wanted to go on to Richmond. It just didn't turn out that way. People coming in to this area from Washington in their carriages, as if going on a picnic, were disappointed. In fact, we might say that the North was shocked and the South elated by the rout and the complete victory of the southern forces at Manassas. The tenacity of Jackson, the raw courage should not be forgotten. Certainly Virginians today need to "stand like a stone wall" for what is right and proper.

Thomas Jonathan Jackson only lived 39 years. Yet some say he lived two lives. One as a Presbyterian deacon frequently in prayer to the Heavenly Father, a devoted husband and father, a teacher, a man of integrity. Others knew him as one who obeyed orders he received and expected like obedience to those he gave. A military leader whose principles and methods have the admiration of soldiers everywhere. Driving his men to the point of exhaustion, holding his officers to a high order of intelligence, saved lives and won battles. It brought him from the rank of Major to that of Lieutenant General in

less than two years. A saint or a devil in military action. A part of the American story that began long before his birth and continues today.

Just two weeks ago, we commemorated the founding of our republic and you will remember the ceremonies telecast from the National Archives and participated in by the Speaker of the House, Carl Albert, Chief Justice Warren Burger and President Nixon. The President indicated at that time the commencement of a bicentennial era, a five year period between now and 1976 when we would be commemorating the 200th birthday of the nation. Virginia played an important part in the establishment of our country, even winning the title, "The Mother of Presidents." Our own 8th District is one of the most historic areas of the State and Nation. Washington was born in Wakefield, Westmoreland County in the northern neck, grew up at Ferry Farm in Stafford County across the river from Fredericksburg, living a portion of his early life and most of his adult life at Mt. Vernon. Monroe, Madison, William Henry Harrison and John Tyler were also natives of the 8th District. In fact, Harrison and Tyler both were from Charles City County, along the James River near Williamsburg served together as President and Vice President. I doubt that we have ever had another instance in which one man from the same county of the same state succeeded another to the presidency as was the case when John Tyler succeeded William Henry Harrison.

We are proud of Virginia and our southland and their principles over the years. And yet I doubt that any of us would object to the measure now before the Congress to strike commemorative medals of the 200th anniversary of the founding of our country with the theme "one nation bound in unity." We believe not only in states' rights, but perhaps even more important, in individual rights. We believe that the only reason for any government existing at any level, is to serve the people and that the ultimate sovereignty or ultimate will resides in the people. And so we move toward the Nation's 200th birthday, a gala year of celebration throughout the country, I would hope that the spirit of '76 will continue to be abroad in the land, that people throughout the country will continue to think of America as a land of opportunity; a melting pot that has produced a Nation of tremendous talent from diverse cultural backgrounds.

When Mr. Nixon was campaigning for the Presidency in 1968, he visited the colonial capitol at Williamsburg and spoke of the American spirit, stating that a nation, like an individual, does have a spirit. A national yearning that tends to spur our conscience, we know that in the past, the people of America have responded every time demands were made upon them. Mr. Nixon also spoke last summer at the national convention of the Jaycees on the subject "What's Right

About America" stating that some people on the speaking circuit around the country were spewing destructive criticism and we know that this is true. Some act like America is a dying nation and that revolution is the only solution to alleged oppressive conditions that people are being forced to endure. This is pure nonsense, but, yet, we hear it from time to time. I believe such people are a threat to the country's welfare, they seem to be consumed with a hatred for an orderly civilized society. While they heap abuse on this country, oftentimes, they offer no reasonable alternative and I suspect they would be miserable under a less democratic type of government.

A census taken in April of last year determined that there is something over 206,000,000 people in the country. We know that we have a large country—a rich and powerful country, but it wasn't always so. People came to a wilderness here to find a new life for themselves and their families and to create a new nation. They founded a country based upon the concept of individual dignity and worth with everyone's rights being protected by the law, a society of their own making with ultimate power in the people. Under our system of government, we have grown into a nation envied throughout the world. Critics of our country, sometimes our youth, act as if nothing has gone before and that there are simple solutions to all of the problems that confront society.

I remember having a college course in economics some years ago, and the professor stating that the age of the great inventions and discoveries was past, that we were going through a period of refinement and stagnation—that there was really nothing left to be invented or discovered. But, this was before television was perfected—before the modern miracle drugs—before the computer, before space exploration—before the Salk vaccine and even before the atomic age.

I believe that our youth need to be taught that the older generation and those who came before us have discovered cures to many of the ills that plagued mankind—that such diseases as smallpox and tuberculosis were once as dreaded as cancer is today—that we have found solutions to problems and that other solutions will be found in the future.

Individuals seeking solutions to their own problems and the problems of their communities have made this a great Nation. It's not done by Government edict. Few among you would disagree with this, yet, I remember the late Mendel Rivers speaking on the floor of the House a year or so ago when we were considering a measure coming from the Armed Services Committee of which he was chairman, being hissed by some sloppily attired people in the gallery when he expressed concern about the lack of patriotism in the country.

Some weeks ago at the Fairfax Methodist Church, the minister indicated that we should not concentrate so much on what we are against that we don't have time to work for the things we are for and I believe there's a valuable lesson in this statement.

Isn't it true that each of us has a part in shaping the future of the country. I believe that in our homes, our schools, our churches, we should talk as the President did on "What's Right About America." If the will of this country is being challenged, we have an obligation to accept the challenge. We need to work for the things we believe are best for America. In our home, shouldn't we see that young people feel loved and appreciated, secure—that they are told of American heritage—of the accomplishments of the past—that they're disciplined and prepared for coping with those who would destroy the country. Don't we have an obligation in our churches to see that Christian ideals are taught? In our schools, our scouts, our character building groups—to see that the proper

type of adult leadership is provided? We are familiar with Edmund Burke's statement "For evil to prevail, it is only necessary for good men to do nothing."

I believe the challenge is with us. We are proud of our early heritage . . . of Washington, and Jefferson, of Lee and Jackson, but I believe our youth must be aware that we have our pioneers today—those who go to the moon and those who perform open heart surgery—that Billy Graham and others are great Christian leaders just as Thomas Paine was, that there was the Eisenhower and MacArthur in our own generation—that this Nation is no more dead than Christ is dead. If the spirit of America is to be maintained, we are among those who must see that it is done.

#### SICK OF NONSENSE

### HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. ROYBAL. Mr. Speaker, at the request of a constituent, Mr. Leonard Valiukas, I am inserting into the RECORD an article appearing recently in the Los Angeles Tidings:

I AM A LIBERAL AND I AM SICK OF NONSENSE  
(By K. Ross Toole)

I am 49 years old. It took me many years and considerable anguish to get where I am—which isn't much of anyplace except exurbia. I was nurtured in depression; I lost four years to war; I am invested with sweat; I am a "liberal." I am square and I am sick of hippies, Yuppies, militants and nonsense.

I am a professor at the University of Montana, and I am tired of being blamed, maimed and contrite; I am tired of tolerance and the reaching out (which is always my function) for understanding. I am sick of the total irrationality of the campus "rebel," whose bearded visage, dirty hair, body odor and "tactics" are childish but brutal, naive but dangerous, and the essence of arrogant tyranny—the tyranny of spoiled brats.

As a professor and as the father of seven children, ranging in age from 7 to 23, I have watched this new generation and concluded that most of them are fine. But a minority are not—and the trouble is that minority threatens to tyrannize the majority and take over. I dislike that minority; I am aghast that the majority "takes" it and allows itself to be used. As one fed-up member of the "Establishment" (which, by the way, is nothing but a euphemism for "society"), I say it's time to call a halt.

We owe the "younger generation" what all "older generations" have owed younger generations—love, protection to a point, and respect when they deserve it. We do not owe them our souls, our privacy, our whole lives—and, above all, we do not owe them immunity from our mistakes, or their own.

#### WHAT MY GENERATION DID

Every generation makes mistakes, always has and always will. We have made our share. But my generation has also made America the most affluent country on earth. It has tackled, head-on, a racial problem as no nation in history had dared to do. It has publicly declared war on poverty, and it has gone to the moon; it has desegregated schools and abolished polio; it has presided over the beginning of what is probably the greatest social and economic revolution in history. It has begun these things, not finished them. It has declared itself, and committed itself, and taxed itself, and damn near run itself into the ground, in the cause of social justice and reform.

Its mistakes are fewer than those of my

father's generation—or his father's, or his. Its greatest mistake is not Vietnam; it is the abdication of its first responsibility, its pusillanimous capitulation to its youth. Since when have children ruled this country? By virtue of what right, by what accomplishment should teen-agers, wet behind the ears and utterly without the benefit of having lived long enough to have either judgment or wisdom, become the sages of our time?

The psychologists, educators and preachers say the young are rebelling against our archaic mores and morals, our materialism, our failures in diplomacy, our terrible ineptitude in racial matters, our narrowness as parents, our blindness to the root ills of society. Balderdash!

Common courtesy and a regard for the opinions of others are not merely decoration on the pie crust of society—they are the heart of the pie. Too many "youngsters" are egocentric boors. They will not listen and discuss; they will only shout down and throw rocks. Society has classically ostracized arrogance without the backing of demonstrable accomplishment. Why, then, do we tolerate arrogant slobbs urinating on our beliefs and defining our premises? It is not the police we need—our generation and theirs—it is an expression of our disgust and disdain. Yet we do more than permit this behavior; we dignify it with introspective flagellation. Somehow it is our fault. Balderdash again!

Sensitivity was not invented in 1950. The young of any generation have felt the same impulse to reach out, to touch the stars, to live freely and to let the mind loose along unexplored corridors. Young men and women have always felt the same vague sense of restraint that separated them from the ultimate experience—the sudden and complete expansion of the mind, the final fulfillment. It is one of the oldest, sweetest and most bitter experiences of mankind.

#### IDEALISM OR CHILDISH TYRANNY?

Today's young people did not invent sensitivity; they do not own it. And what they seek to attain, all mankind has sought to attain, throughout the ages. Shall we, therefore, approve the presumed attainment of it through drugs? And shall we, permissively, let them poison themselves simply because, as in most other respects, we feel vaguely guilty because we brought them into this world? Again, it is not police raids and tougher laws that we need; it is merely strength. The strength to explain, in our potty, middle-aged way, that what they seek, we sought; that it is somewhere, but sure as hell not in drugs.

Society, the "Establishment," is not a foreign thing we seek to impose on the young. It—along with the 18-year-olds—is the product of thousands of years of the development of mankind. We know it is far from perfect. We did not make it; we have only sought to change it. We win, if we win at all, slowly and painfully. The fact that we have been only minimally successful is the story of all generations—as it will be the story of the generation coming up.

Knowing this, why do we listen subserviently to the violent tacticians of the new generation? Either they solve all problems this week or join a wrecking crew of paranoids. Youth has always been characterized by impatient idealism. If it were not, there would be no change. But impatient idealism does not extend to guns, fire bombs, riots, vicious arrogance and instant glorification. That is not idealism; it is childish tyranny.

The worst of it is that we (professors and faculties in particular), in a paroxysm of self-abnegation, go along, apologize as if we had personally created the ills of the world—and thus lend ourselves to chaos. We are the led, not the leaders. And we are fools.

#### THE FLAG IS INSULTED

As a professor I meet the activists and revolutionaries every day. They are in-

excusably ignorant. If they want to make a revolution, do they study the ways to do it? Of course not! Their hero is Che Guevara, whose every move was a miscalculation and a mistake. He failed; he died in the jungles of Bolivia with an army of six. I have yet to talk to an "activist" who has read Crane Brinton's "Anatomy of Revolution," or who is familiar with the works of Jefferson, Washington, Paine, Adams or even Marx or Engels. I have yet to talk to a student militant who has read about racism elsewhere or who understands, even primitively, the long and wondrous struggle of the NAACP.

An old and scarred member of the wars of organized labor in the United States in the 1930s recently remarked to me: "These 'radicals' couldn't organize well enough to produce a sensible platform, let alone revolt their way out of a paper bag." But they can—because we let them—destroy our universities, make our parks untenable, make a shambles of our streets, and insult our flag.

I assert that we are in trouble with this younger generation not because we have failed our country, not because of materialism or stupidity, but simply because we have failed to keep that generation in its place, and failed to put it back there when it got out. We have the power; we do not have the will. We have the right; we have not exercised it.

To the extent that we now rely on the police, Mace, the National Guard, tear gas, steel fences and a wringing of hands, we will fail. We need to use disdain, not Mace; we need to reassess a weapon we came by the hard way, by travail and labor; firm authority as parents, teachers, businessmen, workers and politicians.

The vast majority of our children from 1 to 20 are fine kids. We need to back this majority with authority and with the firm conviction that we owe it to them and to ourselves. Enough of apology, enough of analysis, enough of our abdication and responsibility, enough of the denial of our own maturity and good sense.

#### IT'S OUR COUNTRY

The best place to start is at home. But the most practical and effective place, right now, is our campuses. This does not mean a flood of angry edicts, a sudden clamp-down, a "new" policy. It simply means that faculties should stop playing chicken, that demonstrators should be met not with police but with expulsion. The power to expel (today strangely unused) is one of the oldest rights and necessities of the university community.

Too simple? Not at all. Merely an old process which we seem to have forgotten. It is too direct for those who seek to employ Freudian analysis, too positive for "academic senates" who long for philosophical debate, and too prosaic for those who seek orgiastic self-condemnation.

This is a country full of decent, worried people like myself. It is also a country full of people fed up with nonsense. We need—those of us over 30: tax-ridden, harried, confused, weary and beat-up—to reassert our hard-won prerogatives.

It is our country, too. We have fought for it, bled for it, dreamed for it, and we love it. It is time to reclaim it.

#### PRESIDENT NIXON IS KEEPING HIS WORD

### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. McCLORY. Mr. Speaker, last week the President of the United States withdrew an additional 3,100 soldiers from Vietnam.

On January 20, 1969, there were 532,500 Americans enduring the perils of an Asian war. Today, there are 233,300 Americans in Vietnam who are planning to come home.

Mr. Speaker, President Nixon is keeping his word.

STATEMENT OF CHAIRMAN JOHN W. DAVIS REGARDING HEARING ON SCIENCE, TECHNOLOGY AND THE ECONOMY

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DAVIS of Georgia. Mr. Speaker, the Subcommittee on Science, Research and Development of the House Committee on Science and Astronautics will hold hearings on July 27, 28, and 29, 1971, on the subject of "Science, Technology, and the Economy". These hearings will explore the general relationships between support for science and technology and their effects on the economy of the United States and the rest of the world.

The subcommittee's extensive hearings last year on the subject of a national science policy have given rise to a strong congressional interest in the relationships between research and development and their role in promoting economic growth. At that time there was considerable attention given to the viability of the United States in world commerce. Today, the continuing deterioration of our trade position makes hearings such as these even more imperative.

I should like to point out to my colleagues that the economic effects of science and technology have become increasingly international in character. Both multinational corporations and nearly instantaneous exchange of information through scientific and technical literature encourage rapid transfer of technology across national boundaries.

We now have published evidence which points up a truth which many of us have felt for some time—that were it not for our technologically intensive exports, the United States would today be staggering under a massive trade deficit. It follows that the knowledge resulting from research and development, and the controls exercised over that knowledge, are vital to the economic well-being of our country.

The witnesses for these hearings represent diverse backgrounds, but they have all been outspoken on the necessity to recognize the economic importance of support for science and technology.

The Honorable Maurice H. Stans, Secretary of Commerce, will be the initial witness on July 27. The Department of Commerce has the responsibility for collecting data concerning the economic impact of technologically intensive and other industries on both domestic and foreign commerce. Also appearing on July 27 will be Dr. John R. Pierce, executive director of research, communications sciences division of the Bell Telephone Laboratories, and chairman of

the recent National Academy of Engineering symposium on "Technology and International Trade."

Leading off the July 28 hearing will be Andrew J. Biemiller, legislative director of the AFL-CIO. Biemiller, who will be accompanied by AFL-CIO research director, Nathaniel Goldfinger, has spoken out in the past concerning the necessity of protecting jobs of U.S. workers by slowing down the export of U.S. technology to foreign countries. Also appearing on July 28 will be Dr. Richard R. Nelson, of the department of economics at Yale University, and a member of the President's Science Advisory Committee Panel on Science and Technology. Dr. Nelson has published extensively in the economics literature on this subject.

Murray L. Weidenbaum, Assistant Secretary of the Treasury for Economic Policy will be the leadoff witness on July 29. Mr. Weidenbaum has in the past advocated a stern look at investment in research and development, and called for objective, factual, quantitative analysis before undertaking new scientific projects. Testifying at the same session with Mr. Weidenbaum will be Dr. Willard M. Bright, president and chief executive officer of the Kendall Co. Dr. Bright has been actively concerned with the role of technology in the economy, and is chairman of the science/technology committee, National Association of Manufacturers.

These hearings on July 27, 28, and 29 are only the initial portion of a detailed study on the subject of science, technology, and the economy. I anticipate that specific issues of special interest to the committee and the Congress will be explored in greater detail during this fall and winter as the subcommittee holds further hearings and meets with additional knowledgeable experts.

Our objective is to try to find answers for two important questions. First, what total resources should we as a nation invest in research and development, both in the public and private sectors? Second, what are the optimum ways for making these investments? For example, should we enact tax incentives to encourage more research and development in private industry, increase research and development in Federal laboratories, make block grants to educational institutions, or increase direct support of research by existing agencies of the Federal Government? If we can get reasonable answers to these and other questions related to them, we will have performed a much-needed service to the Congress and the Nation.

FEDERAL DEPARTMENT OF NATURAL RESOURCES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DINGELL. Mr. Speaker, it was most encouraging to learn that the board of directors of the Sport Fishing Institute, at their regular annual session at

Milwaukee, Wis., endorsed establishment of the new Department of Natural Resources. The institute, as we all know, has a long history of supporting strong conservation principles. I am sure that everyone will be interested in knowing about SFI's action.

Following is the text of the resolution adopted by the SFI board of directors that was carried in that organization's Bulletin No. 226, July 1971:

FEDERAL DEPARTMENT OF NATURAL RESOURCES

Whereas, there is a substantial fractioning of effort, with resulting lack of coordination and attendant waste of limited resources, in the present multiplicity of agencies concerned with various aspects of conservation of natural resources and environmental affairs, which are scattered throughout several federal departments of the government; and

Whereas, the need for concentration of purpose by and maximum coordination of effort among these natural resources and conservation agencies is very urgent, in the interest of protecting and maintaining an acceptable level of environmental quality, yet exceedingly difficult of attainment in the present circumstances of administrative diffusion;

Now, therefore, be it resolved, that the Board of Directors of the Sport Fishing Institute, meeting in regular Annual Session at Milwaukee, Wisconsin, this 16th day of May, 1971, does herewith endorse and support the proposed creation of a comprehensive new Federal Department of Natural Resources, by gathering together in the proposed new conglomerate, from the Departments of Interior, Agriculture, Commerce, and Army, as well as several other related Offices and Programs, the principal resource conservation and development agencies and activities, possibly excepting the independent Environmental Protection Agency, that significantly affect the quality of the land and water environments and the well-being of the living organisms they support and produce.

TIME TO HONOR THE GENEVA CONVENTION

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. SCHMITZ. Mr. Speaker, while there has been much discussion of the numerous North Vietnamese Communist violations of the Geneva Convention of 1949 Relative to the Treatment of Prisoners of War, a serious question has recently arisen as to whether or not the United States is abiding by this same convention.

The fact that the United States is not fulfilling its obligations under this convention was brought to my attention by former North Vietnamese prisoner of war, Lt. Robert F. Frishman. Lieutenant Frishman wrote:

Congress not only holds a moral obligation to the men it sent into the battlefield to carry out its policies . . . but it also holds a legal obligation. As you know, the Geneva Conventions of 1949 are the law of the land and the very first article states that our country is obligated "to ensure respect for the present Convention in all circumstances."

Lieutenant Frishman cited as his authority the official "Commentary on the Geneva Conventions of 1949." This

standard guide to the Geneva Conventions of 1949 was prepared by the International Committee of the Red Cross.

The commentary states:

In the event of a Power failing to fulfill its obligations, each of the other Contracting Parties (neutral, allied or enemy) should endeavor to bring it back to an attitude of respect for the Convention. The proper working of the system of protection provided by the Convention demands in fact that the States which are parties to it should not be content merely to apply its provisions themselves, but should do everything in their power to ensure that it is respected universally.

The words "in all circumstances" refer to all situations in which the Convention has to be applied and these are in Article 2 (Declared or Undeclared War). It is clear, therefore, that the application of the Convention does not depend on whether the conflict is just or unjust. Whether or not it is a war of aggression, prisoners of war belonging to either party are entitled to the protection afforded by the Convention.

In view of the foregoing considerations and the fact that the provisions for the repression of breaches has been considerably strengthened, (The Contracting Parties are no longer merely required to take the necessary legislative action to prevent or repress violations. They are under an obligation to seek out and prosecute the guilty parties, and cannot evade their responsibility) it is clear that Article 1 is no mere empty form of words but has been deliberately invested with imperative force.

North Vietnam is openly violating articles 1, 13, 21, 26, 30, 71, 109, 122, and 126 of this convention which they signed in 1957. Since they have not seen fit to comply with its provisions voluntarily, it is our duty to use the above referenced "imperative force" necessary to bring about compliance.

In order to move the administration in a direction consonant with both our obligations under the convention and the welfare of the American servicemen being held by the enemy, I have introduced House Concurrent Resolution 360. Six other Congressmen have joined with me as coauthors of this resolution which expresses the sense of the Congress that the President take whatever steps are necessary to make North Vietnam abide by the Geneva Convention Relative to the Treatment of Prisoners of War and authorizes him to use whatever force may be necessary to do this.

This resolution answers the question with which Lieutenant Frishman ended his letter. He asked:

How much power does our country have and when are we going to carry out our binding responsibility?

We have the power, it is time to fulfill our obligation.

ARCHBISHOP HENRY J. O'BRIEN

### HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mrs. GRASSO. Mr. Speaker, this day marks the joyful celebration of the 75th birthday of Henry J. O'Brien, first archbishop of the diocese of Hartford. This

happy event provides new opportunity for the Connecticut community to unite in felicitation and good wishes to an outstanding spiritual and civic leader. It is a special honor to join in extending birthday greetings to a beloved and devoted laborer in the vineyards of the Lord. Certainly, Archbishop O'Brien is well remembered at St. Thomas Seminary, where he was first assigned in 1926 and where he served with distinction as president beginning in 1934. The people of our State remember, as well, his dedicated service as the ninth bishop of Hartford, in addition to his distinguished tenure as archbishop from 1953 until his retirement in 1968.

On this day of reminiscence, we acknowledge his clear and firm dedication to human and civil rights. In his capacity as archbishop, he established the Committee on Human Rights in 1964. His commitment to civil rights found positive expression in the announcement of the archdiocese's participation in Project Equality. This program has been a model and inspiration that has been emulated in other areas. Furthering his influence in this area, Archbishop O'Brien's concern for the disadvantaged led him, in 1967, to create the Office of Urban Affairs in the archdiocese.

All of us marvel at his sense of charity and the unity of all faiths. The Commission for Ecumenical Affairs and the participation of the Hartford archdiocese in the Connecticut Interfaith Housing Corporation are now producing the fruitful results which Archbishop O'Brien envisioned when he initiated these programs.

The religious community he served and the larger community of which he was a vital and integral part are the beneficiaries of his judgment, his kindness, and his compassion. While we rejoice that the burden of his many duties has been relieved, we give grateful thanks that this day and this occasion provides all of us the welcome opportunity to wish Archbishop O'Brien a happy birthday and many happy returns of the day.

### AUTO FIRMS GIVE DISCOURAGING REPORTS ON ANTIPOLLUTION EFFORTS

### HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. BROOMFIELD. Mr. Speaker, within the past month, representatives of major domestic and foreign auto firms have given discouraging reports in regard to their efforts to develop and improve antipollution technology. While it appears that some companies may be able to achieve necessary reductions in the level of hydrocarbons and carbon monoxide emissions by 1975, they have all warned us that prospects for reaching lower nitrate levels by 1976 are all but nil.

It is with this in mind, that I am co-sponsoring a bill along with the distin-

guished minority leader, the gentleman from Michigan, Mr. GERALD R. FORD, which would permit U.S. automakers to work cooperatively in their efforts to conform to the guidelines for exhaust emissions stipulated in the Clean Air Act of 1970. Currently, auto firms are conducting their research programs independently at a great cost in funds and duplication of efforts but with no guarantee of final success.

As a result of Federal antitrust regulations, which prohibit any form of collaboration within the auto industry, it is necessary for us to legislate an exemption to these laws in order that such a joint endeavor might begin. It should be emphasized that the antitrust exemption that we call for is limited in both time and scope. Cooperation is restricted solely to research and development of the technology required to reduce automobile pollution and, it must cease as of December 31, 1975.

I might add that this legislation contains further safeguards which will insure that the exemption will not serve in any way to destroy a competitive auto market. Provisions have been made that any improvements resulting from common research will be made available to all manufacturers upon request. In this way, smaller companies, limited in budgets and research facilities, will not be placed at a disadvantage, and all manufacturers will be able to produce cleaner cars sooner and more efficiently.

In an area where the health of our people and the quality of our environment is concerned, I feel that we are warranted in requesting that the auto industry be freed to work in concert. While I am in support of existing antitrust legislation, and the free competition which it seeks to insure, I would suggest that in this instance, the public welfare must take precedence.

There will be two major benefits if this measure should become law. First of all, it will facilitate attempts to reach the goal of a pollution free car sooner. Second, the costs of these innovations and improvements will be lower for the consumer, if research and development is undertaken on a joint basis.

Without this legislation, the probability of serious damage to the U.S. auto industry will be greatly increased; the high cost of research, initiated without benefit of the wisdom and experience that a common effort could provide, will force car prices to rise. And those costs, we all know, will in the end be paid for by the American consumer.

### GREENSBORO RECORD HONORED FOR ITS COVERAGE OF URBAN AFFAIRS

### HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. PREYER of North Carolina. Mr. Speaker, for the third time in 3 years the Greensboro Record published in Greensboro, N.C. has been honored for its coverage in the important field of urban affairs.

Given to stimulate excellence in reporting local affairs, the Howard Award has appropriately honored the Greensboro Record's great dedication to not only reporting the urbanization of Greensboro but to supporting and encouraging stable, realistic growth in our city.

I am particularly pleased that protection of our environment is a primary factor in this newspaper's concern about urban affairs. They have been a strong advocate of environmental controls and an articulate spokesman for the cause of conserving human and natural resources.

The entire Greensboro News Co. shares in this honor as does any good team, but particular mention should be given to the major contributing reporters in the winning entry: Richard Benton, Jim Schlosser, Jo Spivey, Barbara Ross, Ken Irons, Greta Tilley, and Dorothy Benjamin; to Managing Editor Ben Bowers; to City Editor Dave Alexander and Assistant City Editor Roy Martin; to Editorial Page Editor Abe Jones and Editorialist Robert Register; to Photographers Dave Nicholson, John Page, and Jack Moebes; and to Candy Johnson, Hugh Page, and Peter Leo.

#### NATIONAL OCEAN SURVEY

### HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DAVIS of Georgia. Mr. Speaker, the National Ocean Survey, the Nation's first and oldest scientific agency, is one of the smallest in the Government, but the country would be in quite a fix if it did not exist. This is graphically pointed out in articles which appeared in the current issue of the Saturday Evening Post and the July issue of Reader's Digest. I commend to the attention of the House these interesting articles on the former Coast and Geodetic Survey, now part of the National Oceanic and Atmospheric Administration in the U.S. Department of Commerce.

The articles follow:

[From the Reader's Digest, July 1971]

#### THEY KNOW WHERE IT'S AT

(By Alfred Steinberg)

A few years ago, in Albuquerque, N.M., authorities were horrified to find that certain metropolitan subdivision boundaries overlapped each other by as much as 300 feet. Surveyors—using different starting reference points—had goofed. As a result, the ownership of millions of dollars' worth of property lay in jeopardy, and court calendars faced decades choked with land-title suits.

An SOS raced to the U.S. Coast and Geodetic Survey (now the National Ocean Survey), a small federal agency whose charge it is to "find" the exact position of every point in the United States and its possessions. Help was soon on the way. A crew of engineers, mathematicians and surveyors rode into Albuquerque loaded with tons of scientific gear. They put up dozens of 90-foot-high steel towers, from which, using special instruments and light beams, they determined the precise latitude and longitude at 450 places in the area. These points they marked, and related to the Survey's national network of

known position points. City authorities expected no problems when the subdivisions were resurveyed, and none has appeared to date.

Time and again, throughout the country, similar scenes have been re-enacted. In a slower age, deeds could safely declare that the property line ran from the red barn in the valley to the forked sycamore on the hill. But in this swift-moving era of valuable real estate and modern technology, location by approximation can be costly and dangerous.

In Pennsylvania, for example, the state highway department used its own reference points instead of the Survey's geodetic controls to plan a new bridge. Work started from both shores, and in midstream the two sections were 13 feet apart. Engineers building the New Jersey Turnpike depended on local topographic maps instead of Survey positioning markers to determine where to set the road and interchanges. Several S curves were needed afterward to join the highway to its cloverleaf turn-offs. In Maryland, engineers ignored the Survey's vertical positioning bench marks that tell elevation above sea level. Result: they ran a sewage system upgrade, so any fairly heavy rainfall floods low-lying streets and basements.

#### PRECISE POSITIONING

In today's world you can't make an ocean trip or fly in a commercial jetliner without coming under the protective arm of the Survey. Nor can the government construct a dam, fight a war or shoot off a missile without this agency to tell us exactly where we're at—right to the inch.

Not long ago the Survey had the opportunity to check the accuracy of one of its field crews a century back. The deed for a valuable piece of land in Pennsylvania stated that the corners of the property had been tied into a nearby Survey marker. Unfortunately, no marker could be found, and to settle a boundary dispute the court wanted the Survey to set a new marker on the basis of its files. After determining the precise spot where the original marker should have been, seven members, on a hunch, dug deep—and, seven feet directly below, found the old marker.

Congress has made the agency responsible for surveying our coasts, for finding the exact location of underwater hazards—shipwrecks, reefs and rocks—and noting their position and depth on coastal navigation and harbor charts. Since the depth depends on the height of the tide, the Survey also issues books with daily predictions for the year ahead, telling the time and level of the tides for more than 8000 locations in this country and abroad. All ships in American coastal waters rely on this information.

On a commercial-plan flight, the latest Survey aeronautical charts show the correct position of electronic navigational aids on the ground en route, and the location of permitted sky highways. Coming in for a landing, your pilot will have the agency's airport chart showing the location and height of chimneys, radio antennas and other obstructions around the landing field, plus the exact length and elevation grade of the runways.

The value of precise locating is never more strikingly apparent than in wartime. During World War II, using data from every available source, the Survey turned out detailed target charts of hundreds of important enemy centers. The 1000-plane bombing raid on the vital Ploesti oil fields in Romania, and the atomic-bomb drops on Hiroshima and Nagasaki, were guided by Survey target maps. When the November 1942 invasion of North Africa was decided on, the U.S. Army asked the Survey to supply information. Only a few days later, the Army received a detailed report predicting—with astonishing accuracy—the tides, winds and currents each day at the invasion sites, the possibility of

fog, moonless nights, and what the countryside would be like beyond the beaches.

Today, Apollo spaceships couldn't go into orbit, nor could Minuteman missiles be fired accurately, without the pinpoint positioning by the Survey of the craft or missile and its ground radar-tracking stations. Here's how it works: Space mathematicians compose an ideal flight path, showing speed and direction of the rocket every foot of the way from ground to orbit or to target. When a missile is fired, the first radar station automatically and instantly reports what it sees to the missile's computer brain. Should the data fail to agree completely with the locked-in trajectory profile, the computer instantly repositions the missile into its correct path and speed. This same process continues from radar station to radar station until the missile is in its right groove. A ground location error of only a foot would magnify into dozens and dozens of miles off-course for a Minuteman on a 10,000-mile flight, or could bring disaster to a NASA space shot.

#### ZERO POINT

From launch sites to state boundaries, all the pinpoint positioning done by the Survey radiates from a single bronze disc, set in concrete, on the privately owned Meades Ranch in north central Kansas. This modest marker, measuring only 3.6 inches in diameter and projecting a mere six inches aboveground, is the zero point for all mapping in North America. When a local surveyor checks the corners of your property, he is actually computing how far your lot is from Meades Ranch. Close to the center of the country, the disc marks the intersection of two arcs that cut the United States into a four-piece pie—one arc running from the Atlantic to the Pacific along the 39th parallel, the other from Canada to the mouth of the Rio Grande along the 98th meridian.

It was President Thomas Jefferson who first saw the need for a zero point and an agency to establish a positioning network. Thanks to him, the agency began life in 1807—the first scientific body of the federal government—with a \$50,000 appropriation from Congress. Today its budget is \$40 million and, with headquarters in Rockville, Md., it functions within the National Oceanic and Atmospheric Administration of the Department of Commerce. There are dozens of field stations and observatories and, if you count the officers and crews who man the Survey's fleet of 15 oceangoing vessels, a total of 2600 employees.

Today the Survey may use laser beams and infrared rays. But director Rear Adm. Don A. Jones still operates according to the order Jefferson laid down: that it make "a complete triangulation survey, including the determination of latitude, longitude and azimuths—direction from Polaris—of the principal places and bases, measured with the greatest possible accuracy."

Triangulation is a surveying method invented in the 17th century. Ponder a triangle with the Meades Ranch point as one corner and two neighboring town centers as the other corners. If you measure the length of one side of this triangle, and two of its corner angles, you can compute the length of the other two sides through trigonometry. And once you solve that, you can form another triangle—using any two corners of your original one, plus a third point—and solve it the same way. With this start, you can triangulate endlessly until you determine the location of all the land adjoining Meades Ranch—or the entire North American continent!

#### MARKERS FOR ALL

Vastly increased needs for accurate positioning by land users and industry have forced the Survey to increase the density of its triangulation markers. Its present goal calls for markers every two to five miles in urban areas; five to eight miles apart in rural zones; at intervals of 10 to 15 miles in the

mountains. This network is today two-thirds completed, and will be finished by the end of the century. Nomadic positioning crews, continuously in the field, do the work.

The Survey also takes on positioning jobs on request from federal, state, local and foreign governments, and occasionally from private industry for a fee. In the Gulf of Mexico, where leases on the 50-mile-wide underwater Continental Shelf run as high as one million dollars an acre, the Survey triangulated oil-lease boundary lines for drillers. In 1964, the Survey positioned Bermuda by using an orbiting satellite that tied the island into its network. It found that Bermuda was misplaced on maps—220 feet north and 105 feet west of the location previously assigned it.

Triangulation crews generally work at night, because sunlight distorts instrument readings. They put up steel towers to see above trees and other ground obstacles. In their calculations, they use theodolites, which measure angles, and geodimeters, which utilize the speed of light to determine distances between points. Readings must be refined to take into account the pull of gravity, magnetic deflection from true north, and the degree of earth curvature in the area. Further accuracy is attained by computing each angle 32 times and carrying out decimals beyond six places.

Finding elevation above sea level adds a third dimension to the Survey task. Leveling, as vertical positioning is called, begins on the shore with the painstaking computing of the average sea level. Leveling field parties strike inland from here, taking sights on special leveling rods from step to step, and setting bench-mark links every 150 to 500 yards.

At present count, Survey crews have positioned 120,000 triangulation discs in their national network, and a half-million bench marks showing elevation above sea level. You can find markers almost anywhere—from Mt. Whitney (the bench mark at its peak notes that it rises 14,494.777 feet above mean sea level), to the north portal of Golden Gate Bridge. The tip of Washington Monument is a marker in itself.

A current project of the Survey is the use of orbiting satellites to establish a triangulation scheme that will tie continents together for worldwide geodetic control. Beyond this, always on the lookout for new and practical fields to position, the Survey is already giving thought to triangulating the moon!

[From the Saturday Evening Post, Summer 1971]

#### THEY KNOW WHERE IT'S AT (By Alfred Steinberg)

Three years ago in Albuquerque, New Mexico, authorities were horrified to find that the boundaries of certain subdivisions in the metropolitan area overlapped each other by as much as 300 feet. Individual surveyors, using different starting reference points instead of a common starting anchor, had goofed. As a result, the ownership of millions of dollars' worth of private property lay in jeopardy, and court calendars faced decades choked with land-title suits.

But there was a path out of this mess, and Albuquerque took it. An SOS raced eastward to the national headquarters of the U.S. Coast and Geodetic Survey (now the National Ocean Survey) in Rockville, Maryland, and help was soon on the way. A crew of sunburned, windburned engineers, mathematicians and surveyors rode into town loaded with tons of scientific gear. They put dozens of 90-foot-high steel towers, like erector sets, all over the area. Then they climbed the towers at night and through special instruments and light beams, they determined the precise latitude and longitude of 450 places on the earth's surface, found the exact distance and direction between all

these points, and related the entire lot to the Geodetic Survey's national network of primary positioning points. City authorities expected no problems when the subdivisions were resurveyed, and none has appeared to date.

Time and again, scenes similar to this have been reenacted throughout the country, for the Survey, the oldest federal science agency, is charged with finding the exact position of every point in the United States and its possessions. In a slower age, approximations of position were often sufficient. Deeds could safely declare that the property line ran from the old red barn in the valley to the forked sycamore tree on the hill; road-building meant widening the dirt path; and water came from the pump on the back porch. But in this swift-moving era of valuable real estate and modern technology, location by approximation can be costly and dangerous.

In 1969 in Pennsylvania, for example, the state highway department used its own reference points on each side of a river, instead of the Survey's geodetic controls, to lay out construction of the two halves of a bridge. Work started from both shores, and in mid-stream the two sections were 13 feet apart.

Engineers building the New Jersey Turnpike depended on local topographical maps instead of Survey positioning markers to determine where to set the road and interchanges. Several "S" curves were needed afterward to join the highway to its cloverleaf turn-offs.

Utilities generally position their underground lines and pipes so they know exactly where they are should trouble erupt. This was not done in Washington, D.C. Recently when Interstate 95 was widened, it cost taxpayers \$100,000 a mile merely to locate the existing underground utilities that would have to be moved. In Maryland engineers ignored the Geodetic Survey's vertical positioning benchmarks that tell elevations above sea level and ran a sewage system upgrade as a result. Any fairly heavy rainfall flooded low-lying streets and basements.

Even on the international scene, cartographers can use the services of the Survey. Until a few years ago, for example, Bermuda was misplaced on their maps. In 1964, the Survey positioned the island by using an orbiting satellite that tied it into its network and found that Bermuda was 220 feet north and 105 feet west of the location previously assigned it.

In today's world you can't make a safe ocean trip, fly in a commercial jetliner or have a dependable water supply pour through your faucet without coming under the protective arm of the Survey. Nor can the government construct a dam, fight a war, or shoot off a Minuteman missile without the help of this 164-year-old federal agency that tells us where we're at.

Congress has made this agency responsible for finding the exact location of underwater hazards, such as shipwrecks, reefs and rocks, and noting their horizontal and vertical positions on coastal navigation and harbor charts. Since the depth of submerged dangers depends on the height of the tide, the Survey also issues charts with daily predictions for the year ahead telling the time and level of the tides for more than 8000 locations in this country and abroad. All ships in American coastal waters rely on these charts to get in and out of port safely.

On a commercial plane flight, lean back in your seat and relax. In addition to the skill of the pilot and the quality of the aircraft, every cockpit comes equipped by law with the latest Survey aeronautical charts showing the correct position of electronic navigational aids on the ground en route and the location of permitted sky highways. The charts also position the places aloft where magnetism affects the reading of compasses, and the degree of the aberration. Coming in for the landing, your pilot will have the agency's airport chart showing the location

and height of chimneys, radio antennas and other obstructions around the landing field, plus the exact length and elevation grade of runways.

The value of precise locating is never more strikingly apparent than in wartime. During World War II, the Survey turned out 1812 detailed target charts of important enemy centers for the Air Force. What positioning data it lacked in its own library, it picked up from the O.S.S., American embassy files, tourists, private firms with overseas branches and foreign magazines. Each chart emphasized approaches to the target from seven different directions, ground objects along the route that were easily recognizable from the air, such as a stadium, pond or road intersection; and a model of the terrain ahead when the pilot came in over his target. These maps were printed on paper that could be left in the rain without damage, and the ink was fluorescent for nighttime reading. The 1000-plane bombing raid on the vital Ploesti oil fields in Romania and the atomic-bomb drops on Hiroshima and Nagasaki were guided by Survey target charts.

When Churchill and Roosevelt decided on the invasion of North Africa, the U.S. Army asked the Survey to supply information that would take the guesswork out of the November 1942 amphibious landings. Only a few days later the Army received a detailed report predicting with astonishing accuracy the tides, winds and currents each day at the invasion sites, possibility of fog, what night would have no moon and what the countryside would be like beyond the beaches.

The Survey also served as a focal point in gathering landing conditions data for the Normandy D-Day operations and the Pacific Islands assaults. When not enough information was known about Bougainville, the Admiralties and other Pacific islands to plan nighttime hit-the-beach attacks, Survey parties simply went ashore in advance to get the facts and braved enemy fire to make harbor and inland channel charts, check the firmness of the beaches, and estimate enemy strength from observation. At Roi Anchorage at the northern end of Kwajalein Atoll, where coral heads kept ships from approaching close to shore, Survey divers blasted 75 of the coral barriers to a depth of 30 feet to produce a channel.

In the current era, NASA's Apollo space ships couldn't have gone into orbit without the pinpoint positioning by the Survey of the missile and its ground radar tracking station nor could the Defense Department's Minuteman missile have shown testing successes. When NASA's astronauts first came to Cape Canaveral—now Cape Kennedy—to start the space shots, Survey crews were already there establishing geodetic controls for the launch pads and the radar tracking network stretching through the Bahamas.

An expert told me: "If you don't have an accurate ground position reading of the lift-off point, and the exact distance and direction from it to each of the nest of ground radar tracking stations in the area, you'll never put a missile into the proper orbit to deliver it to the intended target."

It is on the basis of these ground positioning figures that the flight path of a missile into its correct orbit is calculated. First the space mathematicians compose an ideal flight path, showing speed and direction of the rocket every foot of the way from ground to orbit or to target. When the missile is fired, the first radar station automatically and instantly reports what it sees to the missile's computer. The brain immediately translates this into an exact picture of the location, speed and direction of the missile. Should the data fail to agree completely with the locked-in trajectory plan for that point in flight, the computer instantaneously repositions the missile into its correct path and speed. This same process continues from radar station to radar station until the missile is in its

right orbit. A ground location error of only a foot or a direction miscalculated by only a fraction of a degree between launch site and ground radars will magnify into dozens and dozens of miles off-course for a Minuteman on a 10,000-mile flight and could bring disaster to a NASA space shot.

From launch sites to the boundaries of a state, all the horizontal positioning done by the Survey radiates from a single bronze disc set in concrete in a grass field on Meades Ranch, a privately-owned farm in north central Kansas. This modest marker, which measures only 3.6 inches in diameter and projects a mere six inches above ground, is the zero point for all mapmaking in North America. For since 1913, when Mexico and Canada also adopted the Meades Ranch disc as the zero point in their own surveying computations, it has served as the mother "geodetic datum" for North America.

When a local surveyor checks the corners of your property and ties his work into one of the Survey's markers in your area, he is actually computing how far your lot is from Meades Ranch. This is also the case when a Survey positioner determines the location of a Minuteman silo.

Meades Ranch was chosen for this honor because it lay close to the center of the country, at the crossing of two Survey positioning arcs that cut the U.S. into a four-piece pie. One arc runs from the Atlantic to the Pacific along the 39th parallel; the other, from Canada to the mouth of the Rio Grande along the 98th meridian.

It was President Thomas Jefferson, the gentleman scientist, who a century earlier conceived a plan to establish a zero point in the capital city, from which all places would be positioned and distances measured. He also saw the need for an agency to establish a positioning network. The number one priority in his time was for offshore positioning, for ships were foundering at a shocking rate near the coast for want of navigational information. Thanks to Jefferson, the agency began life in 1807—the first scientific body of the federal government—with a \$50,000 appropriation from Congress and an assignment to "cause a survey to be taken of coasts . . . designating the islands and shoals, and places of anchorage."

Counting the officers and crews who man the Survey's fleet of 15 ocean-going vessels, Rear Admiral Don A. Jones directs a total of 2600 employees and dozens of field stations and observatories from his headquarters in Rockville, Maryland. In the past, the agency has operated as an independent bureau and as a part of the Treasury and Navy Departments, but today it functions within the National Oceanic and Atmospheric Administration of the Department of Commerce.

With a small \$40 million budget, Jones is expected to handle a host of responsibilities. These include surveying the coast; determining geographic positions and elevations; observing tides and currents and making prediction tables for mariners; computing and publishing nautical and aeronautical charts for sea and air navigation; supplying the mariner, land surveyor, aviator, radio engineer and others with magnetic information; heading gravity studies and earthquake observations and investigations for the federal government; and conducting oceanographic research and positioning work in the Continental Shelf and outlying sea beds.

Today the Survey may use laser beams and infrared rays in some of its positioning work, but it still operates according to the orders Jefferson laid down: that the agency makes "a complete triangulation survey, including the determination of latitude, longitude and azimuths—direction from Polaris—of the principal places and bases, measured with the greatest possible accuracy."

Triangulation, a surveying method invented in the seventeenth century, deals with finding the angles and the length of the three

sides of a triangle. Ponder a triangle with the Meades Ranch point as one corner and two neighboring town centers as the other corners. If you measure the length of one side of this triangle and two of its corner angles, you can compute the length of the other two sides through trigonometry. Also, if you determine through star readings the latitude-longitude of Meades Ranch and the direction from it to another corner, you can calculate the latitude-longitude of the two other corners and their direction from Meades Ranch—also by using trigonometry.

Once you solve this first triangle, you can form a second triangle hinged on any two corners of your original one, and solve it the same way. Now with this start, you can triangulate endlessly until you determine the location of all the land adjoining Meades Ranch—or the entire North American continent!

Until a few years ago, the Survey's network goal was to provide a position control point every five to eight miles in metropolitan areas; eight to ten miles in rural zones; and at 20-mile intervals in mountain regions. However, because of vastly increased needs for accurate positioning by land users and industry, these positioning stations were found to be too far apart to be carried forward to specific projects by local surveyors without a probability of error. So the Survey has established new objectives to increase the density of its triangulation markers. The new goal calls for urban markers every two to five miles; rural, five to eight miles; and a spread of ten to 15 miles in the mountains. This thicker network is today two thirds completed and will be finished by the end of the century.

The Survey also takes on positioning jobs on request from federal, state, local and foreign governments and from private industry. A top group at national headquarters determines the priority of assignments. Private firms must pay a fee for positioning services, and if all such requests were handled, the Survey would not have manpower for its network goal and other priority requirements from government agencies. One recent positioning job for private companies was done in the Gulf of Mexico, where leases for the 50-mile-wide underwater Continental Shelf run as high as \$1,000,000 an acre. Here the Survey triangulated oil-lease boundary lines for drillers to help them ward off would-be poachers.

Nomadic positioning crews, continuously in the field, do the triangulating work of the Survey. They generally work at night because sunlight distorts instrument readings. When the atmosphere is not clear, they put up demountable steel towers in order to see above trees and other ground obstacles. They work from rooftops in big cities. In their calculations, they use theodolites, which measure angles, and Geodimeters, which utilize the speed of light to determine distances between points. On occasion, the crews fly 12-foot, helium-filled balloons near the midpoint of the line to be measured to tell the temperature of the air through which the light beam is racing. Light travels faster in warm air, and reading adjustments must be made. Corrections must also be computed for the pull of gravity and magnetic deflection from true north, and the degree of the earth curvature in that area. For instance, the earth is flattened at the poles and bulges at the equator. Further accuracy is attained by computing each angle 32 times and carrying out decimals beyond six places.

Vertical positioning, or finding elevation above sea level, adds a third dimension to the Survey task. Leveling, as vertical positioning is called, begins on the shore with the computing of the average sea level from painstaking analysis of tide gauge readings over a wide coastal area. Leveling field parties strike inland from here, taking sights

on special leveling rods from step to step and setting benchmark links every 150 to 500 yards. When they cover about 50 miles, they retrace their steps and stake readings all the way back to the first benchmark to check their accuracy.

Not long ago the Survey had the opportunity to check the accuracy of a field crew a century back when a Pennsylvania court called on the agency for help in a boundary dispute. The 100-year-old deed for a valuable piece of land stated that the corners of the property had been tied into a nearby Survey marker. Unfortunately, the marker had either been removed or destroyed, for none could be found, and the court wanted the Survey to set a new marker on the basis of its files so the case could be settled. After the field party positioned the precise spot where the original marker should have been, crew members, acting on a hunch, dug deep and found the old marker seven feet directly below that point.

When elevation above sea level becomes a major factor of life to a community, the Survey takes special interest. Today it is closely monitoring the rich San Joaquin Valley in California, where heavy irrigation has so compacted the lava-sediment soil that the land level is dropping about a foot each year. Some water is already flowing in the wrong direction, and in time dikes will have to be built to keep out sea water. "The valley's going to look like Holland," a Geodetic Survey leveler says. Houston is another place with a vertical position problem, for elevation tests show it to be sinking about a half foot annually.

At present count, Survey crews have positioned 120,000 triangulation discs in their national network; a half-million benchmarks showing elevation above sea level; 9000 magnetic markers; and thousands of gravity and directional discs. Most of the magnetic markers were set near county seats so that local surveyors could test their compasses.

But you can find the other types of markers most anywhere. If you make the grueling ascent to the top of 14,300-foot-high Uncompahgre Peak in Colorado, or Stone Mountain, Georgia, or Mt. Kennedy—a dangerous slope in the Canadian Rockies, you will find triangulation discs. The steepest line of leveling ever run by a Geodetic Survey vertical positioning crew inches up Mt. Whitney and the benchmark at its peak notes that it rises 14,494.777 feet above mean sea level.

There is also a bronze disc embedded in the north portal of the Golden Gate Bridge. Alongside the historic Hudson River, a string of positioning markers set a half mile apart stretch all the way from New York City to Albany.

In its continuous effort to sharpen its positioning points, the Survey is still the pure-science leader on gravity and magnetism, and a top significant factor in oceanography. A current project of the Survey is the use of orbiting satellites to establish a triangulation scheme that will tie continents together for worldwide geodetic control. Beyond this, always on the lookout for new and practical fields to position, the Survey is already giving thought to triangulating the moon!

FEDERAL SURPLUS PERSONAL  
PROPERTY TO NONPROFIT ED-  
UCATIONAL ORGANIZATIONS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. KUYKENDALL. Mr. Speaker, I introduce on the floor today a bill which I feel rights a wrong. Under the Federal

Property and Administration Services Act of 1949, only those educational institutions who are tax-supported or held exempt from taxation are eligible to receive Federal surplus personal property. Junior Achievement, unfortunately, is not an eligible institution. Therefore, the bill I introduce today will amend the act to include nonprofit educational organizations, such as Junior Achievement, which in my estimate is worthy of Federal assistance.

Junior Achievement is chartered for the purpose of encouraging, promoting, supervising, and developing, on a nonprofit basis, an education program designed to give youths, not over the age of 21 years, experience in industry and business by making it possible for them to learn by doing. It also provides these boys and girls, regardless of race, color, or creed, with an opportunity to learn a craft, the art of buying and selling, the procedures of accounting as well as the human relations problems faced by both the employee and employer; and to instill in these young participants a degree of responsibility for the successful functioning of American business and Government during the years in which they will administer.

Junior Achievement and many organizations like it need and deserve the assistance we can give it. As President Nixon so adequately put it:

Nothing is dearer to me than the satisfaction I derive from Junior Achievement across the nation. And nothing is more meaningful for the future of our country than the full development of all its young talent. Those who press forward the work of Junior Achievement deserve our highest admiration and full support. You advance a splendid cause and perform a public service that can never be repaid.

HENRY KISSINGER—THE MAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. RARICK. Mr. Speaker, so that my colleagues might know the thought and training of the one man who controls the policies of this Government—the one man who not only advises the President which course to follow, but also tells him what the alternatives are—and his utter disdain for the role of Congress in determining foreign policy, I insert the following article from the Washington Post of July 11, 1971, and a documented article from the Herald of Freedom for January 24, 1969, in the RECORD:

[From the Washington Post, July 11, 1971]

HENRY KISSINGER: NIXON'S METTERNICH

(By David Landau)

(The writer is managing editor of the Harvard Crimson, in which the following appeared as part of a series of three articles on the career of Henry A. Kissinger.)

"He was a rococo figure, complete, finely carved, all surface, like an intricately cut prism. His face was delicate but without depth, his conversation brilliant but without ultimate seriousness. Equally at home in the salon and in the Cabinet, he was the beau-ideal of [an] aristocracy which justified

itself not by its truth but by its existence. And if he never came to terms with the new age it was not because he failed to understand its seriousness but because he disdained it."

With these words, a Harvard thesis-writer named Henry Kissinger introduced Clemens Metternich, Austria's greatest foreign minister. Metternich was a man whom Kissinger emulated, whose diplomatic life he has sought to relive. And the comparison of the two is far from inapt.

As Richard Nixon's most influential adviser on foreign policy, Kissinger has embodied the role of the 19th-century balance-of-power diplomat. He is cunning, elusive and all-powerful in the sprawling sector of government which seeks to advise the President on national security matters. As Mr. Nixon's personal emissary to foreign dignitaries, to academia and—as "a high White House official"—to the press, he is vague and unpredictable. Yet he is the single authoritative carrier of national policy besides the President himself.

Like the Austrian minister who became his greatest political hero, Kissinger has used his position in government as a protective cloak to conceal his larger ambitions and purposes. Far from being the detached, objective arbiter of presidential decision-making, he has become a crucial molder and supporter of Mr. Nixon's foreign policy. Instead of merely holding the bureaucracy at comfortable arm's length, he has entangled it in a web of useless projects and studies, cleverly shifting an important locus of advisory power from the Cabinet departments to his own office. And as confidential adviser to the President, he never speaks for the record, cannot be made to testify before Congress, and is identified with presidential policy only on a semi-public level.

#### A CONSTITUENCY OF ONE

Like the ministers who ruled post-Napoleonic Europe from the conference table at Vienna—and the Eastern Establishment figures who preceded him as policy-maker of a later age—Kissinger believes that legislative bodies, bureaucracies and run-of-the-mill citizenries all lack the training and temperament that are needed in the diplomatic field. He is only slightly less moved by the academics who parade down to Washington to peddle their ideas. And when one sets aside popular opinion, Congress, the bureaucracy and the academic community, there remains the President alone. The inescapable conclusion is that Henry Kissinger's only meaningful constituency is a constituency of one.

It might have seemed surprising that, only a month after his election, Mr. Nixon would have chosen one of his most vocal antagonists—the foreign policy adviser of his chief rival, Nelson Rockefeller—as a leading policy aide. But the two men had much more in common than anyone would have supposed.

To begin with, Mr. Nixon turned out not to be the partisan, suspect observer of the international scene whom Kissinger had so feared. Quite the contrary—Mr. Nixon was determined to take hold of the foreign policy machine and fashion his own commitment to world order, regardless of public and congressional opinion. In the past, decisions had been made in a chaotic, *ad hoc* atmosphere which lacked consistency and framework; the new President decided that such practice should cease.

For somewhat different reasons, Kissinger agreed that policy planning should be centered in the White House. For Kissinger, the balance-of-power diplomat, had long believed that world equilibrium was based on the constant threat of force, and that respect for the United States rested on the fear of its enormous military machine. At times, secret talks and well-placed overtures could avert military engagements that were not in the interest of the United States; at others,

where an escalation to armed conflict seemed necessary, the decisions must be made and the orders carried out by a few top men who acted with the greatest of speed.

Such a policy of threat demanded a high degree of centralization—and the resulting Nixon-Kissinger policy structure was designed to circumvent those forces in government, such as Congress and the Cabinet bureaucrats, which were considered extraneous to that approach.

#### GUARDING CREDIBILITY

In addition, Kissinger realized that the policy of threat would be a failure if Mr. Nixon could not appear unfettered by others—inside Washington and out—who had claims on the President's conduct of foreign affairs. In as early a tract as "A World Restored," his 1954 Ph. D. thesis on Metternich and the restructuring of post-Napoleonic Europe, Kissinger had written that "the impetus of domestic policy is a direct social experience; but that of foreign policy is not actual, but potential experience—the threat of war—which statesmanship attempts to avoid being made explicit." In other words, popular opinion was little more than an encumbrance on those few who were capable of making decisions. For if the foreign diplomat were allowed to feel that the President's policy could be swayed by domestic upheavals, then the credibility of threat—the linchpin of the policy—would ultimately collapse.

Corollary to the policy of threat was the notion that the United States would keep its promises and fulfill its commitments no matter what the price. For the ultimate failure of diplomacy was to lose credibility, and there was a feeling for the honor of a great power that went very deep in Kissinger. There was the idea that a faulted credibility in one area of the world would surely lead to disaster in another, because for Kissinger all the great troublespots of the world were lined up on a single continuum that connected the two superpowers: the Soviet Union and the United States. Should the Russians violate the ceasefire lines in the Mideast, then the President must be free to respond in Cambodia. And if the policy made no sense in cost-benefit analysis, at least it would proceed from strategic thinking which transcended the day-to-day pressures of political life.

#### WHITE HOUSE PREDOMINANCE

Kissinger felt that the presidency was the only office of government which could determine and executive foreign policy in the way it should properly be conducted. Congress was an impediment; its members, by and large, were not properly schooled in the hard-fought, intricate practice of diplomatic affairs and were more likely to respond to the uninformed concerns of their voters, to the shoddy tug-and-pull of the popular political process, than to the arduous twists and turns of great-power relationships. The bureaucracy, too, was an enemy; no imagination, no flair, no speed or adaptability, little grasp of the sacrifices and risks one must incur if the one were to maintain a flexible policy.

Kissinger, the balance-of-power diplomat, had long believed that world equilibrium was based on the constant threat of force, and that respect for the United States rested on the fear of its enormous military machine.

And as for popular opinion, Kissinger's interest lay not in how the votes would be cast today, but in how the executive structure would be affected by domestic reactions to the policy when that policy had finally run its course five or ten years later. His overwhelming concern was how well the White House could continue to function as the major force in foreign policy, whether popular opinion would one day rise up and destroy the presidency as an instrument of diplomatic relations. And when Kissinger finally agreed to go to work for the man he had

scorned as a presidential candidate, it was only on the condition that the policymaking structure be geared to White House predominance.

In a series of meetings at the end of November, 1968, Mr. Nixon invited Kissinger to accept the post of foreign policy assistant and proposed a revival of the National Security Council. Set up under Truman after World War II to coordinate policy planning, the NSC system had long since fallen into obscurity, but Mr. Nixon viewed it as an instrument of restoring to the White House a critical measure of flexibility and control over policy decisions. More than anything else, he dreaded being handed a single policy recommendation which, more often than not, might be a compromise policy, an effort on the part of several differing agencies which had subdued their disagreements and presented the White House with a position it could then only accept or reject.

Underlying the revived NSC structure was the so-called "options" system; the recommendations of each agency would be solicited by the White House and then screened for the NSC and the President by Kissinger and his staff.

As the "options" man, Kissinger would be expected to give a fair, objective account of each alternative; as confidential adviser to the President, his strength would rest more on his personal relationship with Mr. Nixon than on his policymaking abilities—a relationship that would have been very difficult to predict. "I suppose what really was clear was that Henry Kissinger did not intend to become a man of particular influence," Thomas Schelling, Kissinger's closest colleague on the Harvard faculty, said recently, "I think he honestly thought that there was a more detached role for himself." So Kissinger had gone to Washington to whittle down the options and strengthen Mr. Nixon's hand; his own influence could be determined only by the chemistry of his relationship with the President.

#### A TOWERING FIGURE

But for astute observers, the news of Kissinger's supremacy in foreign policy was not long in coming. In December, 1968, he flew to Key Biscayne to present Mr. Nixon with a set of blueprints for the revived NSC system—and William P. Rogers, the new Secretary of State, was already out in the cold. No longer would it be as necessary for the Secretary to meet with the President on an informal basis, as Acheson and Dulles and Rusk before him had done; like all other Cabinet members who dealt in foreign policy, his ideas would no longer be brought directly to Mr. Nixon, but would have to pass first through a system which Kissinger administered. And when Rogers met with the President and his national security adviser, he was completely overshadowed, so outclassed by Kissinger that he would rarely see Mr. Nixon in Kissinger's presence any more. "He avoids his confrontations with Henry because he knows he'll make a fool out of him," one State Department official said recently.

Kissinger was a towering figure amid the rest of the Nixon appointees. None could compare to him in terms of sheer mental preparation for the job. And it is probable that Kissinger came into his job better prepared than either of his predecessors under Kennedy and Johnson, not to mention those whom Mr. Nixon had just appointed to other, less rigorous posts, the men who had won their jobs as political favors, not by sheer intellectual breadth.

Most of the others in Mr. Nixon's retinue were men of politics, men who could be restrained by adverse domestic feeling or be deterred from a policy that seemed to make no material sense. But Mr. Nixon—a President determined to behave in a presidential way—and Kissinger, the great-power diplomat, would brook no compromise. And Mr. Nixon's personal relationship with Kissinger,

unfettered as it was by ulterior political motives, became deep and profound. Kissinger is the President's only post-1960 acquaintance to have become a member of his personal inner circle. He sees Mr. Nixon more frequently than do any of his other appointees. And as Mr. Nixon's confidante, Kissinger passes the crucial judgments on the very options that he and his staff have laid out.

#### BUREAUCRATIC COUP

But Kissinger's coup of the Cabinet departments was not as simple as that. It involved a devious circumvention of the bureaucracy through the skillful use of study memoranda and detailed, lengthy questionnaires. According to several men who were close associates of Kissinger at the time, Kissinger came to power determined not to rely on normal channels for information concerning each of the policy undertakings. And so he proceeded to ensnare the Cabinet departments in a series of useless policy studies which left them very much on the short end of decision-making.

Kissinger's first act as Mr. Nixon's adviser was to commission an options memorandum on the progress of the war in Vietnam; he began work on the study as early as December, 1968. In the months preceding the study, the military state of affairs in Indochina had been the subject of a raging controversy inside the various departments. The outgoing presidential advisers and the upper crust of Washington's foreign service were claiming that the National Liberation Front had grown significantly weaker since the Tet offensive the previous February, that the Communist military campaign would fold in a matter of months. But the lower echelon—often closer to the truth than were their superiors—said that the guerrillas were merely regrouping forces and growing stronger all the time—that in effect, the entire American military effort had been a failure.

Since the higher-ranking officials had regularly suppressed the opposing view in their conversations with the White House, the consultants whom Kissinger had commissioned to write the study now felt it especially necessary to get word to Nixon of what the second group was saying—which was now possible for the first time, because Kissinger and the NSC were already committed to forego the compromise policy formula and unfold the disagreements for the President.

Kissinger's solution was to split the Vietnam memorandum in two; the first part would contain a list of options on what to do about Vietnam, and the second would be a list of specific questions on the progress of the war. It was the questions part of the study—the first, in what became known as National Security Study Memoranda (NSSM)—which Kissinger said had been designed to reveal the differing points of view. This he proposed to accomplish in an unprecedented way—by putting identical sets of questions to different departments, questions which, in the cases of most agencies, fell clearly outside their range of primary responsibility. The CIA, for example, was asked to file a report on the proficiency of Saigon's army—a task which had always belonged to the military command in Vietnam.

As for popular opinion, Kissinger's interest lay not in how the votes would be cast today, but in how the executive structure would be affected by domestic reactions to the policy when that policy had finally run its course five or ten years later.

One result of the questionnaire, undoubtedly, was that many estimates suddenly became more honest; for example, the military command decided for the first time to abandon the "attrition" rationale for sustained U.S. ground action in Vietnam. In similar manner, the State and Defense Departments showed up each other's positions on the war.

#### TIED UP FOR MONTHS

But the major result of the questionnaire seems to have been that it tied up and discredited the bureaucracy as a whole. The higher-level officials were now as shamed as their underlings, and entire agencies were seen in outright conflict. Furthermore, the questions themselves were long and bulky—merely sorting out the answers required a major effort on the part of Kissinger's own staff. And by the time the series of National Security Study Memoranda—on Vietnam and on each of the remaining issues of foreign policy—had been completed, Mr. Nixon and Kissinger had already taken the crucial steps in shaping the new administration's approach to policy.

"They had us tied up here for months and months," one State Department official ruminated recently on the NSSM series. "One wonders whether they've been used in the formulation of foreign policy."

In fact, Kissinger's use of the NSSM series to tie up Washington's civil service was a blunt, cynical attempt to alter the effectiveness of the NSC setup. The options system had been designed to curtail the influence of the bureaucracy, not to remove it; but when the dust had cleared, the Cabinet departments had been rendered virtually ineffective in the choosing of policy. By foreclosing one source of ideas, Kissinger had eliminated the options that would derive from it. The result was that his own office had been measurably strengthened.

As if this were not enough, Kissinger also proceeded to strike the "immediate withdrawal" alternative from the options half of the Vietnam memorandum, leaving his current Vietnamization plan as the most moderate of all the options listed. Thus, even before the paper had gone to the NSC, Kissinger had made the crux of the administration's final choice inevitable: the United States was not going to leave Vietnam without exacting a price from the NLF and Hanoi. By thus manipulating the options system, Kissinger had unilaterally made a crucial policy choice.

Kissinger's ascendancy took an additional toll on the functioning of the Cabinet departments and stifled any useful ideas which might otherwise have originated in them. Neither Rogers nor Defense Secretary Melvin Laird has been as forceful and persuasive an advocate as Kissinger, and, as a result, their immediate assistants—the men who feed position papers to Kissinger and his staff—have been less likely to take risks and back up their department heads. The result has been a near monotony of viewpoint; the crucial policy recommendations have come almost uniformly from Kissinger's office.

More important, however, is the fact that, with the concentration of power in Kissinger's office, congressional investigation of policymaking—which was never very comprehensive—has reached a new low in effectiveness. As confidential adviser to the President, Kissinger has successfully claimed "executive privilege" when asked to testify on the record in congressional hearings. As a result, the only contact that Kissinger has with Congress is through informal, intermittent briefing sessions with House and Senate leaders. And even those briefings appear to be empty exercises, for Kissinger is subjected to them only when the President decides they are necessary.

Congressional resentment on this point reached a high pitch last March, when Stuart Symington, a member of the Senate Foreign Relations Committee, charged on the Senate floor that Kissinger was "Secretary of State in everything but title," and that Rogers' appearances before congressional committees has become "a rather empty exercise."

#### A CONFIDENTIAL RELATIONSHIP

Congress is not the only group of men with whom Kissinger has been secretive. In his spiraling staff of more than 100 people, there

is no one with whom Kissinger discusses his conversations with the President. Besides his deputy, Gen. Alexander Haig, there is not one Kissinger staff member who has had any direct access to Mr. Nixon—a sharp departure from past practice, when numerous White House consultants, including Kissinger himself, were able to meet with the President. And until recently, Kissinger was the only administration official besides Mr. Nixon to convey presidential policy to the media.

There is not a single important international issue on which he does not have a major say; even on the subject of the Middle East—which Kissinger generally leaves to the State Department, partly because of his Jewish background—he has emerged at crucial points to warn against a growing Soviet presence. One of Kissinger's former staff assistants recently went so far as to suggest that the Middle East had been tossed to Rogers as a political bone because it was not a major issue.

But if Henry Kissinger's experience as White House administrator has demonstrated anything, it is that obedience to the orderly process of government is basically incompatible with the role of the cunning diplomat. For if he were obligated to predicate his actions upon such obstacles as popular will and honest information, then his actions could be predicted and the diplomat's flexibility—his capacity to pursue a policy of threat—would rapidly diminish. If the bureaucracy could be curbed, and Congress circumvented, then the policy of threat would become a reality. And that is precisely what Kissinger engineered.

[From the Herald of Freedom, Jan. 24, 1969]

#### HENRY A. KISSINGER

It is becoming distressingly apparent to even his staunch supporters that President Richard Nixon has made some strange appointments to key positions. Even before he officially took office, Henry Kissinger, who will be Mr. Nixon's most important adviser on foreign policy, caused the pro-Nixon Manchester Union Leader to editorially demand that Mr. Nixon "Fire Kissinger!" Kissinger is the personification of all that American conservatives distrust and fear in a political leader. He has been associated with the Council on Foreign Relations, the Bilderbergers and the Pugwash Conferences. All three are highly suspect organizations whose activities are carried on in varying degrees of secrecy. Dr. Kissinger continues the McGeorge Bundy, Walt W. Rostow pattern of individuals with CIA connections occupying the top National Security spot. There is no reason to believe the United States will be any better off with Kissinger doing the planning than it was with Rostow with whom most knowledgeable Americans were most unhappy.

McGeorge Bundy, Kennedy's Special Assistant for National Security Affairs, was a former CIA man and an associate of Kissinger at Harvard. Walt W. Rostow, who took Bundy's place under Johnson, came from the CIA-financed M.I.T. Center for International Studies. Henry Kissinger has been associated with the International Seminar and the Center for International Affairs at Harvard, also CIA-financed.

Henry Alfred Kissinger was born in Fuerth, Germany, May 27, 1923, the son of Louis Kissinger and the former Paula Stern. He and his brother, Walter Bernhardt Kissinger, were brought to the United States in 1938 by their parents who were refugees from the Hitler regime. Louis Kissinger, Henry's father, was reportedly a prominent rabbi and Zionist in Berlin.

Henry Kissinger graduated from George Washington High School (N.Y.C.) in 1941 and served in the U.S. Armed Forces from 1943 to 1946, being discharged with the rank of staff sergeant. He served with the 970th

Counter-Intelligence Corps and remained in the Military Intelligence Reserve. While in service, he was reportedly investigated by G-2 which opened a case because of Kissinger's reported attempts to reach Germany and contact important personages there. Upon leaving military service, he entered Harvard where he majored in government and received four scholarships, among them the Rockefeller Foundation Fellowship for Political Theory. Kissinger graduated from Harvard in 1950 and received his M.A. degree in 1952 and Ph.D. in 1954 in the Harvard Graduate School of Arts and Sciences. Kissinger was married on Feb. 6, 1949 to Miss Ann Fleischer and they were divorced in 1964. The couple has two children.

In 1951 Kissinger had become executive director of the Foreign Student Project which had been started that year by Harvard Summer School. In 1952 its title was changed to International Seminar and it began publishing a quarterly journal entitled, "Confluence, An International Forum," of which Kissinger was the editor from its inception. In 1953, when the Council on Foreign Relations launched a project allegedly to "seek the answer to the question of the threat of Soviet action against insufficient American initiatives," three subcommittees were appointed and Kissinger was named study director. Out of this emerged Kissinger's book, "Nuclear Weapons and Foreign Policy," published in 1957 by Harper and Brothers. The book created quite a furor and impressed the then Vice President Nixon. According to the N.Y. Times, the book "brought Mr. Kissinger to the attention of scores of politicians, diplomats and military men and became a source book for American policymakers."

Kissinger began his association with the Rockefellers in 1956 when he worked for the Rockefeller Brothers Fund, Inc. as director of the over-all Special Studies Project (1956-7) "to develop concepts that might be helpful in meeting the challenges America faces today." From 1958 to 1959 he was Research Secretary of a Council on Foreign Relations discussion group.

Under the Kennedy Administration Kissinger was special consultant to President Kennedy on the Berlin Crisis. He has also been consultant to the Operations Research Office; Operations Coordinating Board, Weapons Systems Evaluation Group, Psychological Strategy Board, National Security Council; and Arms Control and Disarmament Agency. In 1962 he became a full Professor at Harvard, on the faculty of the Center for International Affairs which is CIA-financed. For ten years Kissinger has been chief foreign policy adviser to Gov. Nelson A. Rockefeller, who reportedly "recommended him enthusiastically" to Mr. Nixon. Kissinger was definitely a Rockefeller man, having attended both the 1964 and the 1968 Republican conventions as a Rockefeller aide, hoping his man would get the presidential nomination. He is credited with having pushed the Republican platform toward a more "dovish" position on Vietnam.

The importance of the position now held by Dr. Kissinger was described in an article in the N.Y. Times of December 8, 1968:

"For reasons that are as good and logical as they are unsettling, the power of war and peace in the United States resides in the person of one man. Last month, the country elected Richard M. Nixon for the job. Last week, the President-elect chose the one man who day in and day out will guide and guard him in that task: Henry Alfred Kissinger.

"Dr. Kissinger is to be that someone, as McGeorge Bundy was for President Kennedy and Walt W. Rostow has been for President Johnson.

"That all these men should have come from Cambridge is not entirely coincidental. Harvard and the Massachusetts Institute of Technology there helped to propel such

policy-oriented academicians onto the national scene where the politicians came to know and need them.

"Dr. Kissinger's access and accessibility to the academic community must have been an important consideration in his selection, as also was his ten-year advisory relationship with Mr. Nixon's principal rival, Governor Rockefeller of New York. He helped to lead scholars and thus government toward an understanding of the political and psychological problems posed by nuclear technology and toward a re-examination of both diplomatic and military assumptions carried forward from the age of American invulnerability."

Kissinger was a member of a group at Harvard which began working fifteen months before the presidential elections on a study for the benefit of the new President, whoever he might be. Kissinger wrote the foreign policy section of the resulting recommendations and Mr. Nixon was reportedly so impressed with it that he immediately asked Kissinger to see him. (The report will not be made public.) Kissinger wrote the concluding essay in the massive Brookings Institution study, "Agenda for the Nation." The central theme of the essay was that the incoming administration of the United States must deal with a world which is militarily "bi-polarized" but politically "multi-polarized."

Kissinger has written many books and articles and it should be easy to find out where he stands from them, but his writings are difficult to understand, often contradictory. A remark attributed to him recently might explain his attitude. A story in Newsweek of December 30, 1968 concerning an article on Vietnam, written by Kissinger before he was named to be Assistant for National Security Affairs by Mr. Nixon, stated: "It was perhaps significant . . . that after his appointment as a Nixon adviser, Kissinger tried first to persuade the editorial board of Foreign Affairs to drop the article and then, no more successfully, to make some changes in the manuscript." The article stated further that when a reporter congratulated him on the "brilliance" of the article, Kissinger replied: "The last thing in the world I want to be at this point is publicly brilliant."

Kissinger's views on ending the war in Vietnam appeared in the January 1969 issue of Foreign Affairs, the quarterly publication of the Council on Foreign Relations. U.S. News and World Report commented on his "formula:"

"The Kissinger formula calls for a series of steps to bring about a phased withdrawal of U.S. and North Vietnamese troops from South Vietnam and lay the groundwork for a political settlement between the Saigon Government and the Communist-controlled National Liberation Front. Dr. Kissinger did not rule out but called 'undesirable' suggestions that a coalition government with Communist participation be set up to govern South Vietnam." (Emphasis Added.)

Newsweek in its article on the Kissinger "formula" commented:

"Like most scenarios for a negotiated settlement, Kissinger's article contained some apparent inconsistencies. Although he stressed that Saigon cannot afford to give even implied recognition to the NLF, his proposal for direct talks between the two adversaries could only—despite his disclaimers—give the Viet Cong added stature. . . . And in view of his suggestion that Washington and Saigon maintain the closest possible cooperation, it seemed unrealistic to urge the exclusion of the South Vietnamese from U.S. talks with Hanoi. Nixon himself declared through a spokesman . . . that he would neither endorse nor condemn Kissinger's article . . ."

Human events gave the South Vietnamese reaction to the article:

"... the South Vietnamese were also known to be perturbed by an article in Foreign Affairs this month by Henry Kissinger, the man who will be Nixon's chief White House adviser on foreign policy.

"While the Kissinger article is complex and warns against imposing any coalition government on Saigon, many diplomatic observers believe his recommendations for ending the war are extremely fuzzy and could be easily manipulated by Hanoi.

"Particularly irksome to some were his proposals for South Viet Nam to deal directly with the National Liberation Front—thus giving the NLF recognition—and to have a coalition commission supervise the political process in the south, including new elections."

It was because of his recommendations on Vietnam that William Loeb, Publisher of the Manchester Union Leader, stated in an editorial: "This first miserable decision by Professor Kissinger should bring about his dismissal from a post to which he should never have been appointed," Mr. Loeb stated:

"There is one man in the Nixon administration who is acting just as this newspaper predicted. Harvard Professor Henry A. Kissinger, Nixon's ill-chosen White House foreign policy adviser, wants to withdraw the troops. He says it will be a signal to Hanoi that the U.S. is ready to begin general withdrawal of U.S. forces if there is reduced fighting.

"This is typical of the Harvard professor type of unrealistic approach that has done so much harm to this nation in the last 30 years. Kissinger doesn't understand that Hanoi, like its Soviet masters, respects only one thing and that is superior force."

Dr. Kissinger's previous posture on Vietnam was described in the N.Y. Times:

"During the Vietnam war he began, at least publicly, as a defender of American objectives and tactics. But on a series of quiet but energetic government missions, he reached the conclusion much sooner than either Governor Rockefeller or Mr. Nixon that American military prospects were dim, and that Washington's political prescriptions were not working as advertised—he found much fault also with Kennedy and Johnson positions, and especially the running hot-and-cold reactions to Moscow without the planning and strategic purpose that Dr. Kissinger has consistently demanded."

U.S. News and World Report quoted Kissinger as stating: "Ending the war (in Viet Nam) honorably is essential for the peace of the world. Any other solution may unloose forces that would complicate prospects of international order." And this is what Kissinger and his intellectual colleagues definitely want: international order, which would consist of world government in a "World of Disarmament." Kissinger recommended a start toward this in "The Troubled Partnership" in 1965 in which he found a need for improved consultation among the allies. He advocated a "united Europe with federal, supranational institutions as the precondition for an Atlantic partnership," or regional world government.

As the N.Y. Times stated, Dr. Kissinger has access to the academic community, both at home and abroad. He participated in at least one Pugwash Conference, being listed as a participant in Part Two of the two part conference held at Smugglers Notch, Stowe, Vt., Sept. 5 to 8, and Sept. 10 to 17, 1961. This was one of a series of meetings which began in 1957 under the auspices of the very pro-Soviet Cyrus Eaton and which derived their name from his home in Nova Scotia at which the first meeting was held. The name was changed from "Pugwash," however to improve the image of the conferences and an attempt made to disassociate the confer-

ences from Eaton, at least in the eyes of the public.

The Conference attended by Kissinger was the Seventh Conference on Science and World Affairs, part two being on "Disarmament and Arms Control." Among those participating in the conference were Linus Pauling, Paul Doty, Gerald Piel, I. I. Rabi, Louis Sohn, Henry Kissinger and Leo Szilard. At the Sixth Conference, entitled the Conference of International Scientists on World Security and Disarmament, held in Moscow, Nov. 27 to Dec. 5, 1960, Kissinger's predecessor in his present job was present. Walt W. Rostow gave the closing address. Also in attendance at the Moscow conference was Dr. Jerome Wiesner, an important adviser to President Kennedy as was Rostow. The thinking of Rostow, Wiesner and Kissinger seems to be that we must trust the Soviets in order to avoid annihilation in this thermonuclear age.

The general plan is for the U.S. and the U.S.S.R. to join forces to police the world under a supranational authority such as an enlarged and greatly strengthened U.N., armed with a nuclear police force. Some of the papers presented at the Moscow Pugwash Conference in 1960 were most frightening in their content but they were not meant for the eyes and ears of the masses, just for those who are planning our future.

It is interesting to note that in January 1967, Nelson Rockefeller (to whom Kissinger was foreign policy adviser for ten years) and Cyrus Eaton, Jr., son of the sponsor of the Pugwash conferences, joined forces to profit by trading with the Communists. International Basic Economy Corp., controlled by the Rockefeller brothers and organized in 1947 under the principal direction of Nelson Rockefeller, and Tower International, Inc., headed by Cyrus Eaton, Jr., announced plans, as revealed in the N.Y. Times of January 16, 1967, to "spur trade with Reds." The article stated: "An alliance of family banking fortunes linking Wall Street and the Midwest is going to try to build economic bridges between the Free World and Communist Europe. The joint effort contemplated by I.B.E. and Tower is seen as combining the investment skills and resources of the Rockefellers and the special entre to Soviet bloc officialdom that Tower enjoys largely as a result of contacts cultivated over the last 15 years by Cyrus S. Eaton, Sr. The elder Eaton has been an outspoken advocate of closer ties between the U.S. and the Soviet Union. He has backed his convictions by visiting Russia and entertaining high Soviet leaders including former Premier Khrushchev." Kissinger's "foreign policy" advice must have made Rockefeller feel that investments in Communist countries would not be too risky.

Men of science are not going to have complete control of the new "World of Disarmament," as there are other important people in the world . . . bankers, industrialists, diplomats. These people meet and plan in secret and are called the Bilderbergers. Henry Kissinger has attended at least one of their meetings. His name was on the list of participants at the Williamsburg, Va. Conference, which took place March 20, 21 and 22, 1964. The idea of the Bilderberg meetings originated in the early fifties. The first meeting that brought American and European "leading citizens" together took place under the chairmanship of Prince Bernhard at the Bilderberg Hotel in Oosterbeek, Holland, from May 29 to May 31, 1954. Although the Bilderbergers claim that they are not a "policy-making body" and that "no conclusions are reached," they surely do not bring important people from practically the four corners of the earth for nothing.

Another group of "unofficial" policymakers is the Council on Foreign Relations, with which Kissinger has long been affiliated. The CFR is believed by many to be the secret

government of the United States. After a thorough investigation this organization was declared subversive by the American Legion of California in 1962.

Among the present or past members of the Council on Foreign Relations we find the following:

Alger Hiss, Ralph Bunche, Lauchlin Currie, Harry Dexter White, Herbert Matthews, Joseph Barnes, Cyrus Eaton, J. Robert Oppenheimer, John K. Fairbank and Arthur Goldberg, all of whom have had a record of close affiliation with Communists and some of whom were actually identified as Communists.

During the first week of December 1968 the International Association for Cultural Freedom conducted a five-day closed seminar at Princeton, N.J. Ninety individuals attended, among them Henry Kissinger who told those assembled "The doors to the White House will always be open to your ideas." Present to hear this kind invitation were Charles Hamilton, co-author with Stokely Carmichael of the book, "Black Power;" Andreas Papandreu, left-wing leader of the Panhellenic Liberation Movement, exiled from Greece due to his pro-Communist activities; Arthur Schlesinger, Jr., McGeorge Bundy and George Ball, among others. Some of the participants were from Communist countries at this seminar financed by the Ford Foundation.

Henry Kissinger has been a friend and associate of John Kenneth Galbraith (who called the appointment of his friend "a good one"), Adam Yarmolinsky (expected to step into Kissinger's job at Harvard, who said "I will sleep better with Henry Kissinger in Washington."), Arthur Schlesinger, Jr. ("I think it is an excellent appointment.") and Robert R. Bowie with whom he worked at the Harvard Center for International Affairs.

Kissinger has been described by a colleague as "impatiently arrogant" and his confidence in his own ability is evident from a comment reportedly made when Rockefeller sent one of his "position papers" to other advisers for comment: "Do you ask a housepainter to touch up a Picasso?" In his new position Dr. Kissinger intends to make some long-range plans for the United States as well as to completely reorganize and restructure the entire White House security planning machinery. This is a very important job to entrust to a man as acceptable to the Democratic left-wing Kennedy Administration as he seemingly is to the Republican moderate Nixon Administration. To what ends will he use the "brilliance" he wishes to conceal from the American people?

#### THE DOCTORED DOCUMENTARY

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. CARTER. Mr. Speaker, an interesting editorial recently appeared in the San Francisco Examiner with which I am in complete agreement.

The first amendment states that—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; . . .

However, with this freedom of the press goes the responsibility of telling the truth. Freedom of the press does not include the right to falsify or deceive.

I include this article for the perusal of the Members:

THE DOCTORED DOCUMENTARY  
(By Charles L. Gould)

Journalists are being asked to close ranks and support CBS in refusing to allow a congressional committee to review raw film footage from the controversial documentary "The Selling of the Pentagon."

The rallying cry of those manning the ramparts is: "Freedom of the press is at stake." Nonsense.

The question here is not "freedom of the press." It is "responsibility of the press." Was the film doctored? Was the film rigged? Did the editors splice the film so that questions and answers of various respondents were out of sequence?

These questions are raised by critics of the film. They submit some evidence to support their charges.

However, only CBS knows for sure. Only a review of the raw film can reveal the truth. Isn't this what "freedom of the press" is all about? Is it not a search for truth?

If CBS did not doctor the film it should not hesitate a moment to show its unused film clips. This is not a case of a reporter protecting his sources. This is not a case of a journalist covering a breaking news story in competition with other reporters.

The CBS documentary was produced with the cooperation of dozens of individuals in and out of government. Some of these individuals claim the documentary was doctored to warp and twist their statements.

They, too, have rights.

Those who defend CBS should ask themselves if their positions would change if a film were doctored to put the Pentagon in a good light rather than a bad one.

Forty years ago, responsible journalists were indignant at the rigging of photographs by the editors of Bernard McFadden's New York Graphic. The paper died.

Ten years ago many journalists denounced the controversial documentary "Operation Abolition" because two or three scenes were out of sequence.

The film, which revealed Communist involvement in the city hall riots here in San Francisco, was withdrawn from circulation.

Many journalists—not including this one—defend the publication of vital government secrets on the argument of the "people's right to know."

Now they deny the people's right to know by defending CBS in classifying its film clips "Top Secret."

They can't have it both ways.

If we want to keep the free press free—and responsible—we can't use the First Amendment as an excuse for exposing the mistakes of others and also use it as an excuse for hiding our own.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 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?

TOBACCO: THE \$10,000,000,000 QUESTION

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. PREYER of North Carolina. Mr. Speaker, my distinguished predecessor in this House, the Honorable Horace R. Kornegay, spoke recently to the Rotary Club of Chicago. His speech provides an important response to some of the attacks which have been made on the tobacco industry. As a former Congressman, an able attorney, and the president of the Tobacco Institute, his remarks should be of interest to all of us, and I am placing them in the RECORD.

The remarks follow:

TOBACCO: THE \$10,000,000,000 QUESTION

As I travel this land of ours I am growing more and more accustomed to hearing a growing chorus of disenchantment, dissatisfaction and distrust directed at the foundation of our American way of life. I am not talking about the Hippies and the Yippies. To give them their due, they are open in their determination to bring down society. I am talking about the self-righteous reformers of our social and economic system.

Gentlemen, let us be on guard. While our attention is riveted on the street shenanigans of the Rennie Davises and the Abby Hoffmans, let us not overlook the social and economic crusaders and their destructive work in the state house, the court house, the Congress and the federal regulatory agencies. I speak of the social engineers who would so hamstring industry and business as to virtually destroy the free enterprise system.

You don't have to smoke to see the flames or feel the heat that surrounds the cigarette controversy. It is a burning \$10 billion question that no businessman should ignore. For as you contemplate it, you might well say to yourself: "There but for the grace of a zealous crusader, go I and my business."

Tobacco is a very big industry with few defenders. If the vast numbers of people who owe all or part of their living to tobacco were aware of the threat it faces, the outlook might be rosier. For example:

About three million members of farm families earn their principal livelihood from the crop. They live in 22 states and earn about \$1.4 billion a year from the leaf.

More than 100,000 workers are gainfully employed in tobacco manufacturing and collect an annual payroll of more than half-a-billion dollars.

There are more than 4,500 wholesale firms that distribute the product to literally hundreds of thousands of retail outlets that depend on cigarette sales for a substantial part of their income.

There are nearly three-quarters of a billion dollars realized from the export of tobacco and tobacco products.

The federal, state and local governments receive \$4.6 billion in taxes from the sale of tobacco products.

In all, there are 329 industries directly or indirectly involved in selling their products to the tobacco industry, ranging from cellophane and advertising to transportation and steel.

Gentlemen, all of that adds up to \$10 billion.

But the cigarette controversy is not important to you because of the money involved. It is important to you because of the principle. Do not misunderstand me, please, as our critics do. I am not suggesting that

we balance or equate health against dollars. I am simply suggesting to you that we look at the principle and, then decide what course is just.

And the principle involved in the cigarette controversy is simply this:

Shall we as a nation scrap the historical principle that anybody—an industry as well as an individual—is innocent until proven guilty?

Shall we impose on the business community a cruel and unusual assumption of guilt and force it to prove its innocence of all charges, however irresponsible?

If this new standard is imposed on business then we can say goodbye to the economic system as we know it. We will really see a domino theory in action. First, the tobacco industry, then the auto industry, then the drug industry, then the food industry. Banking, oil, air travel, advertising will also succumb. I can see the legislation marching on. We have had Truth in Lending and Truth in Packaging. Soon we will get Truth in Medicine, Truth in Advertising until we ultimately get the one big omnibus bill—Truth in Misery.

I exaggerate, of course. But what worries me is that I am not at all sure by how much. When the so-called Fairness Doctrine was invoked against cigarette advertising in 1967, we jokingly warned that someone was bound to demand equal time to answer the military recruiting commercial because war is a health hazard. And sure enough, the jest was seriously advanced some time later by an anti-war organization.

Another reason why I am afraid I have not exaggerated is the unrelenting nature of our opponents—ours today, perhaps yours tomorrow. Let me give you an example.

The cigarette industry volunteered to end the broadcast advertising of its product as the only possible way to avoid reaching young people in the audience.

The cigarette industry volunteered to list the "tar" and nicotine content of the product in print and billboard advertisements.

The cigarette industry volunteered to display in all advertising the side of the package containing the health warning notice required by Congress.

Now, those are three steps recently taken toward self-regulation. They are in the best tradition of informing the public, of not hiding any facts because essentially we have nothing to hide.

But, did that satisfy our leading foe, Senator Moss of Utah? It did not. Last week, speaking to the National Better Business Bureau convention in Miami he was still on the attack. He told representatives of business that the tobacco industry is "a perfect example of self-interest rather than public interest," and cited our "failure to impose self-regulation."

I cannot remain silent when my industry is unfairly abused.

I am shocked at Senator Moss' violent attack on the tobacco industry. He appears to have almost no knowledge of history or the burden of testimony taken from scientific experts in Congressional hearings, showing the controversy about cigarettes.

The tobacco industry mounted its unprecedented smoking and health research support programs ten years before the Senator began talking about action to deal with the health question. Its decision to place the words of the Congressionally authored package warning in all of its advertising is only the latest of a constant series of voluntary actions by the industry in the smoking and health controversy.

Incredibly, within the past month Senator Moss has congratulated the tobacco industry on self-regulation. Yet now, he seems to have forgotten that.

For one who professes to promote self-regulation, Senator Moss is doing a masterful

job of kicking it to death. No American industry has attempted to cooperate more with the government, or has taken more far-reaching self-regulatory action than the tobacco industry.

Well, there is a silver lining, after all. It is good for the underground war against tobacco to surface where all can see its vindictiveness.

For sixteen years, the anti-smoking forces have been waging unrelenting and undeclared war against the tobacco industry. We have long known their true intentions—while others doubted it. We have long known their dedication to the elimination of cigarette smoking—while others disbelieved. And we have long resisted their efforts to control the behavior of free citizens—while others hung back.

Now for the first time the war against tobacco is being waged in the open. For the first time the true motives of the antismokers have surfaced for all to see. For the first time, the American people are getting a look at its face. And it is not pleasing. The Face of Prohibition never is.

The words that follow are those of prestigious groups and individuals within the opposition ranks; but the spirit is pure Carrie Nation.

Here's what the U.S. Surgeon General said in January: "It is high time to ban smoking from all confined public places such as restaurants, theaters, airplanes, trains, and busses."

Here's what a U.N. group said a month ago: "Public smoking which is a trial for the ex-smoker and a temptation for the non-smoker should be continuously discouraged. Smoking should be an activity limited to consenting adults in private."

Here's what a committee of English doctors demanded recently: "It is necessary to challenge and change the present general acceptance of cigarette smoking . . . Public disapproval of a dangerous habit that upsets many non-smokers must be promoted."

The pattern is clear. It is one of step-by-step coercion, from control of information to actual control of behavior.

At first, the anti-smoking camp was content to inform people about an alleged hazard. Then when the public did not respond, they tried to frighten people into conformity. Still frustrated by an unsheeplike public, they escalated further to vilification, insult, and abuse so as to make smoking—and smokers—socially unacceptable.

Now they are poised on the top rung—or should I say bottom rung—of repression. Today's slogan is "Thou shalt not smoke." It is shouted with the fervor of the fanatic who knows best what is right for his fellow-man.

I for one am glad the anti-smoking forces have decided to try to impose this commandment. For it violates another commandment which is deep-rooted in most Americans. And that is: "Thou shalt not push people around."

A refreshing reaction to the Surgeon General's latest attempt to push people around has come from the press. Apparently, there is resistance to his call for a ban on smoking in public places.

A Rhode Island newspaper sees "a touch of hysteria creeping into the smoking issue," and it notes that, "fanaticism often generates a deep reaction unfavorable to the cause."

An Ohio newspaper said it would be impossible to enforce such a ban without having a "virtual army of federal agents busting people for clandestinely lighting up in public places."

A San Francisco newspaper commented that crusaders, like the Surgeon General, "who once taste blood, are not to be denied. They charge on until they fall flat on their faces or on their backsides, depending on whether they slip or are pushed."

A television commentator called the ban "the spirit of compulsion at work. The same crusading zeal that springs from a busy-bodiness mixed with arrogance."

Fortunately for us all, when human beings start out on a crusade, they always introduce a bit of lunacy into it. Lunacy was compounded recently in New York City when the Surgeon General's ban on public smoking was actually implemented on, of all places, the decks of Staten Island ferries. This moved a New York columnist to lament the fact that "the learned, concerned surgeon general can't think of anything to do about the waters beneath the ferries, which are an open sewer and a potential typhoid trap, or anything to do about that haze of filth that hangs in the air above our Fun City."

And indeed the learned, concerned surgeon general is strangely reluctant, or unable, to see any evil in anything but cigarettes. He has determined that smoking is dangerous to health. He has determined that smoking should be prohibited in public, and that it is "a dirty, smelly, foul, chronic form of suicide."

But did you also know that this hardline antismoker is a model of moderation and mildness concerning other alleged health hazards? For example:

Mercury, lead, arsenic and other metallic pollution, he has determined, is not a cause for hysteria. "We are not presently faced with widespread, serious human health hazards from these substances," he says.

Herbicides, such as 2,4-D, he has determined, do not as now marketed and under current use present a hazard to public health.

Water pollution, he has determined, would be improved if smoking is reduced, "since there would be fewer cigarette butts to . . . find their way into our water sources."

Air pollution, he has determined, is a minor cause of disease compared to smoking. He makes this statement in the face of the HEW finding that death rates from lung cancer are twice as high in urban areas than in rural areas, *even after making full allowance for smoking.*

Why the hysteria? Why the shouting? Why the crusading?

The explanation, it seems to me, results from the tenacity of the cancer mystery which is a challenge to the entire nation. It is humbling to realize how little real progress has been made in solving the fundamental problem of causation. It is understandable that individuals and organizations which are morally convinced that the elimination of cigarette smoking is the simple solution to a very complex question would feel frustrated by anyone's unwillingness to accept their judgments.

Nevertheless, many eminent scientists who are skilled technicians in the field agree that the question of smoking and health is still very much a question.

And so apparently do millions of Americans who continue to smoke, despite an almost incessant campaign of fear and exhortation. It will may be that smokers have been so bombarded with propaganda that they have become immunized against it. They may be proving Marshall McLuhan right when he observed that the "price of eternal vigilance is indifference."

I look ahead hopefully to the rest of 1971 as a period of sharply reduced noise level which might accelerate the scientific resolution of the smoking and health controversy.

Over a hundred years ago, the English writer William Hazlitt put his finger on the problem. He said: "The origin of all science is in the desire to know causes; and the origin of all false science and imposture is in the desire to accept false causes rather than none; or which is the same thing, in the unwillingness to acknowledge our own ignorance."

A crusade is a poor way to get at scientific truth. The American people deserve better.

The American people deserve objective unbiased answers to the controversial questions concerning smoking and health—answers that must ultimately come from further scientific research and new knowledge. And they also deserve full, free, and informed public discussion of both sides of the controversy.

That is why the tobacco industry pledges to contribute to public understanding through public discussions.

That is why the tobacco industry is spending more money on scientific research on the smoking and health question than any other source, government or private. And we will continue to do so.

That is why the tobacco industry will continue to live each day in such a way as to meet the four-way test of truth, fairness, goodwill and benefit to all concerned.

## WORLD LAW DAY

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. FINDLEY. Mr. Speaker, today, July 21, as authorized by presidential proclamation 4060, is World Law Day. In the proclamation signed June 17, President Nixon elucidated the essential role law plays both domestically and internationally.

Particularly noted in the proclamation was the shrinking size of our globe, and the correspondingly greater need for the rule of law among all nation-states. In President Nixon's words:

More and more, it becomes a matter of prime importance that principle and not mere power should govern in this country called Earth.

World Law Day, Mr. Speaker, is indeed an appropriate occasion for all Members of Congress—entrusted as they are to make laws—to express their own deep convictions about the role of law in today's world.

I have long felt that disputes between nations should far more frequently be taken to the International Court of Justice. Those who view the world solely in terms of traditional power politics argue only for continued lawlessness on the international level.

To a tragic degree, many in this country have come to equate national power with peace. In the most fundamental sense, the use and threat of force by any nation is no more conducive to real peace than is the use and threat of force by an individual citizen.

What keeps peace within a nation is the compact among its citizens to accept and support rules of law and their adjudication and enforcement. Agreement stems not from theory or some ideal blueprint, but from their basic self-interest in order as opposed to anarchy.

Likewise, to achieve peace and justice for all nations and all peoples on a worldwide level, we must strive consciously and persistently to eliminate international anarchy and create order. This requires us to become more and more aware of our mutual self-interest as human beings in this shrinking world.

As the President pointed out in his proclamation, we in the United States—with our long heritage of respect for the rule of law—should have a genuine interest in seeing this great principle put to work in the world community. Mr. Nixon's call for a "heightened recognition of the importance of the rule of law in international affairs" must not be dismissed merely as fanciful words, but must be put into practice.

It is with this profound conviction that I insert into the RECORD the text of the President's proclamation:

WORLD LAW DAY, 1971—PROCLAMATION 4060,  
JUNE 17, 1971

(By the President of the United States of America; a Proclamation)

From the time more than 25 centuries ago when a Hebrew prophet wrote, "The Lord is our judge . . . our lawgiver . . . our king; he will save us," Western civilization's sense of salvation has been intimately related to its vision of the universal rule of law in the affairs of men. We in the United States have special reason to cherish this vision, for the freedom, the order, and the abundance which we enjoy are fruits of its application. The great principle that the people are sovereign, and that the law they make is supreme, has operated with such signal success in our country's history that Americans are turning increasingly to the compelling logic of putting it to work in the world community as well. People of many other nations and cultures are doing likewise.

At the same time technology is shrinking the globe so that the sense of common destiny and common danger, the sense that "my country is the world; and my countrymen are mankind," is no longer fancy but compelling fact for the whole human race. More and more, it becomes a matter of prime importance that principle and not mere power should govern in this country called Earth.

We can see many heartening evidences that law is becoming stronger and more just around the world under the pressures which reason and necessity exert. Within the nations, human rights and ecological wisdom continue to gain stature in the law. Among the nations, security and cooperation—on every front from space to the seabeds—are being enhanced through negotiations, treaties, and conventions. The United Nations is entering its second quarter of a century, and many other international organizations are working effectively through and for world law.

Also playing a constructive role are those organizations which are made up not of countries but of individual men and women, joined together in the interest of the law as citizens of their countries and of the world. One of the most important of these is the World Peace Through Law Center, founded in 1963, which this summer will hold its Fifth World Conference on World Peace Through Law at Belgrade, Yugoslavia. July 21, the date when thousands of lawyers and jurists from around the world will convene for this conference, will be observed in many nations as World Law Day—an observance in which I know the American people, a people who love the law, will want to join.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby proclaim July 21, 1971, as World Law Day. I call on every American to reflect that day on the sacredness of the law in American tradition. And I urge each American to join with millions of his fellow men around the world in heightened recognition of the importance of the rule of law in international affairs to our goal of a stable peace.

In witness whereof, I have hereunto set my hand this 17th day of June, in the year of our Lord nineteen hundred seventy-one, and of the Independence of the United States of America the one hundred ninety-fifth.

RICHARD NIXON.

#### SUSAN MARTZ VISITS CAPITAL

### HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. WHALLEY. Mr. Speaker, the following article appeared in the July 19, 1971, *Huntingdon, Pa., Daily News*:

HUSTONTOWN, PA.—Susan Martz, the 13-year-old girl who has raised more than five million Betty Crocker food coupons in six months and used them to purchase five portable artificial kidney machines for Pennsylvania hospitals, has been invited to visit the nation's capital by her congressman.

U.S. Rep. J. Irving Whalley (R-Pa.), whose 12th district includes young Susan's home in Fulton County, said he would show her around Washington Wednesday.

Susan began collecting coupons for kidney machines in December, in memory of her brother, who died of kidney disease and might have been kept alive by an artificial kidney. Aided by nationwide publicity, she has been receiving thousands of coupons in the mail, from places as far west as Hawaii.

Susan and her parents just returned to this south central Pennsylvania town from Minneapolis, Minn., where they delivered 3.5 million coupons in a pick-up truck.

The coupons will purchase three more portable artificial kidney machines, valued at \$3,000 apiece, for Philadelphia General Hospital, Altoona Mercy Hospital and the Hershey Research Medical Center.

Two similar machines were presented earlier this year to the Harrisburg hospital. A sixth machine will go to Western Maryland State Hospital in Hagerstown, Md.

We were extremely pleased to have Susan visit us on Capitol Hill today. Susan has done such a remarkable job on her project of collecting coupons for the kidney machines that we wanted to show her our appreciation by having Susan and her family as our guests for the day. We were happy to arrange for a White House tour, show her around the Capitol Building and Botanic Gardens, and have lunch in the Capitol Members dining room.

I am especially proud of Susan. Everyone throughout Pennsylvania and Maryland should be thankful that a girl named Susan Martz from the small town of Hustontown, Pa., cared enough about people to devote so many days and hours to this noblest of causes.

Efforts in the fight against kidney ailments should not stop with a young girl's dream. A little-known but frightening fact is that one out of every five deaths caused by illness is a result of a kidney disease. We should all be involved in this fight; not just Susan Martz and her friends and family.

During the 91st Congress I cosponsored a bill providing \$15 million for the establishment of a kidney research project. I am happy to say that this is now law.

I have also introduced a bill to estab-

lish a National Kidney Institute at the National Institutes of Health. This would make kidney research a matter of national concern and recognition and would bring the full weight of our facilities to bear on this devastating problem.

We will continue our fight against this dreaded ailment, just as Susan will pursue her campaign until the program expires. We hope that all people everywhere will join in this battle, send coupons to Susan, and work toward the establishment of a National Kidney Institute at NIH so that the problem can be licked.

We owe a debt of gratitude to Susan Martz for her unselfish efforts on behalf of all those with kidney ailments. We thank you, Susan, and wish you the best of everything in the years ahead. You deserve it.

#### ROBBERY IN THE NEW SENATE OFFICE BUILDING

### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. MIKVA. Mr. Speaker, yesterday evening, two young men walked into the New Senate Office Building, took the stairs to the office of Senator JOHN L. McCLELLAN of Arkansas, and calmly robbed the Senator's personal secretary at gunpoint. They tied her up and got away with \$10. The secretary, Mrs. Jeanine Ragland, said the men threatened her with a handgun, and from her description, the police think it was an automatic pistol.

Mr. Speaker, how many more times must this happen, how many more lives must be threatened or lost, before we do something to take the guns out of the hands of criminals? Twenty thousand Americans were killed by guns during the last year; 200,000 were wounded. As a nation, we are armed to the teeth, and no one is better armed than the criminals and thugs who prowl the streets.

The gun lobby will tell us that "guns do not kill people; people kill people." But guns make it easy for people to kill people. Handguns are cheap, easily purchased, and they make murder effortless and antiseptic.

Even the faintest of heart becomes the aggressor, armed with a false sense of bravado, when he carries a handgun. It is the great equalizer to the criminal. Would the two men who robbed Mrs. Ragland have had the nerve, would they have even thought of doing it, if they had not been armed? We will begin to control violence in this country only when we begin to control handguns.

I think people are beginning to realize that. I think they are beginning to see through the self-serving rhetoric and the breast-pounding public relations of the gun lobby. This Congress would do well to follow their example.

A Washington, D.C., television station, WTOP, has recently broadcast an editorial called, "The Bloody Need for Gun Control." It quotes FBI director, J. Edgar Hoover, who said 4 years ago:

Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

Mr. Speaker, there should be no question about the reality of the need for handgun control today.

The transcript of the editorial follows:

#### THE BLOODY NEED FOR GUN CONTROL

Two more tragic, senseless killings have taken place on the streets of this city. If handy-guns weren't so readily available to anybody, the killings, in all likelihood, wouldn't have occurred.

A 41-year-old man and his 19-year-old son were gunned down this week in the middle of a busy suburban street. The two, with the rest of the family, were homeward bound from a fireworks display. They reportedly had been harassed—"tailgated"—by a crowd in a following car. When the two cars stopped at a traffic light, heated words were exchanged, some punching and shoving took place, and then the fatal shots were fired.

The gun buffs have a standard argument to cover such episodes. The gun didn't do the killing, they say. The man who used the gun is the villain. Make the punishment swift, sure, and severe, it is said, and shootings will decline. As far as it goes, that's all true.

But criminal penalties for murder and armed robbery already are severe. Our prisons have countless thousands of gunmen inside, but the killing goes on. Furthermore, a good percentage of those who kill never are caught. The slayer of the father and son is still at large.

So, we need something more. Not only must we make it tough for the hand which holds the gun—we need to make it much, much tougher to buy a gun and have it handy. We're not talking here about sporting weapons, like rifles. The most serious culprits are pistols and other hand-guns.

This week's shooting obviously was a crime of passion, done in the heat of an unplanned, streetside argument. If a gun hadn't been on the scene, the father and son almost certainly would be alive today.

Four years ago, FBI Director J. Edgar Hoover said, "Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality."

Over 20,000 people die each year in this country because of firearms. Isn't that slaughter a sufficient basis for rigid controls on hand-guns?

This was a WTOP editorial, Norman Davis speaking for WTOP.

#### PREVENTION OF VA PENSION BENEFITS REDUCTION

### HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. MOLLOHAN. Mr. Speaker, today I introduced a bill to remove obstacles in the path of our veterans who should be receiving higher pension benefits.

The bill would prevent Veterans' Administration pension benefits from being reduced in the cases of those veterans who are receiving other retirement benefits and pensions, whether private or public.

Presently, in such cases, veterans' pensions are reduced routinely and without the slightest consideration on whether or

not our veterans have the incomes adequate enough to insure a decent standard of living.

The present trend is for our retired veterans to have other pension benefits beside their VA pensions, and, by reducing their VA benefits in proportion to their outside pension benefits, we are, in effect allowing the VA pension to become less than what Congress originally designated.

#### AUTO RESEARCH POOL IN PUBLIC INTEREST

### HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. CHAMBERLAIN. Mr. Speaker, today I have joined other members of the Michigan congressional delegation in introducing legislation to permit coordination and cooperation in accelerated research and development of devices and equipment to meet Government standards for motor vehicle exhaust emissions and abatement of air pollution. This is a companion bill to S. 2258 introduced in the other body by Senator ROBERT P. GRIFFIN, on July 12, 1971.

The purpose of this legislation is to permit the major automobile manufacturers to pool their efforts in this area by providing for an exemption of these activities from antitrust laws. I share the view that such an exemption would be in the national interest and that, in view of the fact that Congress has legislated an absolute deadline for the meeting of emission standards, this action should be taken to help insure that there are no unnecessary added obstacles placed in the way of developing as soon as possible pollution control devices.

As the question has been raised whether this proposed antitrust exemption might also be expanded to include the cooperative research development of automotive safety equipment, it would be my hope that this possibility would be fully explored by the appropriate committees of the Congress as well.

That there is strong public support for Senator GRIFFIN's legislation is evident from the editorials appearing in the State Journal of July 15, 1971, and the Jackson Citizen Patriot, July 13, 1971, which I commend to the attention of my colleagues in the Record at this point.

#### AUTO RESEARCH POOL IN PUBLIC INTEREST

Antitrust laws were established in the United States primarily to break up monopolistic practices which posed a threat to the public interest. In general the laws have been effective in pursuing that goal.

But in recent years problems have arisen which cut across the antitrust laws and the public interest and require new thinking. One such issue is the congressional directive to develop effective air pollution control and better safety devices for automobiles.

Last year Congress placed several "deadlines" on the automobile industry between then and 1975 to meet new federal standards on emission control and safety items. Present indications are that the automobile firms are going to face extreme difficulty

meeting some of these deadlines, particularly the smaller companies, as they research the problem independently.

Acutely aware of the crisis this could cause for the auto industry, the economy and thousands of employes, Leonard Woodcock, President of the United Auto Workers union, last May appealed to the antitrust division of the Justice Department for assistance in setting up a crash program of joint research, combining the technological and financial resources of all the auto firms to meet these two key problems.

Woodcock stressed that there should not be "competition" in such vital areas as human safety and pollution control and argued that cooperation among the auto companies in these areas could be carried out within the spirit of the antitrust laws with strict monitoring by the federal government.

He further warned that the 1975 antipollution standards set by Congress give the advantage to the biggest firms with the greatest financial assets while the smaller auto companies will be at a distinct disadvantage.

An official of the antitrust division responded a short time later, turning down Woodcock's request. His position was that cooperation in this field could lead to suppression rather than development of antipollution devices and safety developments.

The Justice Department further argued that companies have the right to purchase products of competitors and thus enjoy the fruits of competitive research.

U.S. Sen. Robert P. Griffin, R-Mich., has now joined the battle by introducing a legislative bill that would permit joint automotive air pollution research with strict federal controls. Griffin's bill did not include any provision for such pooled efforts in developing safety devices, however.

In explaining the measure, Griffin said that the lawmakers may now be facing an unpalatable choice between a congressional extension of the deadline or enforcing standards which could lead to a crippling of auto production with the attendant consequences to the national economy. His bill would, if passed, expire at the time the 1975 deadline arrives.

It seems clear to us that joint research, with strict overseeing by the Justice Department, is more in the public interest than the present course—especially since such cooperation would provide a much greater guarantee of achieving or surpassing the new standards, and almost certainly more quickly than is likely under the go-it-alone mandate.

We support the Griffin bill, but think it should be expanded to include Woodcock's proposals regarding joint research to develop required safety devices as well.

[From the Jackson Citizen Patriot,  
July 13, 1971]

#### IN OUR OPINION—CLEAN CARS DELAYED BY ANTITRUST LAWS

Michigan's Robert P. Griffin may have something good going in his bill which would permit American automobile manufacturers to pool their talent and resources in the development of pollution-free cars.

Although the drive for a clean car is being made under a deadline imposed by Congress and the subject is a matter of great public interest present anti-trust laws prohibit cooperation among the manufacturers.

Admirable as the purpose of anti-trust laws may be, here is a case where they may be hampering progress and may provide a death sentence for smaller manufacturers which they are supposed to protect.

In his effort to change the rules Senator Griffin is making common cause with Leonard Woodcock, president of the United Automobile Workers, who seldom sees eye-to-eye with the Republican senator. Mr. Woodcock

made his protest to the Justice Department over the anti-trust laws in a letter dated May 24, 1971.

The proper concern of both is the health of the Michigan-based automotive industry and the thousands of jobs it provides.

Pooling the research and the sharing in its benefits by all the companies, large and small, would serve to encourage, rather than suppress, competition. If one of the Big Three should make a breakthrough in pollution control, meet the federally imposed deadline, and thus get the jump on its competitors it might well be forced to share its technology with them.

You can imagine the expressions of concern in Congress if General Motors and Ford should meet the deadline for pollution-free cars and leave Chrysler and American Motors in a touch-and-go position.

In certain areas of research, such as those affecting pollution abatement and development of safer cars, cooperation among the manufacturers should be encouraged, rather than balked by anti-trust laws. It would not be amiss to have the automobile companies create a research project, mutually owned and with all sharing in the benefits, for the purpose of finding ways of building cleaner and safer cars. Not only would progress be more rapid, but no company would be forced to play "catch-up" when others make a breakthrough in safety or in clearing up exhaust emissions.

The Justice Department cannot be faulted for enforcing the laws as they exist. Any show of laxity in this regard would create a stir because of the unique character of the industry and the domination of it by one or two companies.

But sometimes the law can be, as Micawber described it, "a (sic) idiot."

This is one of those times.

#### CALIFORNIA SCIENTISTS REESTABLISHING

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. GOLDWATER. Mr. Speaker, a few months ago the Corona Fuse Testing Center in Corona, Calif., was closed due to the military spending cutbacks. Of the personnel transferred, 480 scientists are now in the final stages of reestablishing their work at the China Lake Naval Weapons Center, Calif. As the representative for that area I would like to bring it to the attention of my colleagues that the \$3,293 million for the funding of the Michelson Laboratory, located in the center, is vitally necessary due to the critical shortage of laboratory and office space. More than 75 percent of the free world's airborne weaponry was developed or tested at the Naval Weapons Center. If the center is to continue in this critically important role, it is imperative that the Michelson Laboratory be expanded to meet the urgent need to house the additional personnel and equipment from the Corona facility. The funds for the Michelson Laboratory were deleted from the House's military construction appropriations bill, which was unfortunate due to the need for the additional facilities caused by the closing of the Corona base.

#### THE UNPLAYFUL TOYS

**HON. JAMES G. O'HARA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. O'HARA. Mr. Speaker, with passage of the Child Protection and Toy Safety Act of 1969, the Congress declared its intention to eliminate from the marketplace unsafe toys which might kill or maim our children.

Early this month, I sought to call to the attention of the Congress the fact that despite passage of the Toy Safety Act more than 18 months ago, there are still unsafe toys offered for sale to unsuspecting parents and children.

On July 1, I wrote to the Food and Drug Administration specifically asking what action they planned to take in advance of the 1971 Christmas season.

In that letter to Food and Drug Commissioner Charles C. Edwards, I suggested a special Christmas toy safety campaign be implemented, with comprehensive and intensive surveillance of toy stores by FDA field representatives.

To date, I have received no reply from Commissioner Edwards.

The peril of "Unplayful Toys" was the subject today of an editorial in the Washington Post. That editorial quotes Mr. Edward M. Swartz, a former assistant attorney general for Massachusetts and author of a new book "Toys That Don't Care," who believes that:

We need a Paul Revere mentality, to call a warning to us all that the toys are coming, and they can burn and blind and kill.

He adds:

It seems almost ludicrous to say that, but the evidence . . . and facts are plain; there is no exaggeration of the problem.

Certainly action is needed. I am confident that the Congress will fully support strong action to remove unsafe toys from the store shelves. I look to the Food and Drug Administration to carry out its responsibilities under the Child Protection and Toy Safety Act of 1969.

Mr. Speaker, I insert the Washington Post editorial "Unplayful Toys," and a copy of my July 1 letter to Food and Drug Commissioner Charles C. Edwards in the RECORD at this point:

#### UNPLAYFUL TOYS

Few experiences are more pleasant for a parent than watching a child happily at play. With a toy occupying his hands and mind, the child—whether a crawling infant, a preschooler, a peewee between 5 and 10, the pre-teenager or the young girl or boy—is engaging in the most natural of pastimes. However natural toys may be though, many are anything but safe. An estimate of the U.S. Public Health Service is that toys annually injure 700,000 children in this country; another 500,000 are hurt by swings and 200,000 more by slides. Most of these injuries are not fatal and many are not serious, but what consolation is this to the still large numbers of parents whose children are killed or injured? Edward M. Swartz, a former assistant attorney general in Massachusetts, states in his thoughtful and well-researched book "Toys That Don't Care," play items "with sharp cutting edges, easily shatterable parts,

high explosive potential, lethal electrical hazards, dangerous flammability, unnecessary psychological risks, suffocation or strangulation capabilities, or fatally poisonous potential can be found by the dozens."

One reason many dangerous toys are made and sold is that the toy industry has had few effective safety restraints put upon it; its efforts at self-regulation have not succeeded, a not unusual outcome when member companies of any industry are asked to "volunteer" their compliance to safety standards. Another reason for the persistence of dangerous toys is the weakness of existing federal legislation, the National Commission on Product Safety said in its final report last year "that neither the interest created by congressional hearings nor passage of the Child Protection and Toy Safety Act has significantly reduced the hazards." Even assuming some measure of zeal is present, such regulatory agencies as the Food and Drug Administration are underfunded and understaffed to deal with the activities of the \$3-billion-a-year toy industry. A third reason is that only the rare consumer ever suspects that the "harmless little toy" he is buying for his child might be hazardous—cars, guns, knives, of course, but toys?

If 700,000 children were injured every year by street maniacs, the outcry would be loud and instant. Strangely, though, hardly a murmur is heard when unsafe toys do the damage. As with most problems involving an industry, the government and the consumer, the simple goal of safety has a complex solution. By continuing to market many unsafe products, toymakers risk going the way of the car-makers; not only having safety engineering forced on it by the government but also inviting public cynicism about claims of concern for the consumer.

In short, two forces are needed if industry self-regulation continues to be weak: more funds from Congress for the regulatory agencies to enforce the law and get pre-market testing; and second, public pressure on both industry and the government to take seriously the need for safe toys. Until then, suggests Edward M. Swartz "we need a Paul Revere mentality, to call a warning to us all that 'the toys are coming, and they can burn and blind and kill.' It seems almost ludicrous to say that, but the evidence . . . and facts are plain; there is no exaggeration of the problem."

JULY 1, 1971.

DEAR COMMISSIONER EDWARDS: I have long been interested in the subject of toy safety, and as a sponsor of the Child Protection and Toy Safety Act of 1969, believed that its enactment would result in the prompt elimination of hazardous toys from the marketplace.

I was bitterly disappointed when, less than a month before Christmas Day of 1970, it was discovered that unsafe toys were being sold and that the Food and Drug Administration had not taken the strong action intended by Congress when it enacted the Child Protection Act.

Now it is less than six months until Christmas, 1971. It is not too early, in my estimation, to seek assurance from the Food and Drug Administration that every possible action is being taken to fully implement the Child Protection Act. While unsafe toys should be barred from store shelves at all times, the large number of toys sold during the Christmas season make it appropriate for the FDA to plan a special toy safety campaign during that period.

I would strongly recommend, in light of the experience of Christmas, 1970, that the FDA begin now to plan a vigorous and comprehensive Christmas "Toy Safety Check" campaign to be implemented no less than three months before December 25, 1971.

The assurance that Christmas toys are safe is, in my view, the best gift we can give to American children and their parents.

The principal components of the special Christmas Toy Safety Campaign should be increased and intensive surveillance of stores by the FDA field representatives. If regular FDA manpower is insufficient for the task, I would suggest that the field staff be augmented by voluntary manpower recruited from among consumers and provided with training in the identification of hazardous toys and other products designed for use by children.

Finally, I would like to address myself to some specific provisions of the Toy Safety Act, and the Food and Drug Administration's implementation of these provisions.

1. Imminent Hazard—As you are aware, the Act gives the Secretary of Health, Education, and Welfare the authority to declare a dangerous toy an "imminent hazard to the public health," he may declare the toy a banned hazardous substance, thus prohibiting its sale immediately upon publication of an order in the Federal Register. Apparently there is some reluctance on the part of the FDA to use this authority. I note that even though a number of toys have been identified as dangerous and available for purchase, the FDA has never used the "imminent hazard" provisions of the Act but, instead, has chosen slower administrative procedures or negotiation. What plans do you have to utilize the imminent hazard provisions of the Toy Safety Act?

2. Thermal and Electrical Hazards: The Food and Drug Administration has promulgated regulations regarding toys with mechanical hazards. At this writing, more than 18 months after the effective date of the Act, the FDA still has no regulations applying to toys with thermal or electrical hazards as provided by the Act. When does the FDA plan to promulgate thermal and electrical hazard regulations?

I would appreciate a response at your earliest convenience.

Very truly yours,

JAMES G. O'HARA,  
Member of Congress.

#### AUTO ENGINE ANTIPOLLUTION RESEARCH SHOULD BE POOLED BY MANUFACTURERS

**HON. GERALD R. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. GERALD R. FORD. Mr. Speaker, today, Republican Members of the House have joined in introducing a bill aimed at speeding up the development of automobile engine antipollution devices and holding down the cost of such devices to the car buyer.

This bill is identical with a measure introduced in the Senate on July 12 by Senator ROBERT P. GRIFFIN of Michigan. The thrust of the legislation is to provide the automobile manufacturer with a temporary exemption from the antitrust laws permitting them to pool their efforts to develop auto engine antipollution devices meeting the standards of the 1970 Clean Air Act Amendments.

Mr. Speaker, United Auto Workers President Leonard Woodcock has asked the Justice Department to permit the automotive manufacturers to share their research discoveries and developments

to this end but the Justice Department has refused. Mr. Woodcock is concerned about clean air but he is also concerned about the jobs of the 1 million UAW members. I feel sure all Members of Congress share those concerns.

Under a consent decree issued in 1969, the auto companies now are barred from sharing car engine antipollution research discoveries and developments. The Griffin-Ford bill would have the effect of setting aside this consent decree temporarily. It would amount to a carefully circumscribed exemption from the antitrust laws, applicable only to development of auto engine emission control devices.

Mr. Speaker, Congress has given the automobile manufacturers tough deadlines to meet under the 1970 Clean Air Act Amendments. Congress now should help them meet those deadlines so that a virtually pollution-free car engine can be developed as quickly and economically as possible.

#### A FORWARD-LOOKING UNION LEADER

**HON. JAMES J. HOWARD**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. HOWARD. Mr. Speaker, those men and women in labor-management relations who negotiate contracts are at the cutting edge of a tremendously important aspect of our economy.

One of them is Joseph A. Beirne, president of the Communications Workers of America, and a native of New Jersey.

The Communications Workers have just ended a weeklong strike against the Bell System, pending ratification of the agreement.

They have gotten a good contract, thanks to Joe Beirne and the dedication of their members, as well as the realization on the part of the Bell System that the workers needed and could justify their demands.

During the course of the strike, which began on July 14, the New York Times ran a biographical article about Joe Beirne, headed "A Forward-Looking Union Leader." This article called Joe "innovative and philosophical."

That is nothing new to those of us who have known him for years, and who know he is the kind of labor leader who will get everything gettable for his members, but who will do it with the power of reason and intellect as well as with the power of a half million loyal members.

Mr. Speaker, I urge all of my colleagues to take a few minutes of their valuable time and read the following article on Joe Beirne:

A FORWARD-LOOKING UNION LEADER: JOSEPH ANTHONY BEIRNE

(By James M. Naughton)

WASHINGTON, July 14.—When leaders of the Communications Workers of America asked members to sanction the strike that began today against the Bell System, the request was made over a network of 65

television stations. It was typical of the innovative leadership of Joseph Anthony Beirne, the philosopher of the American union movement and the only president the 500,000-member Communications Workers union has had since it was formed in 1947.

Mr. Beirne (pronounced Burn) has counseled that strikes are becoming increasingly less effective as union weapons in an automating society. But he has never refrained from calling a walkout if his militant demands were unsuccessful at the bargaining table.

Telephones, connections clicking through the computers, were operative across the nation—including the national headquarters of the communications workers. For roughly eight of the 10 hours he spent there today, Mr. Beirne had his ear pressed against a telephone receiver, checking on the progress of the strike and the chances for an early settlement.

"It is not a very satisfactory discovery for a union to realize that the direct impact of its strike weapon is quite moderate," Mr. Beirne wrote in a 1962 book, titled "New Horizons for American Labor." Such a discovery, likely to be made with increasing frequency by leaders of unions in sophisticated industries, merely forces the progressive union man to move in other directions to improve the lot of his followers, Mr. Beirne counseled.

#### STARTED WORKING AT 16

Mr. Beirne has been looking forward since he began as a 32-cent-an-hour utility boy at the Western Electric Company in Kearny, N.J., at the age of 16.

Now 60, and a trim 5 feet 8 inches, his straight black hair touched with gray but modishly long at the temples and neck, he exhibits the same qualities of youthful impatience and generosity of spirit that are as much a hallmark as the broad-brimmed Stetson he always wears in public.

Mr. Beirne drives his own Cadillac to work each day and the deep tan and the Band-Aid covering a blister on his right index finger today testified to the fact that he still cranks up the power mower to trim the lawn at his home in Suburban Chevy Chase, Md.

He was born in Jersey City on Feb. 16, 1911. He went to school at nights to obtain a high school diploma and two years of college training, but most of his education has been decidedly informal.

#### TRAVELED BY BUS

When he began transforming the old National Federation of Telephone Workers into the Communications Workers of America, Mr. Beirne and his wife, Anne, often traveled by bus from city to city, accompanied by the first two of their three daughters.

Now they have a three-bedroom house in Chevy Chase and a cottage at Fort Myers, Fla. The daughters are married and the Beirnes have 14 grandchildren.

But the education, on the job, is continuing. Mr. Beirne recently urged the development of "pure research in collective bargaining—agreement by unions and managements on basic facts that could be constants in the bargaining process.

Mr. Beirne is fiercely loyal to his associates and earned a reputation for generosity when a number of the headquarters staff members supported an opponent for the union presidency nearly two decades ago. His opponent lost but Mr. Beirne declined to dismiss those who had not given him their support.

He is, at the same time, ferociously conscious of the union's budget. His own salary was just raised to \$40,500 a year, hardly one of the highest in the union movement, and Mr. Beirne does little entertaining on union funds.

In his most recent book, "Challenge to Labor," Mr. Beirne said that labor leaders should welcome automation as means to

achieve higher wages, better jobs, longer vacations and shorter hours.

"The more we can save human labor for important tasks and remove ourselves from lives of meaningless drudgery," he wrote, "the closer we shall be to the truly great society."

#### WASHINGTON POST SHOOTS FROM THE HIP

### HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. McFALL. Mr. Speaker, responsible reporting requires the writer to know his subject and get the facts. The Washington Post editorial of July 14, 1971, respecting the Accelerated Public Works bill was a gross example of how a large metropolitan newspaper can miss its mark—in editorial form. Chairman JOHN BLATNIK of the House Public Works Committee has taken the time to set the record straight and I believe it will be appropriate to have reprinted here a copy of his "letter to the editor" published today:

REP. BLATNIK ON THE VETOED ACCELERATED  
PUBLIC WORKS BILL

Your lead editorial of July 14, while properly approving President Nixon's action in signing the Emergency Employment Act, evidences some misunderstanding of the Accelerated Public Works Bill which he vetoed.

In fairness to the supporters of the Accelerated Public Works Bill (APW) an overwhelming majority of the Congress—I hope you will clear the record.

You say "Public works projects, like dams and highways, create jobs . . . but it takes time to get such projects started. Moreover, it is hard to turn them off when the economic picture brightens—who needs a half-finished dam?"

I'm sure you are aware that no dams or highways are contemplated under APW. This bill calls for a small-project program. It would provide federal aid for water and sewage treatment plants, nursing homes, hospitals and similar community facilities which can be started quickly and completed within one year to 18 months. The facility must be needed by the community and the community itself must be suffering from unemployment substantially higher than the national average.

Six thousand such projects already have been approved by the federal authorities, the necessary architectural, engineering and financial arrangements have been completed and most of them could be started in 60 to 90 days. Nothing is holding them back except presidential inertia and/or presidential indifference.

As to "turning them off when the economic picture brightens," the President's own chief economic adviser, Dr. Paul W. McCracken, told us just last week that he doesn't see much prospect of improvement in our economy for the rest of this year. How long must our jobless workers wait for things to get better of their own accord?

You say that workers with the skills and experience needed for public projects already are fully employed and that "the net effect may be to add to inflation without much reduction in unemployment."

Tell that to the so-called hard hats. The jobless rate among construction workers has been running well over 10 per cent for the past year; today it is almost twice as high as the national average for all workers. And it

is higher still in the areas of severe depression that this bill was designed to help.

Moreover, APW is not merely a "construction" bill. It would provide, and provide quickly, as many as 170,000 on-site construction jobs; but it also would create 250,000 or more jobs in allied industries and services. That adds up to 420,000 desperately needed jobs—nearly 9 per cent of our present overall unemployment.

Today we are spending more than half a billion dollars a month on unemployment benefits and close to one billion dollars a month on welfare-public assistance. At least some of that non-productive spending, which certainly adds to our inflationary pressures, could be diverted into productive jobs, into the creation of essential facilities that will remain as a lasting contribution to the quality of life in our communities.

The President was not confronted with an "either-or" choice between the Emergency Employment Act and Accelerated Public Works. We need both, and need them now.

In Chicago several weeks ago, Mr. Nixon expressed concern over the poor quality of our care for the aged; APW would provide nursing homes for the aged. Mr. Nixon is concerned, as are all of us, over the deterioration of our environment; APW would help our communities build water and sewage treatment plants to protect the quality of our water resources.

APW won't end by tomorrow morning an unemployment crisis that has been two years in the making, but it's a long sight better than doing nothing; especially to all those jobless workers who have been trying for two years to live on presidential optimism.

JOHN A. BLATNIK,

Chairman, House Committee on Public  
Works,  
Washington.

#### CONGRESS, COMMONS DIFFER VASTLY DESPITE THEIR COMMON ROOTS

### HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. GARMATZ. Mr. Speaker, this month the important and influential American Bar Association is holding its annual meeting in London, England, as guests of the British bar and bench. This demonstrates our common heritage and further serves to strength the close ties that the United States has with England and other English-speaking countries.

The American Bar Association was founded in 1878 and its chief objectives are to uphold and defend the Constitution of the United States; to advance the science of law; and to promote the administration of justice.

Inasmuch as many Members of both Houses of Congress are also members of the bar, I think that the following article on "Congress, Commons Differ Vastly Despite Their Common Roots" should be of particular interest. The British Parliament is an institution of great antiquity and justly prides itself on being "the mother of Parliaments." Our Congress has common roots with the British Parliament. Our law is based on the English common law. We speak the same language. Hence our mutual interest.

The enclosed article appeared in the Baltimore Evening Sun on July 6, 1971, and is as follows:

#### CONGRESS, COMMONS DIFFER VASTLY DESPITE THEIR COMMON ROOTS

WASHINGTON.—If British lawmakers voted against government policy, as American senators rebuffed President Nixon recently over Vietnam, then Prime Minister Edward Heath would have resigned.

The fact that Mr. Nixon did not dramatized the difference between life on Capitol Hill and in the Palace of Westminster.

Aides shrugged aside Mr. Nixon's defeat as a single holdup in his fixed four-year power trail. In Britain's House of Commons, it would have denoted a loss of confidence in the Prime Minister, requiring either a new government or new national elections.

#### OTHER CONTRASTS

There were plenty of other contrasts on view inside and outside the semi-circular senatorial chamber, in the styles as well as in the working systems of American and British legislators.

Some of the senators, for instance, chewed gum even while they spoke. Others read their speeches with aides beside them holding stacks of reference material.

Throughout the day the floor of the chamber resembled a hotel lobby with members of the two main parties criss-crossing, huddling in group consultations, addressing the president pro tempore regardless of the fact that one or another of their colleagues nominally was in full oratorical flight.

For the House of Commons' studied informality, little of this would be tolerated in Westminster. There Mr. Speaker insists upon strict observance of the rules of order.

#### NO NEWSPAPERS

Leaders of the government and opposition lean back in their leather seats, it is true, with their feet up on the table before them. And backbenchers lounge nonchalantly along their benches, conversing softly, writing notes. But they cannot read newspapers. They must not step over one of the two red bands on the carpet keeping the rival sides two sword-lengths from each other.

They dare not, unless they are ministers making formal pronouncements, read their speeches. And they are barred from addressing their colleagues either by name or as "you." It must be "the honorable member for Blank."

A British member of parliament visiting the Senate Tuesday would have gasped at the intensity of the activity on the floor. There were the senators themselves coming and going as they pleased; aides lolling on sofas lining the walls; page boys and girls on their endless missions.

In the House of Commons only elected members, and officers of the House, are allowed on the floor during working sessions. A lawmaker cannot pass between a speaker on his feet and the chair. No two members can address the chair at the same time.

These firm procedural rules do not always maintain the stately calm of the Mother of Parliaments. Dignified incumbents in the 630-member Commons have been known to trade enraged insults, even to hurl things at each other. It is no accident that British MP's cannot carry their brief cases into the chamber.

Outside the respective chambers the contrasts are even more vivid.

#### LUSH OFFICES

The salary of a senator, for instance, is \$42,500 a year. The British lawmaker gets \$7,500. A senator is allowed from \$295,000 to \$477,000 yearly for the staff he employs, depending on the population of his state, plus up to \$4,000 more for such expenses as travel.

The House of Commons man is given \$1,200 a year as a contribution toward the cost of a secretary whose salary is two or three times that amount.

American senators have lush offices for themselves and their staffs, good communications, first class logistic services, a private restaurant. Even a subway that takes them to and from the Capitol to the two nearby Senate office buildings.

The British MP has to lope through a 2½-mile labyrinth of corridors and lobbies if he wants to wander through the precincts of Westminster. He can often be found in some nook or cranny of the Tudor-Gothic corridors, dictating to his part-time secretary because he lacks an office of his own.

He has a variety of restaurants, cafeterias and bars to choose from, but most are badly served in the quality of their fare.

The American and British Parliaments have, of course, much in common.

Both are rooted in the democratic process although their procedures differ. The essentially two-party system produces mavericks and its bipartisanship as issues arise.

Each legislature has sought to preserve its traditions even while keeping up with the times, although American lawmakers appear ready to move further, faster. To this day no British monarch can set foot in the Commons because of a 17th century clash between crown and Parliament.

And when Black rod, the royal messenger, comes to inform members of the Commons that their presence is required by the monarch the door of the chamber is slammed symbolically in his face.

Members of Congress and Commons alike are eternal targets of the lobbyists. They roam the capitol corridors outside the Senate chamber when it is in session, whereas they are banned within a prescribed radius of the London Parliament. Still pressure groups appear to operate more openly in London, except on such major issues as Vietnam.

But perhaps the greatest similarity of all in the American and British systems is that friendships can and do transcend the tidy frontiers of party, and that legislators elected by and from the people serve as a substitute for civil war.

#### A FORECAST ON VALUE-ADDED TAX

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. ULLMAN. Mr. Speaker, there has been increasing discussion about value-added tax as a revenue source in this country. In 1968, I inserted in the CONGRESSIONAL RECORD an article by Prof. Richard W. Lindholm, College of Business Administration, University of Oregon. In this analysis, Professor Lindholm forecast the adoption of a value-added tax in the United States by 1973. His prediction is proving to be near the mark, and I would like to reprint the article in the RECORD at this time:

WHY THE UNITED STATES WILL HAVE A VALUE-ADDED TAX BY 1973

(By R. W. Lindholm, University of Oregon)

The United States, now relying on a nineteenth-century system of taxation and deferring to the ideas of nineteenth century political philosophers such as John Stuart Mill, must change its outmoded tax ways if it is to thrive in the twentieth century.

Current taxation practices in the U.S. are derived from John Stuart Mill's ideas, expressed in 1861 to the British Parliament's Select Committee on Income and Property Tax. The U.S. still subscribes to his hedonistic philosophy of taxation, taxing production so that aggregate personal sacrifice is minimized, justifying all taxes according to the popular standards of individual ability-to-pay. But these practices no longer square with today's social and economic problems.

On the surface the old system sounds equitable, but its real effects appear to work against the best interests of the very segment of society whose welfare it is designed to promote. For today low income non-producers receive help through government expenditures and not through direct redistribution of the income of high producers. Therefore, the welfare of the low-income group seems finally to depend on an increase in funds available to the government. But taxes based on ability-to-pay tend to discourage both profits and individual savings and thus to reduce funds available for investment. Without sufficient new investment economic growth is hindered and so is the growth of government funds.

European theories offer a solution for this problem in the philosophy and imposition of taxes. Although they developed ability-to-pay income taxes, Continental economists never completely accepted Mill's tax policies. Since World War I, first through development of the turnover tax and now through the value-added tax, the industrial nations of the Continent have supported taxation based on use of resources rather than on production. Resources, by whomever used and in whatever quantities, bear the same tax rate.

The value-added tax (VAT) is difficult to describe briefly for people unfamiliar with tax systems different from those already used in the U.S. But basically, VAT is a general excise tax, a tax assessed at a given rate, say 10 percent on each sale of a good or service. In effect, it is a 10 percent tax levied on gross receipts, the cost of which is paid by the seller and passed on to the buyer. However, the tax liability of any one seller (and hence the buyer's cost) is reduced by the amount of VAT already paid on the goods and services that have gone into the good or service he offers for sale.

The VAT is founded on use of resources, not production, and on national, not private, prosperity. In modern industrial nations, with capital in short supply and social demands heavy and growing, the domestic advantages of the resource use rather than resource production approach to taxation cannot be ignored. When resource use is the tax base, it is society's ability-to-pay that is of fundamental importance, rather than individual ability-to-pay, which is emphasized when production is the base.

A closer look at the operation of the VAT and consideration of its widespread use will confirm the advisability of its adoption in the U.S. Assuming the continued viability of capitalism, it is possible to argue the merits of VAT as a basic tax both in its domestic effects and in the competitive advantages it offers internationally.

Domestically, the U.S. system of taxation, the old John Stuart Mill approach implying taxation based on resource production, stimulates spending as opposed to saving. An individual cannot reduce his taxes by saving. He can only reduce his tax payments by earning less, i.e., producing less. This combination of the stimulation of spending and lessened production tends to promote inflation and to inhibit the growth of the economy.

Other disadvantages accompanying the present system. The payroll tax method of social security financing places nearly all of the burden on the producing sector of society. The corporate profits tax places all its

burden on our best measure of business efficiency, profits. The individual income tax falls most heavily on society's most productive members, and the more successful their productive efforts, the greater the tax burden.

With VAT, on the other hand, the tax burden rests on a broad, impersonal base. The VAT is impersonal, for it is levied on goods and services, not on individual producers, VAT places an equal burden on all resources as they are utilized. Productive workers using a given quantity of resources pay the same tax as non-producers who use up the same quantity of resources.

VAT offers both public and private advantages. Encouraging business growth, VAT reduces the return, i.e., profit, required from an investment to make it outweigh the risks, i.e., chance of loss. VAT encourages saving (and the consequent possibility of investment) by taxing spending. For private persons VAT offers the advantages of spreading social security financing over the entire life of all of society's members and of increasing the take-home portion of additional dollar earnings by reducing the rates of payroll taxes and income tax withholdings.

These business and personal influences of VAT fit in well with the fiscal needs of today, by utilizing a broad base, perhaps as large as \$700 billion in the U.S., VAT would permit government to shift its revenue intake by large amounts with only a small change in the tax rate. Profit and income tax rates can be made much more flexible because VAT can be relied on to provide large and stable revenues. Incidentally, VAT, with the entire production and marketing process as its base, would provide unmatched data for use in evaluating economic trends.

These domestic economic advantages of VAT are augmented by its international strengths. First, it stimulates exports by offering tax advantages to both seller and buyer. The General Agreement on Tariffs and Trade (GATT) has developed a set of regulations to be followed among its cooperating nation members relative to the treatment of taxes. One of these rulings is that indirect taxes (VAT has been declared an indirect tax) can be refunded on goods exported, and that a tax equivalent to the importing nation's indirect tax applicable to the import may be levied as a border tax.

The GATT procedure rests both on a sound theoretical concept, the destination principle of tax payment, and on administrative realities.<sup>1</sup> The allocation of income or profits taxes to particular exports to provide a basis for tax rebate is nearly impossible. The same difficulty exists, of course, in setting border tax rates on imports. On the other hand, indirect taxes, and particularly VAT, can be calculated very accurately for each good exported and for each good produced in a nation.

Second, and perhaps most important, adoption of the VAT, stimulating exports as it does, is necessary if the U.S. is to maintain its position in international trade. The European Economic Community (EEC) has decided to move further in the direction of using this traditional Continental approach to taxation. The EEC Member States have determined to harmonize this general indirect tax system into a rather uniform VAT by 1970. The domestic and international economic implications of this decision are just becoming apparent, and they are so important that the U.S., Great Britain, and other industrial nations can fall to follow suit only at considerable economic peril.

All modern industrial nations seek to expand their international trade, to increase the rate of their economic growth, and to provide for the welfare of their citizens

<sup>1</sup> Destination principle teaches that taxes should be paid in the area of final use.

through this expansion. VAT tends to support expansion, whereas the individual ability-to-pay tax system suppresses it. An examination of tax figures from the leading industrial nations further substantiates the threat of economic danger, both in international trade and social financing, for the U.S. and other non-VAT countries.

The comparative tax data of industrial nations show that as a portion of GNP, the total taxes collected are fairly similar. The nation collecting the highest 1965 taxes, measured in this fashion, was Sweden at 39.01 percent of GNP paid as taxes. The lowest was Japan at 19.62 percent. The percentages for other industrial nations went like this: Belgium, 29.74 percent; Canada, 27.13 percent; France, 38.49 percent; Germany, 34.33 percent; Italy, 29.66 percent; The Netherlands, 34.08 percent; Norway, 34.90 percent; Switzerland, 20.87 percent; United Kingdom, 29.94 percent; and the United States, 27.30 percent.

But, examined in detail, these apparently similar data demonstrate a considerable variation in the manner in which nearly one-third of the typical "industrial nation's" GNP is collected as taxes and spent. All nations confront the problem of financing social security programs. For example, in 1965 Japan collected only 3.52 percent of GNP as social security contributions; and the U.S. at 4.22 percent was next, with the United Kingdom and Switzerland tied at 4.76 percent. On the other hand, French Social Security Contributions were at 14.25 percent and Italy at 10.41 percent was not far behind. Although these collection totals are a good indication of the level of social security expenditures, they don't tell the whole story. Canada, for example, collects only 1.85 percent of GNP as Social Security Contributions, but Canada uses a large amount of general revenues to finance her social security system, while France uses very little general revenue taxes for this purpose. In Germany, Holland, Sweden, and Switzerland, too, there is increasing use of general revenues to support social security expenditures.

Another detail or two will help demonstrate why the U.S. will be using VAT as a major tax by 1973.

Since corporate profits taxes are likely to retard business growth, those nations with the least use of such taxes will very likely experience more rapid economic expansion than will nations with a high use. French corporate profits taxes in 1965 were 2.12 percent of GNP, while in the U.S. such taxes equaled 4.50 percent, in Canada 4.19 percent, and in Japan 3.96 percent. The other industrial nations used the corporate profits tax about as intensely as France. Here, the U.S. is at a clear disadvantage.

Again, the U.S. is overlooking a source of revenue that has proved profitable to the other industrial nations. VAT belongs to the family of taxes classified as general excise taxes levied by the national government. When the leading industrial nations are compared in their use of this type of tax, a sharp divergence again develops. (This time 1961 data will have to be used, for the required breakdown of more recent data is not available.) The U.S. collects no taxes from this source, while France obtains 25.0 percent of total tax collections, or 8.1 percent of GNP, from this type of tax. In Germany the percentage is 16.5 percent and in Italy 16.7 percent.

Finally, the U.S. must recognize the unmistakable international trend toward increasing use of the VAT and must weigh the domestic advantages other nations have found in this tax. Through their VAT the Dutch plan to increase general excise tax collections above those now collected from their cascade turnover tax. The new German VAT (Mehrwertsteuer) is expected to raise sufficient revenues to permit the *Gewerbesteuer* (a local direct business tax) to be

largely eliminated. The coverage of the French TVA has been expanded, while the rates have been reduced, a move that will increase revenues from this source. Undoubtedly the introduction of VAT in the remainder of the EEC Member States will have a similar upward impact on the portion of national revenues raised from a general excise tax. The development of VAT in Denmark and the new Norwegian VAT are more than likely only the first of the adoptions which will be made by commercial and industrial nations outside the EEC.

Very simply then, VAT will be adopted in the U.S. by 1973 because it provides an efficient excise tax that can be levied at substantial rates without placing an undue burden on any single level of production; serves up through its administrative procedures unparalleled economic data for use by business, government, and individuals; corrects the undue tax burden that accumulates on wages as social security and medicare costs increase; makes possible more flexibility in fiscal policy through provision of a stable basic revenue source; permits acceptable procedures for increasing domestic capital investment and stimulating exports; and finds increasing favor among the industrial nations of Europe whom the U.S. cannot permit to enjoy the international trade advantage it offers in an ever smaller world of reduced trade barriers and freer capital markets.

MINNESOTA ENVIRONMENTAL CONTROL CITIZENS ASSOCIATION TAKES POSITION AGAINST PROPOSED AMENDMENTS TO ATOMIC ENERGY ACT OF 1954

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. KARTH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following: An excellent statement sent to me by the Reverend Paul H. Engstrom, president of the Minnesota Environmental Control Citizens Association with respect to H.R. 9285 and H.R. 9286.

PROPOSED AMENDMENTS TO THE ATOMIC ENERGY ACT OF 1954

(By Rev. Paul H. Engstrom)

The Board of Directors and the Power Generation Task Force of MECCA (Minnesota Environmental Control Citizens Association) hereby register strong opposition to H.R. 9285 and H.R. 9286 now under consideration by the Joint Committee on Atomic Energy.

IN RE: H.R. 9285

It is our understanding that this bill, if enacted into law, would eliminate the present mandatory review and reporting by the Advisory Committee on Reactor Safeguards (ACRS) of all power and test applications for construction permits and operating licenses.

This committee was established by Congress in 1954 to examine safety studies and facility license applications, to advise the AEC on reactor safety standards, and to point out present and potential hazards. The idea of creating such a committee was good as far as it went. But the Act gave the committee no teeth. Nor did it allow for the temptation in men to ignore or suppress the committee's recommendations.

Example: After studying the Fermi nuclear power plant proposal, the ACRS reported (6/6/46) to the then chairman of the AEC, "The committee believes there is

insufficient information available at this time to give assurance that the . . . reactor can be operated at this site (30 miles from downtown Detroit) without public hazard." Result: The report was suppressed and within two months the AEC approved issuance of the construction permit. This ill-fated plant, built at a cost of \$120 million not only failed, but it came close to causing a catastrophe near a large metropolitan center.

We like to think that the ACRS, though purely an advisory body and composed of members appointed by the AEC itself, still provides some braking influence, at least in the area of engineering safety. (It certainly has not functioned effectively in protecting metropolitan areas from proximate location of nuclear plants.) At any rate, even minimal influence is better than none. H.R. 9285, however, renders ACRS almost useless. It allows the committee to review applications but does not force the committee to do so.

In the name of expediency, and to enable the ACRS to deal with "the increasing volume of reactor applications," this bill would remove the last vestige of careful, routine, and dependable examination of all applications at every stage by a body created by Congress.

We oppose the bill because we believe that all safeguards now in existence—even the weak ones—should be zealously guarded and maintained. In fact, they should be strengthened.

IN RE: H.R. 9286

This bill, as we understand it, would require a "site authorization" from the AEC and an early site hearing at which persons whose interest may be affected by the proceeding would be admitted as a party upon request. The bill would eliminate the present mandatory hearing at the construction permit stage unless there is a request for a hearing "by any person who demonstrates that his interest may be substantially and adversely affected and if there exists a substantial, unresolved question significantly affecting the health and safety of the public." The bill would also eliminate hearings at the operating license stage.

We favor the provision for a mandatory early site hearing although it carries with it a sad implication. The question to which the people are allowed to address themselves is not whether there shall be a nuclear power plant in their community. That matter has already been decided without their consent or participation. The only question to which they can speak is where in the area the plant shall be located.

We disfavor—in fact we strenuously oppose—elimination of the present mandatory hearing at the construction permit stage. The proposed conditions for participation in the hearing provide too tall a barrier for us to accept.

We also strenuously oppose elimination of hearings at the operation license stage.

(One of the most burning questions in our country today is the *people's right to know*. We believe that human beings are important, that they have a right to live in a pollution-free environment, to know the truth, and to participate in the decision-making processes of government. We believe these rights are as fundamental as any specifically written into the American Constitution by our founding fathers.)

We must all be alert to the possible erosion of liberty by increased regulation, administration, and bureaucratic control.)

The siting hearing is very important but it is only a small part of the whole procedure. Five to seven years elapse between siting and operation. During this period significant things can happen that the people should know about. Example: There is now widespread concern about failure of Emergency Core Cooling Systems (ECCS) tests. In

fact, several hearings have been delayed pending solutions to these problems. If it had not been for public hearings, this potentially hazardous condition would not have been brought to light.

Also, during this interim period new safety techniques can be developed. Hearings bring these matters to the attention of leaders who should know, but do not always know, about them.

In his statement before the Joint Committee on 22 June 1971, Commissioner James T. Ramey of the AEC emphasized the escalation of time and effort spent on hearings and preparation for the same. He cited the increased number of applications and the increased proportion of contested proceedings. It is important to ask, "Why the latter?" The answer is: because more people are becoming concerned.

We understand and appreciate the increased workload on the AEC, ACRS, and staff personnel. This is to be expected with increased AEC effort to sell nuclear energy to the nation's power industries. It is also to be expected with increased public opposition and therefore more and longer hearings. We suggest enlarging the staff if this is necessary—and it appears to be. The Commission's efforts to streamline procedures—short of interrupting the democratic process—are commendable.

We suggest making the regulatory, safety, and enforcement functions, now in the hands of the AEC, a part of a new comprehensive energy agency that would place less emphasis on fission reactors and more emphasis on alternatives that will be less harmful to human life and the environment. Such an agency would have jurisdiction over controls on gaseous emissions from fossil fuel plants, the development of new technologies to preserve fossil fuels, and the development of fusion power and magneto hydrodynamics.

There is reason to be worried about a system in which an agency is called upon to regulate the energy it sells and in which it must act as both defendant and judge at hearings concerning itself. The AEC now produces its own witnesses whose job it is to insure that a given plant will be built regardless of public opposition, regardless of possible violations of its own rules and regulations, and regardless of the absence of proof that the facility will be safe.

The present licensing procedure involves such a long process of appeal that for all practical purposes it is outside our judicial system. All the people have to depend on is the effectiveness of their own moral and legal suasion in public hearings and now even that opportunity is being threatened with near extinction.

In his June 22nd statement, cited above, Commissioner Ramey stated: "The Commission has recognized that a regulatory review of site suitability, including opportunity for public hearing *might be desirable* before any large commitment is made by the utility and before there is irrevocable change in the landscape." (pages 25-26) Now, what kind of condescension is this? For one thing, we are concerned about more than "change in the landscape." We are concerned about the health and safety of millions of people. For another thing—and this is the essence of the present memorandum—we regard this, and public hearings at every stage, as not desirable, but *absolutely essential*. If these hearings are dispensed with, we will have one more good reason to fear for our democracy's future.

"The special nature of liberties is that they can be defended only as long as we have them. So the very first signs of their erosion must be resisted. . . . It is an eternal error to believe that a cause considered righteous sanctifies unrighteous methods. . . . We are learning that affluence without simplicity is a giant trap. . . . Our political leaders are

learning that Sophocles was right: nothing that is vast enters into the affairs of mortals without a curse, and that vast American power has now produced its curse." (from speech by Eric Sevareid at Stanford University, June 13, 1971)

America is more than a nation. It is a great idea at work—the idea that people are important, they count for something, they have certain basic rights. America is an experiment to see whether people who are given freedom can use it well, whether leaders who are given authority can keep from abusing it.

Our founding fathers were desperately afraid of the concentration of power in a single agency or a single branch of government. So are we.

#### THE RODEO

### HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. RONCALIO. Mr. Speaker, this week marks the height of the rodeo season in Wyoming. In the last full week of July, the capital city of Cheyenne hosts the daddy of them all, Cheyenne Frontier Days, the world's largest outdoor rodeo and a perennial favorite with the thousands of fans of one of the West's most popular sports.

On July 30 and August 1, Sheridan, Wyo., hosts All-American Indian Days, a celebration of traditional and contemporary Indian arts, crafts, dancing, games, and historic dances.

In simple cowboy lingo, the rodeo represents the lure and challenge of the old expression, "Never a cowboy who couldn't be thrown, never a bronc that couldn't be rode."

#### ORIGINS OF RODEO

Rodeo originated in the Southwest during the post Civil War period when great trail herds were formed to move beef to northern markets.

Beginning as a lighthearted pastime of working cowhands, rodeo has become a highly competitive national sport which awards an annual \$3.7 million in prize money and attracts thousands of spectators from coast to coast.

In the late 1930's, with the formation of the Rodeo Cowboys Association, uniform regulations were established and the sport received professional status, providing each competitor a fair chance in competition.

#### A NEW BREED OF COWBOY

Though its Western origins remain an unmistakable feature of rodeo, a new era is being ushered in with a new breed of cowboy.

Like his predecessor, he may have grown up on a ranch, but equally likely is the chance that he broke into the sport at one of 87 colleges which offer rodeo scholarships and field top rodeo teams. Some are urban dwellers who have taken up the sport under the tutelage of a seasoned professional.

#### HUMANE TREATMENT OF STOCK

In its 35-year history, the Rodeo Cowboys Association has made other contributions not readily apparent to those unfamiliar with the sport.

Over the years, the association has worked closely with the American Humane Association in developing 19 rules to insure the humane handling of livestock in rodeo events.

Officers of the American Humane Association are issued credentials through their own organization, which are co-signed by the RCA, allowing them complete freedom of movement at any of the sanctioned rodeos. Last year, the RCA approved 547 rodeos throughout the Nation.

Dave Stout, secretary-treasurer of the RCA, has said he welcomes the cooperative efforts of the American Humane Association because it prevents inhumane treatment and helps refute the mistaken impressions created by opponents of the sport.

On June 29 of this year, the Wyoming Veterinary Medical Association passed a resolution endorsing the AHA pamphlet entitled, "To Protect Rodeo Livestock," recognizing the continuing effort to insure humane treatment of competition stock.

#### THE SPIRIT OF THE WEST

In recognition of the unique identification of Western history with the sport of rodeo, I would like to insert for the RECORD an account of Wyoming's celebrations.

The article, entitled, "Wyoming's Living History," was written by Gene Bryan and appeared in the July issue of the Wyoming State Employees Association Reporter.

Linking the legendary heritage of the West with rodeos and other historical and colorful pageants, Mr. Bryan puts the sport in an accurate context, enhancing every fan's appreciation of the events.

As a resident of Cheyenne, I have for years enjoyed the Frontier Days celebration, which is marking its 75th anniversary this year.

On a visit to Wyoming during the Fourth of July weekend, I attended the 52d annual Buffalo Bill Cody Stampede in Cody and Pioneer Days in Lander.

During the Lander rodeo, I spent an afternoon helping work the chutes. From my vantage point—one I would recommend to anyone proposing restrictions on events—I saw nothing to justify discriminatory legislation. If anything, the cowboys had a rougher time of it than the stock.

I recommend to my colleagues the following article, both for its pertinence to the issue of rodeo stock protection legislation and for its accounting of tourist attractions in Wyoming:

#### WYOMING LIVING HISTORY

(By Gene Bryan)

Wyoming has been a state less than 100 years, but its storied past is replete with cowboys and Indians—the stuff of which legends are made. Wyoming's living history is very much a part of the high country today in the form of colorful pageants and Wyoming's own particular heritage—the rodeo.

Historical pageants such as the Green River Rendezvous in Pinedale and the Gift of the Waters Pageant in Thermopolis recall Wyoming-shaping events—the meetings of the mountain men—fur trappers with the Indians on the Green River in the 1820's and the 1830's and the Shoshone and Arapahoe's

giving of the hot springs near Thermopolis to the Federal Government. All American Indian Days in Sheridan is the Indian's own celebration, one in which they keep alive their own proud culture while attempting to create better understanding between the Indian and the non-Indian.

Rodeo, of course, is the world of the cowboy, and the cowboy is the image of The West. From the time the first herds of longhorns were "headed up" by Texas trailhands and turned north to the Great Plains until this space age era of astronauts, moon shots and jumbo jets, the cowboy has been an integral part of the western scene. The heritage of the cowboy is omnipresent in Wyoming, not only in the form of the professional cowboy, but also the cow-punching, 12-hour-in-the-saddle variety of working ranchhand.

Rodeoing starts in early spring with intercollegiate rodeo at Casper College in Casper and the University of Wyoming in Laramie plus get-togethers at the Snake River Rodeo in Dixon (population 108) and the Valley Station Rodeo at McFadden (population 150). Action picks up steam with the opening of the famous Cody Night Rodeo (nightly except Sunday) in mid-June and weekend rodeo in Dubois and Jackson. The pace reaches a frenzy with the Fourth of July celebrations.

While fireworks may be traditional with the rest of the United States during the Independence Day celebration, rodeo captures the spotlight in Wyoming. Nearly a dozen rodeos are staged across the 97,914 square mile face of Wyoming, including two of the country's oldest rodeos.

Lander Pioneer Days has passed the three quarters of a century mark, having been started by Ed Farlow, father of Stub Farlow, the reputed model for the bronc buster on the Wyoming license plate. The Buffalo Bill Cody Stampede celebrates its 52nd anniversary in 1971. Fourth of July rodeos range from these well-established institutions to smaller, more intimate rodeos in Lyman, Ft. Bridger, Afton, Big Piney, Guernsey, Ten Sleep and Saratoga.

These rodeos, in contrast with such giants as Cheyenne Frontier Days, Calgary Stampede or Pendleton Roundup, are gatherings of the local ranchhands who test their skills against stock that in many cases is wilder and ornerier than the professional rodeo stock. Action is guaranteed fast and furious, and fun is the order of the day.

Cheyenne Frontier Days annually caps the month of July, then the fair season descends on the Equality State, including the Central Wyoming Fair and Rodeo (first weekend in August) and the Wyoming State Fair (late August).

The rodeo season roars to a close on Labor Day weekend with, appropriately enough, Cowboy Days in Evanston, and one of the most rambunctious one day rodeos anywhere—the Meeteetse Rodeo, where cowboys from ranches with such colorful handles as The Pitchfork and The Hoodoo gather at the foot of the Absarokas to "do their thing," and do they ever! Rompin', stompin' Meeteetse offers the perfect climax to the Wyoming rodeo season.

The "Daddy of 'em All" remains Cheyenne Frontier Days. Exploding in all its fury the last full week in July in the Cowboy State's capital city, Frontier Days celebrates its Diamond Anniversary in 1971 (July 24-August 1). In line with this milestone the celebration is being expanded to nine rodeos, nine night shows and four parades. Action will kick off Saturday, July 24, with the first of the downtown parades, the first afternoon rodeo and the initial night show, then continue through the next week and climax on Sunday, August 1, with the championship finals and awards presentation.

New to Frontier Days this year, too, will be

a \$1.2 million stadium expansion that will provide better, more comfortable seating to the more than 100,000 spectators who will view the "Mardi Gras of the West." A covered section tier will be added to the west grandstands, providing an additional 3,000 seats. New press facilities will be included in the new section.

The \$100,000 plus Frontier Days purse draws the top names in the professional rodeo circuit—from all around champion Larry Mahan right through the ranks of 500-600 professional cowboys—to do battle with the best broncos, Brahma bulls and roping stock in the country.

Cheyenne Frontier Days parade, scheduled for both Saturdays as well as Tuesday and Thursday of Frontier Week, features the world's largest collection of horse drawn vehicles. Everything from the traditional surrey with the fringe on top to the Conestoga to the stage coach is included in this two and a half mile long review of the West as it was . . . and is.

The night show is traditionally headlined by a top name in the entertainment field (past headliners have included Lorne Greene and Michael Landon of "Bonanza" fame, "Doc" and "Festus" of "Gunsmoke" and Fess Parker), but the excitement is generated by the hell for leather chuckwagon races.

Besides all the parade, rodeo and night show activity, the annual celebration features the Ogallala Sioux Indians, chuckwagon breakfasts, a giant carnival, square dancing, mellerdrama and night life to suit anybody's taste.

With the Wind River Mountains as a backdrop, the Sublette County Historical Society annually stages the Green River Rendezvous on the second Sunday in July in Pinedale.

The Rendezvous is a living memorial to the mountain man and fur trappers who blazed the trails for an empire. The Rendezvous pageant depicts the lusty furtrading "fairs" of the 1820's and 1830's when western Wyoming was still a wilderness.

The great demand for fur—especially the prized beaver pelts—gave impetus to the organization of firms to enter into the West. These firms hired men and equipment to enter into the Oregon Country to trap and trade furs. From these ranks came such mountain men as Kit Carson, William Sublette, Davey Jackson, Jedediah Smith, Joe Walker and many, many others who have been immortalized in the history of the West.

From the nature of the operation and the immense area to be covered, fixed forts or trading posts were out of the question. Instead, a fixed meeting place or rendezvous was predetermined each year where all were to meet the following year to transact business, trade and celebrate . . . mostly celebrate.

Because the Green River area had earned the well deserved reputation of being the finest beaver waters known, most of the rendezvous were held from the mouth of the New York to the mouth of Horse Creek. The only law of the rendezvous was that little compassion was in some men's hearts, and there was a majority of rascals. This was no place for the weak or timid, and the leaders could be nothing less than men of strength who would leave their mark indelibly engraved in Western Americana.

With the ending of each rendezvous, the wedge was driven a little deeper into Oregon Country. Change was in the wind—the trapper roamed farther and farther afield, and the Indian little realized his way of life would be irrevocably altered.

The fur trade collapsed in the early 1840's, and beaver pelts were of little value. The Indian and trapper trails had become roads. The British found they couldn't compete, and the Indian's new way of life left him little. For the pursuit of a beaver skin by the intrepid trapper, the Oregon Country had become a part of the United States.

In Pinedale, at noon on the second Sunday in July (July 11, 1971), this county of few people and many horses recreates the epoch of the rendezvous. As an intermittent annual event over the past 28 years, the Sublette County Historical Society's pageant again brings the impact of the historical significance of the rendezvous to life. With hundreds of items; people, horses, mules, wagons, pack strings and tepees, a fast moving program is presented—a spectator will find himself suddenly a part of the history that developed Wyoming.

Following the pageant, a beef barbecue is offered, allowing visitors to mingle and visit with Jim Bridger, Kit Carson, Bill Sublette, Captain Bonneville, Indian chiefs, Rocky Mountain Fur Co. representatives, Father De Smet and the others who make up the pageant.

That 31 word passage is repeated each year in a moving historical pageant in the town that grew up around the Indians' sacred waters. Thermopolis, at the foot of the Wind River Canyon in the Big Horn Basin of Wyoming, annually hosts the Gift of the Waters Pageant on the first full weekend in August, commemorating the giving of the waters of Big Spring to the Federal Government by Chief Washakie.

Big Spring is the world's largest mineral hot spring (18,600,000 gallons every 24 hours) and is the raison d'être of Hot Springs State Park, site of the pageant. In 1896 Chief Washakie, heading a council of Shoshone and Arapahoe, entered into a treaty with the Federal Government, ceding to the United States a tract of land approximately ten miles square of the northeast corner of the Wind River Indian Reservation embracing the Big Spring. At the time of the treaty he made a request that a portion of the waters be reserved for free public use forever.

The Federal Government eventually ceded one square mile of the land to the State of Wyoming, and Chief Washakie's wish that a portion of the waters be reserved for the free use of the public is carried out through the State Bath House at the park.

The pageant, written in 1925 by Marie Montabe, is presented in four scenes: The arrival of the various Indian nations, Chief Washakie and the dancers; prayers to Dama Upa (Our Father) and the Indian women's chorus; the sub-chief telling of the long journey to the spring and his introduction of Chief Washakie, who then makes his remarks giving the land to the United States and the fourth scene in which the narrator brings an end to the colorful ceremony with the singers and dancers fading into the red-billed background that surrounds Big Spring.

The ceremony is presented twice Sunday of pageant week (July 31-Aug. 1, 1971).

All American Indian Days, the Indians' own celebration staged normally in Sheridan the first weekend in August, was founded by volunteers with a great idea and no money, but they were volunteers who never gave up.

Through 17 years of trial and error, Indian and non-Indian have worked together to present a beautiful show that has done much to revive and present Indian culture and to further interracial friendship.

The three day celebration (July 30-August 1, 1971) features an Indian arts and crafts exhibition, historical ceremonies, dancing, Indian games and other talent, both traditional and contemporary. On Sunday, a joint church service is held under the open sky, watched over by the Big Horn Mountains, on ground fought over by ancestors of today's worshippers.

An important feature of the celebration is the Miss Indian America contest. It is different from the usual beauty pageant because this girl must have more than beauty. She must be able to function as an ambassador from her people to the rest of the United States and overseas as well. To meet this

challenge Miss Indian America must have outstanding speaking ability, she must have poise, character and intelligence, plus knowledge of and pride in her people and a dedication to their service.

Before All American Indian Days began, there were signs in Sheridan and other western towns reading "No Indians or dogs allowed," "No Indians wanted," and in restaurants, "No Indians served." All American Indian Days was a resounding answer to that type of mentality. Since, 1952, when the first celebration was held as part of the Sheridan, Wyo. Rodeo, the spirit of All American Indian Days has done much to close the gap between the Indian and non-Indian.

The concepts of All American Indian Days and the Miss Indian America Pageant have brought national recognition to the Sheridan community.

In 1954 and again in 1962, Sheridan was awarded Freedoms Foundation Award for its effort toward improvement of race relations between Indians and non-Indians. This event also played an integral part of the selection of Sheridan as a recipient of the All American City Award in 1958.

#### THE JOB SEEKERS

### HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mrs. GRIFFITHS. Mr. Speaker, today, there are some 30 million women in the American labor force. Many of these working women constitute the sole support of their families. In this time of high unemployment, it is well to remember that increasing unemployment has severely hurt the working woman. For the benefit of all, I would like to place in the RECORD articles by Pamela Morris on this matter entitled, "The Job Seekers—and the sad story of a woman who has one," which appeared in the Detroit News of July 18, 1971. As mentioned in the articles, the city of Detroit has a 12.6 percent overall unemployment rate, which broken down by sex reveals an 8 percent unemployment rate for men over 20 and a 10.5 percent unemployment rate for women over 20. Certainly, 40,000 women of the Detroit metropolitan area on the unemployed list is not to go unnoticed. The articles follow:

#### THE JOB SEEKERS

(By Pamela Morris)

The out-of-work woman is the one victim of today's bleak economy no one seems to take seriously.

If she's single, she can always go back to Mom and Pop, can't she?

If she's married, her husband's salary is the vital one. She's working merely for frills or to escape the monotony of housework. Everyone knows that.

So the public continues to tut-tut over the plight of the male breadwinner scrambling to find a job at a time of peak unemployment. A lady's lament falls on deaf ears.

But statistically at least, the employment situation is worse for women—particularly in Detroit, where the heavy industrial nature of the city means fewer jobs for women.

Detroit is already in sad shape, with a 12.6 percent overall unemployment rate. (The national figure in May, a mere 6.2 percent, was a nine-year high.)

Broken down by sex, the local statistics

show men over 20 with 8 percent unemployment, women over 20 with 10.5 percent.

Translated into numbers, the figures lose some impact from a woman's point of view since men still outnumber women in the labor force.

But some 24,000 unemployed Detroit women, 40,000 in the tricounty area, is a sum not to be sneered at.

And not all these unemployed women have a family or a manly shelter to flee to when they find themselves jobless. Independence—by choice or by circumstance—is the lot of many women today. Fifteen of every 40 working women are either single, widowed or divorced.

Like Nora Anderson, gray-faced and toothless, who says she is 55 and looks 10 years older. She cares for her invalid 69-year-old ex-husband in an apartment they share.

"Whatever work you get for me I can do," she says urgently. "Restaurant or bakery, baby-sitting, sewing or something . . . I'll do anything.

Her alternative is welfare.

And there is the 55-year-old divorcee, her face too brightly painted, who was laid off in April after 25 years as a cocktail waitress at a typical businessman's bar.

"That's all I ever did," she says, the bitterness twisting her cheerful mask. "Experience don't mean nothing nowadays."

For she can find no work either. Her field is limited, of course. She doesn't drive, so distance is a problem. She has never served food. And many bars prefer younger cocktail waitresses with a more nubile, cuddly image.

Summer is always a slack season for restaurants but it's worse this year. In a recent month, 5,200 people were registered with the Michigan Employment Security Commission (MESC) looking for work in food and beverage preparation and service.

But, on an average day, the MESC computer showed only 154 employer requests for waiters or waitresses, 33 openings for short order cooks.

Age is another strike against those two job-seekers. But younger women, qualified women, are just as desperate, just as depressed.

There's the petite, 34-year-old brunet, fidgeting in the line as she waits for her unemployment compensation check. She has a bachelor's degree in art from University of Michigan and 20 hours towards her master's.

She tried teaching, didn't like it and turned to electrical drafting. After years at a small electrical engineering firm, she was laid off April 15.

"I'm able to pay for rent and food. I had to give up my car. The rest of my creditors are being patient," she says.

"I was making \$7,200 a year and I see no reason to take a filling job for \$300 a month, not yet. I'm making more sitting home on my rear and collecting unemployment."

There is no shame connected with unemployment compensation. Many in the line are righteous. They think they contributed to the unemployment insurance fund and are thus entitled to benefits. They are mistaken though. Employers, not employees, pay into the fund.

The technicalities that make an individual either eligible or ineligible for benefits would fill a book. But, basically, it's pretty simple.

The applicant must be: unemployed; able and available for work and actively seeking a new job; have worked a minimum of 14 weeks for any employer who is subject to the Michigan Employment Security Act in the year prior to his unemployment.

If he meets all requirements, he'll cash in. The size of his check will depend on average weekly earnings and number of dependents.

He may receive as much as three weeks of benefits for every four weeks worked in the year prior to his unemployment. Thirty-nine weeks, which includes a 13-week exten-

sion, is the absolute longest he can depend on the weekly allotment.

A young woman, 24, with an attractively curled Afro, is collecting her last check. She is in the process of a divorce, a separation that left her with two young children to care for.

Unwisely, she admits, she left her \$109 a week telephone company job last September.

"They put me on the night shift after four years and I couldn't stand the pressure."

She's applied for jobs and had offers . . . mostly in the \$75 a week range.

"It would all go for baby-sitting," she almost wails.

So what does she do now? What happens when the last of that final check is spent?

"It can't get any worse," she says with a sigh. But is she an optimist?

For the black women in Detroit the job scene is particularly bleak . . . a discouraging 15 percent unemployment rate compared with her white sister's 10.5 percent.

And then there are the working wives. How many recognize the necessity of her paycheck?

"You can't feed five kids on my husband's \$135 a week, and pay the bills," says Martha Collins, of Madison Heights.

The \$4.04 an hour she was bringing home from her tool company job before a mass lay-off was not just supplementing her husband's earnings. She was sharing the role of breadwinner.

She hasn't been able to find comparable factory work. And she winces of returning to her first profession—waitress—with a shudder that shakes her ample body.

"That would be a hard row to hoe. I hope the economy takes a swing up before I'm forced into that."

It is almost impossible for a woman to locate a job in industry today. MESC counted some 15,000 one month looking for such work and listed, on a typical day, a scanty 1,100 employer requests for manufacturing personnel. And most of those heavy jobs usually filled by men.

The soft-spoken, neatly groomed woman is a 42-year-old housewife with six children. She just completed a course in business education at Wayne State University and happily applied for teaching jobs at some 20 schools within a 45-minute travel time radius of her home.

Predictably, she's had no response.

She's now sitting on a straight-backed chair at her local MESC employment office, waiting to talk to a job counselor.

"I put down 'managerial position,' but I'd take secretarial work," she says. "Every day I'm out of work we get farther and farther behind in our bills and now we're in debt."

"I can teach any business course and I did my student teaching in data processing. That kind of practical course is so important to students today but most schools don't include it," she trails off with a discouraged shrug.

"We're getting a lot of unemployed teachers, a lot of college graduates," says Lorraine Barrett, a supervisor for MESC interviewers.

"Their problem is that they're overqualified. What employer wants to spend money and time training someone he knows will leave as soon as a teaching job opens up?"

For teachers, the outlook remains discouraging. It is estimated that 104,000 new graduates in the United States will be unable to find teaching posts this fall.

The typewriter and steno pad, for 50 years a woman's balliwick, is one of her last refuges.

On a good day the MESC files will show some 500 openings for assorted clerical personnel.

But there are two catches. Starting pay has remained, in most instances, miniscule. And the employer has gotten picky.

He used to be satisfied with seeing 5 or 10 applicants before he tapped one to fill a va-

cancy. Now he insists on interviewing 25 or 30, weeding out the inexperienced, the older woman, the girl with rusty skills.

There is one field, of course, where the eagerness is on the employer's side. The cry for domestic workers is enough to shatter the eardrums.

The cry falls on deaf ears.

"It doesn't make sense," says an MESC spokesman. "Domestic work is perfect for the older, unskilled woman who's going back to work after she's raised her family. Keeping house and cooking are what she knows and can do well."

"But it just doesn't have status. They'd rather get a job clerking in a dime store for less than they'd make at day work."

Employment counselors don't even suggest domestic work to the desperate women they deal with.

"If she's white, she's insulted. If she's black, she might slug you," says one interviewer.

With the exception of domestic work, though, almost all other areas find women "involuntarily unemployed."

Salesgirls are laid off because customers are scarce when money is tight. Hairstylists twiddle combs, because wives whose husbands are idle can no longer afford the luxury of a weekly shampoo and set.

But the employment counselors, after dispensing the gloomy figures and shaking their heads sympathetically over women's plight, decide things aren't so bad after all.

"It is easier for women to find work than for men," says one with a smile.

Why?

"Well . . . I'm not sure, and I don't have the figures to back it up, but . . ."

Every source says the same thing.

And then one manager of a private employment agency mentions casually that she would never send a man out to interview for a still available clerk job, the kind that pays a measly \$325 a month.

"Why, it would be absurd. How could a man with a family to support, a man who had been making from \$10,000 to \$20,000 a year, exist on such a salary?"

But if the job applicant is a woman, counselors don't hesitate to ask her typing speed and send her on such an interview—even though she might be the head of a household, a college graduate, an individual with more skills to offer an employer than 50 words per minute.

She should be grateful for any job, you say? Perhaps. If she's desperate enough, she probably is.

But the woman suffers . . . the mind-chilling monotony of a dead-end job, the obvious sacrifice of a paycheck ridiculously incompatible with her training and experience.

And the rest of womankind suffers with her, as the women's lib campaign to upgrade women's status in the marketplace slowly and very surely grinds to a halt.

For if women with skills that go beyond typing and shorthand get mired in the steno pool, how long might it take them to struggle out and up when the economic picture begins to improve?

It is easy to say they should remain steadfast, they should hold out with the same pride and sense of worth that keeps the axed male executive from taking a job as a truckdriver.

But with the groceries to buy and the rent due, pride is the one commodity women can't afford this week.

... AND THE SAD STORY OF A WOMAN WHO HAS ONE

(By Pamela Morris)

Diane Durocher is one of the victims of the unemployment epidemic.

Typical? No. There is no such thing as a typical story told by an out-of-work woman.

But she can describe that ironic combination of urgency and inertia that afflicts the unemployed, the bitter feeling that someone must be playing a bad joke.

And Diane, 27, is eager to tell her story, sitting cross-legged on the floor of her Palmer Park apartment, sipping unsugared iced tea and chain smoking.

She has nothing better to do, after all.

Diane graduated from Michigan State University in 1968 with a journalism degree.

"It took me a couple of extra years. I worked my way through," she says matter of factly.

After graduation she was hired by a suburban daily newspaper as a reporter. In the space of a few months, she became the business writer.

Diane quit her job in January, 1970, shortly after the paper came under new management.

"It sounds naive and stupid but I just wasn't sure I agreed with their ideals anymore. Besides, I thought I could make more money somewhere else."

Even last year the job market for creative people was getting spotty, but she didn't panic.

She moved back to her parents' home in Okemos. Then she took a three-week job-foraging trip to the West Coast. No luck.

When she returned to Detroit, she got a job offer from the American Red Cross. They needed someone for their public relations department.

"I really hesitated. Back at MSU the journalism profs were always telling us we'd be prostituting ourselves if we took a job outside a newspaper."

But she didn't hesitate too long. It was the only offer she had.

Relative tranquility until the middle of this May.

"Then I got laid off," says Diane, grimacing.

Nationwide economic slumps hit the charity business hard, too.

When her first, tentative inquiries into the job market brought no results, she applied for unemployment compensation.

But employes of nonprofit organizations aren't eligible for benefits.

Then she did begin to get frantic.

"Move back with my parents? Again? I can't keep doing that all my life. Besides, my roommate and I just rented this apartment in January."

With her severance check and her savings she had a grand total of \$780. She also had her half of the rent, \$80, to cough up, a \$70 car payment, a \$400 bank loan, payments on the loan that helped get her through school. And hefty charge account balances.

"I know it was dumb—but after doing without all through school. I really go wild on clothes and stuff now. It's like a sickness."

So she redoubled her job hunting efforts and applied at "one of those rent-a-girl places" for something to tide her over.

"But if you don't type, all they have is jobs scrubbing floors."

(Like many writers, Diane views her appallingly inaccurate typing with a sense of pride.)

She did have one offer in her field—a post as social writer at a weekly paper in a small town.

"I mean, where is Buchanan, Mich.? The whole thing just turned me off."

So she continued to type up resumes, started a short story to submit to True Confessions magazine and kept in touch with employment agencies that held her application.

"I refused to let myself sleep until 11, even if I didn't have anything to do. So

I'd get up at 9 and fuss around the apartment. Then a friend would call me to meet downtown for lunch. It takes a couple of hours to get ready for that.

"I'd pick up the newspaper on the way home . . . the want ads, you know."

Books and the newspaper occupied most of the afternoon.

"But the biggest, the most agonizing decision every day was whether or not to turn on the 4:30 movie. I wasn't letting myself get hooked on daytime television. I vowed that. But is 4:30 daytime, or early evening?"

"I always felt better when I fought the impulse and didn't watch the movie. It was like winning a battle."

And the days, she says, "just went by."

Until one morning she woke up and found half her savings gone, after only a few weeks of joblessness.

"My God, it really hit me. I'm spending money and I'm going bananas."

Her first action was to throw herself upon the mercy of the government.

After a six-hour wait at the Michigan Department of Social Services, Diane learned she still had too much money in the bank to qualify for welfare. But a sympathetic worker directed her to the agency where food stamps are obtained.

"They were really nice at the food stamp place. That day I got \$14 worth of stamps, my two-week allowance," she says, exaggerating the wide smile that must be her trademark.

But she adds more quietly, as she examines the melting ice cubes in the tea, "In my whole life, I'd never been in a welfare office. Never."

It wasn't long afterwards that she sat down next to the phone with the Yellow Pages open in her lap to "Restaurants."

"It was very simple. I just went down the list and called the places where I thought the tips would be good. I lucked out. The third place I hit, Topinka's on the Boulevard, said to come on in."

So Diane dipped into her savings once again . . . and reported for work in a new white uniform.

"That's how I put myself through school, you know, waiting table."

She's just a little out of practice now. Her movements are not as deft and sure as those of her co-workers. She forgets to smile sometimes, so intent is she on conveying the food from tray to table without the mashed potatoes sliding onto the customer's lap.

But how could she have known to keep in practice? She left the drugery of waitressing behind when she left MSU with that gilded diploma—the supposed guarantee of her right to practice her chosen profession.

Diane is still not exactly "employed." She's only working the lunch shift, 11 to 2, for \$5 a day and tips, which average \$7 or \$8 daily.

"It's been a long time since I hustled for a buck," she says with a groan.

She continues to queue up for food stamps every two weeks, since her part-time job leaves her on the poverty level.

But, if nothing else, the waitress job has kept her sane.

"It's great to wake up in the morning with something to DO."

It's a stopgap, of course. Her hunt for work in the media has, if anything, intensified.

"By August, I'm sure to find some sort of job in my field . . . aren't I?"

The question is an afterthought, as if the possibility of failure just occurred to her.

But the possibility is real—for Diane and for many of the other 40,000 unemployed women in the Detroit area.

Too often, the jobs they are searching for simply don't exist.