

A cloture motion is expected to be introduced tomorrow, with a vote thereon to occur on Monday.

#### ADJOURNMENT UNTIL 10 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 33 minutes p.m.) the Senate adjourned until tomorrow, Friday, July 23, 1971, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate July 22, 1971:

##### U.S. DISTRICT COURTS

Edward R. Neaher, of New York, to be a U.S. district judge for the eastern district of New York.

Robert E. DeMascio, of Michigan, to be a U.S. district judge for the eastern district of Michigan.

Aldon J. Anderson, of Utah, to be a U.S. district judge for the district of Utah.

##### DEPARTMENT OF JUSTICE

William S. Sessions, of Texas, to be U.S. attorney for the western district of Texas for the term of 4 years.

#### BOARD OF PAROLE

Maurice H. Sigler, of Nebraska, to be a member of the Board of Parole for the term expiring September 30, 1972.

William T. Woodard, Jr., of North Carolina, to be a member of the Board of Parole for the term expiring September 30, 1977.

Gerald E. Murch, of Maine, to be a member of the Board of Parole for the term expiring September 30, 1977.

#### DIPLOMATIC AND FOREIGN SERVICE

Fred L. Hadsel, of Ohio, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ghana.

## EXTENSIONS OF REMARKS

### EDUCATIONAL PARTICIPATION IN COMMUNITIES AT CAL STATE, LOS ANGELES

#### HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. ROYBAL. Mr. Speaker, I would like to share with my colleagues some facts about a remarkable program involving over 3,000 students at California State College, Los Angeles. This program is known as "Educational Participation in Communities," and is funded through college work-study moneys.

The objective of this program is to involve students in providing service to the communities surrounding Cal State. It is estimated that over 3,000 students annually put in a total of 390,000 man-hours in this effort. The program serves east, south central, and central Los Angeles and the San Gabriel Valley.

This program is one segment of a nationwide effort throughout our college campuses to reach minority and low-income communities. Over 300,000 students, representing 80 percent of the Nation's campuses, participated last year in similar programs.

This effort has included a variety of approaches from tutoring to ethnic studies programs, economic development in the minority community, legal aid, consumer boycott, lunch programs, to mention only a few.

Through such programs the student goes beyond a textbook knowledge of society and people into a direct personal testing and participation in problem solving. I consider this type of internship in community life as an excellent way to stimulate a probing analysis and action plan for this society and build community leadership.

Our college campuses cannot be disembodied from the local social and political setting; they must play a role in solving local problems. It is by working in our communities that we test our ideas of change and development, and gain a deeper knowledge—and perhaps wisdom—about ourselves and others.

For this reason I urge a strong Federal support of educational programs of this caliber. We should encourage and

continue funding the work-study program and similar approaches that can directly benefit the community as well as the student.

I am inserting into the RECORD a fact sheet on student-community service programs and "Educational Participation in Communities" at Cal State:

#### EPIC

EPIC (Education Participation in Communities) is a community service organization funded by the Federal Government, the Associated Students and the Student Activities Office at Cal State Los Angeles. EPIC serves as a clearing house for college students and community people who want to service the community. We work in the communities of South Central, East and Central Los Angeles as well as in San Gabriel Valley.

EPIC places student volunteers in community service projects that fit the student's career objectives, but also allow him to acquire a more humanistic outlook on the problems of real people. The volunteer experience we offer carries many benefits that shouldn't be understated. To begin with, there is a possibility for the student to receive up to four (4) units of credit from any one of the more than 20 departments that are cooperating with us within the college. Then there is the possibility of using EPIC as a tool to determine your real vocation in life and to use EPIC as a viable way of testing and putting your academic knowledge to work in a real life situation. Also, experience as an EPIC volunteer can be used as a very positive referral when you are looking for a job, or it could easily become a stepping-stone into a rewarding and well-paying position. And finally, there is the fact that we often have work-study positions open in EPIC to people with previous volunteer experience.

### CONGRESS AND THE WAR POWERS

#### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. FRASER. Mr. Speaker, the Zabolcki Foreign Affairs Subcommittee on National Security Policy and Scientific Developments held hearings on June 1 and 2 on "War Powers Legislation."

The Honorable John R. Stevenson, legal adviser, Department of State, testified on June 2 as an administration witness. Shortly after he made his opening statement, I questioned Mr. Stevenson

about executive authority to commit U.S. forces unilaterally to military action. One exchange brought out that Mr. Stevenson does not consider a vote by a Congressman for defense appropriations as necessarily an endorsement of war activities supported by those funds:

Mr. FRASER. Just one final question:

In your judgment, would an appropriation to support activities of our Armed Forces abroad constitute a ratification or an endorsement of the undertaking?

Mr. STEVENSON. I think it is hard to generalize. I think in some cases it could; in some other cases, you have had clearly just the opposite an indication that they did not want to endorse certain types of action.

Mr. FRASER. For example, it was argued on the Floor of the House in connection with the Vietnam appropriations that whatever one thought of the war, the troops were there, they were fighting and if you cut the funds off you endangered their lives.

Do you think that is a legitimate argument?

Mr. STEVENSON. I think it is a legitimate argument. I think that if that argument is made, however, it takes away from the other argument that you put forward earlier.

Clearly if you justify the appropriation on the basis of not affecting the safety of our troops in the field, then I am frank, to say that it doesn't indicate approval of what is being done in the same sense because clearly they are doing it because they want to protect the safety of the troops.

Mr. FRASER. In other words, when that argument is made—

Mr. STEVENSON. I think it weakens any ratificatory effect of Congressional action.

Clearly, there may have been indications of disapproval of the initial policy but unwillingness to endanger our troops.

Legal challenges to the war raise the issue addressed by Mr. Stevenson. It will be useful, I believe, to include for the wider RECORD audience the following exchange between Mr. Stevenson and myself. It is taken from "War Powers Legislation," a publication of the House Foreign Affairs Committee, pages 68 to 72.

Mr. FRASER. Mr. Stevenson, it is difficult when looking at this question to ascertain the extent to which the President may be circumscribed by international law either as embodied in the United Nations Charter or otherwise.

For example, take the Bay of Pigs invasion. Do you think that was lawful under accepted principles of international law?

Mr. STEVENSON. Mr. Fraser, I would rather not comment on a previous administration.

I am quite prepared to talk about what this administration has done but I don't

think it is appropriate for me to comment on—

Mr. FRASER. Let us put the question hypothetically.

Suppose the United States engineered an invasion of a neighboring Caribbean country because the United States disliked the regime controlling the country.

Mr. STEVENSON. Let me put the answer in this fashion:

Under the United Nations Charter we have restrictions on the use of force. Clearly force can be used consistent with the charter where the appropriate organs of the United Nations have authorized such action.

In addition, you have two provisions, one allowing action pursuant to the action of a regional body constituted under the charter and finally you come down to the most important provision of all which deals with the question of collective or individual self-defense.

You have to justify the use of force that is not otherwise authorized under the charter pursuant to the provisions relating to individual or collective self-defense.

So that normally the use of force should be related to one of these areas. Now there are obviously in addition to that the generally accepted rules under international law involving the protection of your own Nation and other matters of that nature.

Mr. FRASER. Are you saying that under my hypothetical case the American action would appear to be a violation of international law?

Mr. STEVENSON. Again, I don't think it is useful for me to speculate on hypothetical cases.

When you use the word "invasion," clearly aggressive war, initiation of aggressive war is something that you can't do under the United Nations Charter.

The determination of what you can do in terms of self-defense is something that you have to look at in terms of a particular fact situation to determine whether in fact the response was justified, given all the particular facts.

As you probably know, under the U.N. Charter when you do rely on self-defense you have to report to the Secretary General, indicating why you think the particular response was a justifiable exercise in self-defense.

#### PRESIDENTIAL ACTION AND THE U.N. CHARTER

Mr. FRASER. I do not mean to involve you in old issues. However, I am concerned whether a President may, on his own initiative, without authorization from Congress, commit U.S. Forces to actions which would be considered violations of the United Nations Charter.

Let us suppose, for example, that the President's action would be considered a violation of the charter. Does he have that power?

Mr. STEVENSON. Basically, we are talking about two different situations.

One is when the President of the Country acts in a particular way and the question is whether the action is consistent with international law and particularly the present highest form of that international law; namely, the U.N. Charter.

If we violate the U.N. Charter, the consequences are basically that we subject ourselves to action by the United Nations and members of the United Nations for violating the U.N. Charter.

The consequences of violating the charter basically do not relate to the question of the President's domestic constitutional authority.

Mr. FRASER. Let us put it in another way.

Treaties are regarded as the supreme law of the land. Is that the constitutional principle?

Mr. STEVENSON. That is correct.

Mr. FRASER. Is the President bound by those treaties when the treaties constrain the exercise of his power?

Mr. STEVENSON. Basically the section of the Constitution that you are dealing with, and I defer to my colleague from the Department of Justice on this, is the supremacy clause.

Basically this indicates that in terms of litigation and the application of law within the United States in our courts the treaties are to be treated on the same level as other legislation in determining the rights of private citizens.

Now, clearly I think that the responsible officials of this Government are also required to act in accordance with international law because if they don't the United States becomes liable internationally for that violation.

In fact, one of the functions of my own office within the State Department is to make sure that the international law consequences of actions that are taken are appreciated because clearly we do not wish to be in violation of the international laws.

#### INTERNATIONAL LAW VERSUS NATIONAL LAW

Mr. FRASER. I gather there are two different issues here. One occurs when the United States has a relationship with other nations or with international bodies.

My question goes to the power of the President. Does he have the authority to undertake an act which would place this Nation in violation of international law?

I think you said that the President didn't have that authority. But I am not clear exactly what constraints exist on the President's power.

Mr. STEVENSON. We are talking about two different legal systems, the international legal system and our own constitutional legal system.

Mr. FRASER. But our own system recognizes the force of treaties.

Mr. STEVENSON. That is correct, in terms of application in our courts and it gives effect under our supremacy clause to treaties.

Clearly the President's advisers would advise that no action be taken contrary to international law. But I think the issue you are raising is whether international law is also, as it were, incorporated in the constitutional restrictions on the President's authority.

I think my answer to that would be that I think the President's advisers would advise him to act in accordance with international law.

But there can be situations where the legal system is in conflict with international law.

#### CITES THE DOMINICAN REPUBLIC INVASION

Mr. FRASER. Let me make it more concrete.

Take the Dominican Republic invasion. Assume that the claim that U.S. nationals were in danger was not in fact, a legitimate claim, as it wasn't. The President nevertheless ordered forces to land. Let us assume that a Marine declined on the grounds that the President, by ordering troops into the Dominican Republic, was in violation of international law.

What then?

Mr. STEVENSON. Here again, we are not talking about a matter of private right in the usual sense. I think as the case I quoted in my statement indicates in this area the attitude of the courts would be that this is basically a political question and they would not be inclined to interpose a constitutional objection to the President's action in this area.

Really substantially we are not far apart because in fact the President and the executive branch regard compliance with international law as one of our major responsibilities.

But I do not think that you can link that to the constitutional question.

Mr. FRASER. Mr. Stevenson, it is quite clear that the United States, from time to time, flagrantly and substantially disregards international law.

I am not impressed by any contrary assertion on your part. It may well be that the United States advances the cause of international law more often than we impede its advance but it is clear that we violate that law when we think we have an interest in doing so.

But let me come back to my question. You contend that the courts would rule, in the face of a satisfactory demonstration that the President's order was in violation of international law, that they could not sustain the right of a member of the Armed Forces to decline to carry out the President's order?

#### COURTS NOT APPROPRIATE TO ACT ON INTERNATIONAL ISSUES

Mr. STEVENSON. I think the history has been that our courts would not think that they were appropriate tribunals to determine that question.

Mr. FRASER. This is not a very satisfactory state of affairs.

Mr. STEVENSON. Again, I go back to the situation. You have indicated that you think we do not comply with international law as much as we should.

I can only again speak for this administration. I think during this administration there has been an attempt to act in accordance with international law. I suggest that sometimes you may have a difference as to what international law permits.

Mr. FRASER. I am trying not to focus on this administration alone.

Mr. STEVENSON. I also think that when you say it is not a very satisfactory answer, I think that there are many international penalties for not complying with international law.

Certainly I think this country's record overall has been good in this area.

#### AUTHORITY FOR TROOPS IN VIETNAM

Mr. FRASER. Under what authority does the President currently maintain troops in Vietnam?

Mr. STEVENSON. The authority under which he is presently maintaining troops in Vietnam is his authority as Commander in Chief and his special role in terms of this country's foreign policy.

I think he has indicated on numerous occasions that his interest is in liquidating the war that we were involved in when he came to power and that all of his actions have been taken with a view to terminating that involvement in a way that is consistent with the safety of our troops.

Mr. FRASER. Your view is that the President has the inherent authority to deploy troops to any country?

Mr. STEVENSON. I would not say inherent. I think it is based on his power as Commander in Chief.

Mr. FRASER. Inherent in his power as Commander in Chief?

Mr. STEVENSON. Yes.

Mr. FRASER. The President could order troops to Israel tomorrow in the absence of any treaty agreement or without authorization from Congress?

Mr. STEVENSON. Again, I do not want to speculate on a particular case.

The President clearly does have power to deploy troops abroad. Congress has in the past participated in many respects in this.

We have had a number of treaty commitments involving the deployment of troops abroad. We have many status of forces—

#### POWER OF THE PRESIDENT TO COMMIT TROOPS

Mr. FRASER. Even without a treaty, you are saying that the President has unrestricted power to commit U.S. Forces anywhere in the world to active hostilities?

Mr. STEVENSON. You say commitment. Again, I think you are using, I think it has been recognized that the President does have the right to deploy troops around the world

when he feels this is necessary in discharging his duties as Commander in Chief.

Mr. FRASER. It is that specific statement of the President's power that causes me concern.

Mr. STEVENSON. We are talking just about stationing troops at this point.

Mr. FRASER. My question assumes that the troops would become involved in hostilities.

Mr. STEVENSON. If we are talking about committing them to hostilities, I think both Secretary Rogers' statement and my own statement have indicated that we feel that this is something that should be done jointly with the Congress, subject to the exception—

Mr. FRASER. I am not talking about what may be desirable or useful, I am talking about what you regard as the power of the President.

Mr. STEVENSON. This is something that under our constitutional system of shared powers requires joint action except in an emergency situation.

Mr. FRASER. Let us pursue that.

Is it your view that, except in an emergency the President does not have any authority to commit troops?

Mr. STEVENSON. I think we have to be very careful about the words we are using. On the one hand we talk about stationing troops.

Mr. FRASER. Let us leave stationing out.

#### DEFINING "SHARED POWERS"

Mr. STEVENSON. In the second situation if what you mean is the question of using troops to initiate hostilities, which basically is what you are talking about, we feel that that is something for a shared power under the Constitution except in an emergency situation.

Mr. FRASER. Let us be precise about shared power.

Are you saying that the President has no authority unless the Congress has authorized it?

Mr. STEVENSON. I think here, again, you are trying to make very precise something that the Constitution does not make that precise.

I think that there are many different ways that Congress can in fact exercise its share of this power. I think, as the Secretary himself pointed out last week, that this administration has no interest in having the President, himself, initiate that sort of action without congressional support.

It is only where you have an emergency situation that he must remain free to act without some form of appropriate congressional action.

Mr. FRASER. Is it not true, Mr. Stevenson, that our involvement will end only after the President secures a specific objective?

The objective being to secure the South Vietnamese nation through the buildup of the capabilities of the South Vietnamese armed forces?

Mr. STEVENSON. I think I had better let the President speak for himself. I think he has stated what our objectives are.

Mr. FRASER. My point is that this specific objective is an objective that goes far beyond the safe withdrawal of American forces.

Mr. STEVENSON. It is combined with it. I think they are always mentioned together as part of the process of orderly liquidation of the situation that he was presented with when he came to office.

I think he has always linked the two things together.

#### VIEW OF THE NIXON DOCTRINE

Mr. FRASER. In your view, under the Nixon doctrine, would the President have the authority to commit air and sea support to Thailand without congressional authorization in the event of a Thai internal insurgency?

Mr. STEVENSON. Both the Secretary and I have made clear that we are only talking about independent Presidential action in the event of an emergency situation.

It is our clear intention to seek congressional action. Now, I really don't think it would be in the national interest for me to speculate with respect to what we might do in any particular country because you then have to consider what the treaty and other commitments are and the nature of the emergency, whether or not it would permit the type of consultation which the administration would like to have.

So, I really would not like to comment with respect to any particular situation.

Mr. FRASER. It seems to me, Mr. Stevenson, from our point of view it is not enough that the President indicates that he would like to consult. We are trying to define the limitations on the President's authority.

The President is to be commended for any effort to consult. There is no reason to believe he would not consult. But we are dealing now with the question of Presidential authority or power under the Constitution.

In your judgment, would the President have the power to commit air and naval forces under the SEATO Treaty if he felt it would be useful to do so?

#### MEANING OF "CONSTITUTIONAL PROCEDURES" IN SEATO TREATY

Mr. STEVENSON. The SEATO Treaty clearly provides that our obligation to act shall be implemented in accordance with our constitutional procedures.

Mr. FRASER. What do the constitutional procedures require?

Mr. STEVENSON. In that case I go back again to the statement that Secretary Rogers and I have both indicated, we feel this is an area where there should be joint action except in an emergency situation.

Mr. FRASER. Assume there is no emergency and the Congress does not act. Then do you think the President still has the authority to act?

Mr. STEVENSON. I think that is putting in a different way just what I have said.

I think no, where it is not an emergency situation that is a matter of joint congressional and Presidential action.

Mr. FRASER. In other words, Congress would have to affirmatively act in order to give him that authority?

Mr. STEVENSON. That is correct. As I mentioned earlier, the way in which Congress acts is something else again. There are many different ways.

Mr. FRASER. Just one final question:

In your judgment, would an appropriation to support activities of our Armed Forces abroad constitute a ratification or an endorsement of the undertaking?

Mr. STEVENSON. I think it is hard to generalize. I think in some cases it could; in some other cases, you have had clearly just the opposite, an indication that they did not want to endorse certain types of action.

Mr. FRASER. For example, it was argued on the floor of the House in connection with the Vietnam appropriations that whatever one thought of the war, the troops were there, they were fighting and if you cut the funds off you endangered their lives.

Do you think that is a legitimate argument?

Mr. STEVENSON. I think it is a legitimate argument. I think that if that argument is made, however, it takes away from the other argument that you put forward earlier.

Clearly if you justify the appropriation on the basis of not affecting the safety of our troops in the field, then I am frank to say that it doesn't indicate approval of what is being done in the same sense because clearly they are doing it because they want to protect the safety of the troops.

Mr. FRASER. In other words, when that argument is made—

Mr. STEVENSON. I think it weakens any ratificatory effect of congressional action.

Clearly, there may have been indications of disapproval of the initial policy but unwillingness to endanger our troops.

#### SUPPORT FOR LOCKHEED AIRCRAFT CORP.

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DAVIS of Georgia. Mr. Speaker, I would like to bring to the attention of my colleagues a most significant show of support for the Lockheed Aircraft Corp. by a large number of my constituents and other concerned Georgians.

I am referring to a petition which a delegation from the Marietta-Atlanta area presented to the Banking and Currency Committee this morning. This petition contains 250,000 names, and represents a concerted and diligent effort on the part of many Lockheed-Georgia employees, their neighbors and friends, and concerned public officials throughout the Marietta-Atlanta area.

Mr. Speaker, I am most concerned with the future of this great company, and I consider it significant indeed that this delegation of Georgians was able to procure some quarter of a million signatures to attest to Lockheed's viability and strength and its enormous contribution to the Marietta-Atlanta area.

Mr. Speaker, I commend to the attention of this body this petition which was signed by 250,000 Georgians, as follows:

#### RESOLUTION

Whereas, the Lockheed Aircraft Corporation is the nation's largest defense contractor and one of the most reputable companies in the aviation industry and an outstanding corporate citizen, and

Whereas, the continued healthy development and production of aircraft by the Lockheed Aircraft Corporation is of vital concern to the economic and national security of our nation, and

Whereas, the continued production of aircraft by the Lockheed Aircraft Corporation is of great concern to the advancement and maintenance of technical skills of a large segment of the people of our nation, and

Whereas, irreparable harm to both the National security and the economic situation would result from a Lockheed shutdown, in that the thousands of scientific, technical and skilled personnel trained and now employed by Lockheed and thousands of subcontractors and suppliers would be displaced or lose jobs or be forced to work below their skill levels, and

Whereas, the Federal Government has requested Congress to authorize the guarantee of bank loans in the amount of \$250 million to the Lockheed Aircraft Corporation, and

Whereas, if said bank loans are guaranteed by the U.S. Government, Lockheed will be able to obtain bank loans enabling it to continue its production, thereby assuring continued employment of its thousands of employees, and thousands of employees of its contractors and subcontractors at a time when vast government sums are being appropriated to help non-employed workers find jobs:

Now therefore, be it resolved by the undersigned Cobb Countians and other concerned Citizens:

That the Congress of the United States is urged by this resolution and individual correspondence to approve the administration's request that bank loan guarantees be made to Lockheed Aircraft Corporation.

## RACE AND WELFARE: AN ECONOMIC ASSESSMENT

### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. BRADEMAS. Mr. Speaker, last month the House passed the landmark welfare reform bill, H.R. 1. This bill, which would relieve the States of the burden of rising welfare costs and provide a family of four with a minimum annual income of \$2,400 a year is now before the Senate, where I am hopeful that it will be acted upon favorably.

In this regard, I think the commencement address of Andrew F. Brimmer at San Francisco State College on June 3, 1971, is particularly important. Dr. Brimmer, a valued member of the Board of Governors of the Federal Reserve System since 1966, addresses himself to the crucial question of "Race and Welfare: An Economic Assessment."

In this speech, while expressing some reservations over the bill, Dr. Brimmer endorses its basic provisions and defines with great precision the Nation's pressing need for welfare reform.

Mr. Speaker, I include Dr. Brimmer's remarks at this point in the RECORD:

#### RACE AND WELFARE—AN ECONOMIC ASSESSMENT

(By Andrew F. Brimmer)

I gladly accepted the invitation to address this year's graduating class at San Francisco State College. I accepted on the assumption that you did not ask me to participate because you wanted to hear the kind of exhortations about the responsibilities of young people in society which usually characterize commencement exercises. Instead, since you know something about my background and interest, I assumed that you came expecting me to focus on an important economic issue which also has relevance for the society in which all of us must live—and hopefully help to improve.

At the same time, however, I also know that a commencement exercise is a time for congratulations on the enormous efforts which most of you have made to arrive at this juncture in your educational experience. Consequently, I congratulate you on your accomplishments, and I urge you to look forward to employing your skills—especially your capacity to look critically on the ills around you—to help create a more humanitarian society. Of course, in the light of the experiences which many of you have had on this campus in the last few years, I know that there is no need to point out to you the enormous deficiencies which still plague our nation. I know also that I do not have to dwell on the opportunities you will have to help overcome these short-falls. Nevertheless, I do want to encourage you to join with the rest of us in tackling the work to be done in the years ahead.

#### PROBLEM OF PUBLIC WELFARE

Having said that, let me go on to identify an economic issue whose resolution should have the highest national priority. This is

the problem of public welfare. The simple fact is that the accelerated growth of dependency on public welfare is creating a permanent "underclass" in America. If allowed to continue unchecked, I am afraid that it may undermine further the already weakening support of efforts to bring about a greater measure of economic equality in the United States.

Moreover, the problem of welfare is increasingly acquiring racial overtones. The representation of blacks and other minorities in the welfare system is expanding at an accelerating rate—with a disproportionate share of the growth being accounted for by families headed by black females. While a number of factors help to explain this development (including the legacy of racial discrimination and segregation in this country), the central presence of the black female on the welfare stage is inescapable.

Furthermore, the increased association of the welfare program with blacks has implications that are far-reaching. It has strengthened the distorted image (held by so many whites) of the black community as a subculture of American society plagued by poverty with little capacity to support itself. While the facts belie such a view, the actual dependence of a sizable fraction of black families on welfare casts a patina of incapacity on the community as a whole. This helps to obscure (for blacks as well as for whites) the real economic progress that blacks are making in the United States. Moreover, the apparent linkage between welfare and black people contributes to hostility toward blacks—especially on the part of working (but lower income) white persons. Thus, an unfortunate by-product of the present welfare system is the aggravation of racial tension.

#### TRAGIC NUMBER DEPENDENT CHILDREN

But the most tragic feature of the welfare system is the large number of the nation's children in families dependent on welfare. Black children make up a disproportionately large percentage of that total. Aside from the stigma of dependence that sets them apart from affluent black children as well as from white children—there is a great danger that the welfare system may sap the will and determination of these young people to make the necessary effort (through the acquisition of marketable skills) to become self-supporting.

In the light of these circumstances, I am personally convinced that a vigorous national commitment must be made to break the cycle of successive generations of dependence on public welfare. We must be prepared to make the investment—although it will obviously be enormous—that is necessary to underwrite the quantum jump from dependency to self-sufficiency for a significant part of our population. In my judgment, further tinkering with the existing patch-work system of public welfare will simply continue what—in fact—is nothing more than a system of charity and alms-giving that does more to perpetuate misery than it does to generate opportunity.

What is needed is a rational system of income maintenance—however it is described. It does not matter whether some would call it a negative income tax or a guaranteed minimum income. Aside from providing enough income to meet present minimum needs of dependent families, such a system must also provide incentives for those aided to contribute to their own improvement. Thus, opportunities to obtain training for useful work and the presence of meaningful jobs, once trained, must be integral features of such a system. Above all, any plan adopted must provide avenues along which the children of those families currently entrapped in a web of dependency can escape to self-sufficiency as they approach maturity.

#### FAMILY ASSISTANCE ENDORSED

I realize that the establishment of such an ideal system cannot be accomplished immediately. We may as well accept the fact that both budgetary and political constraints pose immense obstacles at the present time. However, it is crucial that we begin to move immediately in the right direction. For this reason, as I indicated in the spring of last year, I personally favor the adoption of the basic features of the Family Assistance Program (FAP) recommended by the Administration. While I share some of the reservations expressed by a number of observers with respect to the Program, I think there are far more reasons to praise the plan than to damn it. This is especially true from the point of view of the black community for whom the FAP would represent an early and significant step on the road toward an improved standard of living for a sizable number of families still suffering from the economic deprivations of a long history of discrimination and its corrosive consequences.

I will amplify these major points in the rest of these remarks.

#### THE EXPANDING WELFARE SYSTEM

In December, 1969, there were more than 10.7 million people receiving cash payments under some type of public assistance program sponsored or supported in part by the Federal Government. The largest of these plans was the one providing aid to families with dependent children (AFDC). At the end of 1969, there were 1.9 million families enrolled under this plan, and 7.3 million persons were receiving aid—of whom 5.4 million were children. Thus, AFDC (the program which the typical observer has in mind when he thinks of "public welfare") accounts for about 68.5 per cent of the total number of persons receiving cash payments. There were three other Federal programs with sizable enrollments: old-age assistance (2 million); aid to the blind (80 thousand); and aid to the permanently and totally disabled (803 thousand). There were also 422 thousand general assistance cases. These figures do not include the 19.3 million persons enrolled in the health insurance programs under Social Security (of whom 7.2 million had claims approved and received \$4.2 billion in reimbursements).

Total payments under the four programs mentioned above (excluding medical and general assistance) amounted to \$6.3 billion in 1969. Over half of this amount (\$3.6 billion) was paid under AFDC. Old-age assistance payments amounted to \$1.8 billion; the disabled received \$827 million; and the blind got \$94 million. If the \$5.2 billion of payments under the various medical assistance plans are included, cash transfers in the form of welfare payments totaled \$11.5 billion in 1969.

While funds to finance welfare payments are provided by all levels of government, just one half of the total (\$6.0 billion) was contributed by the Federal Government in 1969. The States provided nearly two-fifths (\$4.2 billion), and local governments put up slightly more than one-tenth (\$1.3 billion). In the last few years, the proportion of total welfare payments originating with the States has been rising somewhat, while the shares of both Federal and local governments have trended downward—but only slightly.

#### DRASTIC RISE IN AFDC

During the last two decades, the public welfare system—whether measured by the number of recipients or total payments—has expanded much more rapidly than the country as a whole. This is particularly true of AFDC. For example, from 1950 through 1960, the number of beneficiaries under AFDC rose by 36 per cent vs. 19 per cent for the total population. Between 1960 and 1969, the number receiving AFDC payments again

rose by 38 per cent, while the population expanded by only 12 per cent. The comparison with personal income tells the same story: in the 1950's, AFDC payments rose by 90 per cent vs 76 per cent for aggregate personal income. Between 1960 and 1969, personal income increased by 85 per cent, but AFDC payments jumped by 236 per cent. An even more dramatic picture of the growth of AFDC emerges when the comparison is made—not with total personal income—but with the sub-total of Government transfer payments (Social Security, unemployment benefits, welfare payments, etc., which represent income to the recipients). In both 1950 and 1960, AFDC payments were 4.2 per cent of such transfers, but by 1969, they had risen to 5.7 per cent.

Since 1969, the AFDC program has continued to expand rapidly. Under current law, total AFDC payments are estimated at \$5.3 billion for fiscal year 1971 (ending this June 30) and at \$6.8 billion in fiscal 1972. The Federal Government's share is still expected to be well over half the total in each year—rising from \$3.0 billion in 1971 to \$3.8 billion in 1972. Moreover, there is no prospect that the rate of growth of AFDC payments will slow appreciably in the near-term. Consequently, the problems of welfare reform are mainly problems arising with respect to AFDC.

#### RACIAL CHARACTERISTICS OF WELFARE RECIPIENTS

As I mentioned above, much of the current discussion of the welfare system has acquired racial over-tones. While one seldom hears the virulent racist jokes which were once commonplace—and public—commentaries on race relations in this country, the life and times of welfare recipients are becoming standard fare for night club comics, newspaper columnists, and even for popular folk-singers. And, although the intended humor is supposed to be directed at the general mosaic of "life on welfare," in many cases the racial slurs just beneath the surface frequently show through.

On the other hand, the heavy representation of blacks in the welfare program is inescapable. This is especially true in the case of the AFDC. In October, 1970, about 49.3 per cent of the family heads covered by the program were white, and 50.7 per cent were Negroes and other nonwhites.<sup>1</sup> In 1969 (when the latter two groups could be distinguished separately in the statistics), black family heads constituted 45.1 per cent of the total; other nonwhites accounted for 6.9 per cent, and whites made up 48.0.<sup>2</sup> Over the last decade, black families as a proportion of total AFDC coverage increased appreciably while the proportion for other groups generally declined. For instance, in 1961, whites constituted 51.8 per cent of the total, Negroes 43.1 per cent, and other nonwhites made up the remaining 5 per cent.

The representation of blacks in other segments of the welfare system is far less marked than it is in AFDC. In the case of old-age assistance, in 1965 (the latest year for which a racial breakdown is available), about three-quarters of the recipients were white, one-fifth were Negroes, and about 3 per cent were other nonwhites. Among those receiving disability benefits, over three-fifths were white, less than one-third were blacks, and about 6½ per cent were other nonwhites.

So, while we must not deny the fact that a disproportionate percentage of welfare recipients are blacks, all of us should protest vigorously any attempt to exploit the racial characteristics of those receiving public assistance.

<sup>1</sup> For comparison, it should be kept in mind that blacks constitute only 11 per cent of the nation's population.

<sup>2</sup> In passing, we might note that the slight rise in the white proportion in 1970 was partly a reflection of the impact of the recession in the national economy in that year.

#### THE PLIGHT OF WOMEN AND CHILDREN

Since the principal Federally-supported welfare program (AFDC) is focused on the needs of children, the sizable number of aid recipients who are women and children from broken homes is not surprising. Likewise, one is not surprised to note on the welfare roles the large percentage of the total that consists of families headed by black females. But what I personally find distressing is the fact that dependence on public welfare seems to have become a way of life for successive generations of American citizens.

The absence of fathers in the home of the typical family receiving welfare assistance has been widely noted. In October, 1970, women headed 82 per cent of the AFDC families, and the father was absent from about three-quarters of these homes. In contrast, the mother was absent in less than 10 per cent of the cases. Yet, only one-sixth of these mothers were employed or in training, so the need for some form of outside aid was self-evident.

As indicated above, black women head a substantial proportion of the households dependent on AFDC. This situation reflects both the high incidence of poverty and the considerable number of divided families in the black community. For instance, in 1970, of the 4.9 million black families in the United States, 1.4 million, or 29 per cent were below the poverty level (defined last year by the Federal Government as \$3,968 for a family of four). The corresponding figures for the nation were: total families, 51.9 million; poor families, 5.2 million, or 10 per cent. For whites: total families, 46.5 million; poor families, 3.7 million, or 8 per cent. So, while black families constituted 9.5 per cent of all families, they accounted for 28 per cent of those trapped in poverty.

Among the 1.4 million poor black families, 820 thousand (57 per cent) were headed by females. In contrast, females headed 37 per cent of all poor families in the nation and only 27 per cent of poor white families. Moreover, poor families headed by black females are the poorest of the poor. For all families, the median income deficit (the amount required to raise a family's income to the poverty threshold) was 1,110 in 1970. It was \$1,024 for whites and \$1,316 for blacks. However, it was \$1,492 for families headed by black females, compared with \$1,219 for those headed by white females. While the income deficit per family member was smaller for black women's families (because the latter typically contain a larger number of children) than was the case for white women's families, these figures do provide a rough indication of the extent of the deprivation under which they live.

#### FREQUENCY OF DIVIDED FAMILIES

The frequency of divided families in the black community has also been widely noted. In 1970, just over one-quarter of all black families were headed by females, compared with 9 per cent for whites. While the proportion for black families has stabilized in the last few years, it has risen substantially in the last two decades—from 17 per cent in 1950, through 22 per cent in 1960, to 27 per cent last year. For white families, the ratio remained essentially unchanged throughout the period.

The situation of many of our children was equally distressing. In 1969, there were 5.4 million children in families receiving assistance under AFDC. These children represented three-quarters of the 7.3 million persons in the 1.9 million families receiving such aid. The vast majority of these children were concentrated in large families. In fact, one-third of them were in families with 6 or more children, and well over one-quarter were in families with 4 or 5 children. About 8 per cent were in one-child families, 14 per cent were in families with 2 children, and 16 per cent were in families with 3 children.

Furthermore, the children of families on welfare have represented an increasing proportion of the poor children in the last decade. In 1960, there were 9.4 million children in families below the poverty level; in the same year, 2.4 million children were receiving aid under AFDC. Thus, the latter were equivalent to 25 percent of the former. By 1970, the number of poor children had risen slightly to 9.8 million. However, the number of children in AFDC families had more than doubled—climbing to 5.4 million—and represented 55 per cent of all of the poor children in the country.

#### LEGACY OF DEPENDENCE

To some extent, this sharp increase reflects program changes designed to provide greater coverage of needy families. Yet, it also provides a rough index of the size of the task which must be undertaken if successive generations of children are to be rescued from continued dependence on public welfare. The reality of such a danger is clearly indicated by the duration of assistance to some of the families currently being aided by AFDC. In 1969, about 10 per cent of the families had been receiving payments for less than one year. However, when the percentage distribution of the rest of the families, by number of years since the first receipt of assistance, is taken into account, the picture which emerges is far from comforting.<sup>3</sup> The typical AFDC family had been receiving aid for an average of 6 years. About one-fifth had been on welfare between 6 and 10 years, and one-eighth had been on between 11–19 years. Just over 2 per cent had been aided for more than two decades.

These statistics confirm the impressions gotten from the reports of social workers and others in close contact with welfare families; the welfare system has developed to the point where several hundred thousand cases now exist where mothers and daughters (and even granddaughters) have grown to maturity depending on public assistance as a way of life. So, the legacy of dependency—and its attendant deprivations—is transmitted from one generation to another, and one of the chief causes of poverty becomes poverty itself. Consequently, in my opinion, if there were no other reasons for this country to adopt a rational system of income maintenance, the need to save the coming generations of our children from such an experience is more than sufficient to justify moving ahead without further delay.

#### THE FAMILY ASSISTANCE PROGRAM

For this reason, despite several drawbacks in the plan, I would support the adoption of the Administration's Family Assistance Program (FAP) as the principal means through which the Federal Government provides assistance to needy families. It will be recalled that, in broad outline, the proposed FAP would have the Federal Government pay a basic income to all families who could not provide for themselves—whether they are employed or unemployed. It would be geared to dependent families with children, and it would replace entirely the AFDC. Under the proposal, persons (except mothers with pre-school children) who accept assistance would be required to register for work or training. It is estimated that in the first year of the program, over half of the families covered would have one member employed or undergoing training.

The FAP would work in the following fashion: A family's basic allowance would consist of \$800 for the first two members

<sup>3</sup> The statistics were as follows: less than one year, 10 per cent; one year, 18 per cent; two years, 12 per cent; three years, 8 per cent; four years, 7 per cent; five years, 6 per cent; 6–10 years, 19 per cent; 11–19 years, 13 per cent; and 20 years and over, 2 per cent. (The duration was unknown for 6 per cent of the families.)

and \$400 per member for each of the next three additional members. Thus, for a family of four, the allowance would be \$2,400 per year, with the family excluded from receiving food stamps.

Cash payments to families would be computed by adjusting the basic allowance to account for the earnings of the family. The first \$720 of family income would not affect the payments because it is assumed that there are basic costs of transportation, lunches, clothing, etc., associated with taking a job. Cash payments to families would then be reduced by 66 cents for each additional dollar of earnings above the \$720 minimum.

A simple numerical example will illustrate the program's operation. Assume a family of four has a cash income of \$2,000. The first \$720 of this income would be disregarded, leaving a balance of \$1,280. A family's cash payment would then be reduced by 66 per cent of this amount, or by \$845. This sum (\$845) would be subtracted from the family's basic allowance of \$2,400, making its cash payment after earnings \$1,555.

#### 3.6 MILLION COVERED

So far only a rough idea can be provided with respect to the probable coverage of the family assistance program. The projections available were prepared by the Department of Health, Education and Welfare in February of this year. According to these estimates, in 1972, about 3.6 million families would be covered; of these, 2.2 million (three-fifths) would be white, and 1.4 million (two-fifths) would be nonwhites. These families would include close to 18 million persons—of whom 11 million would be children. Gross payments would approximate \$4.1 billion, and nonwhites would receive about \$1.8 billion—or 44 per cent. These annual payments would average around \$1,134 for all families, about \$1,027 for white families, and about \$1,304 for nonwhites. However, since nonwhite families are expected to be somewhat larger (averaging 5.3 members vs 4.7 members for whites and 4.9 members for all families), payments per capita would be somewhat higher for nonwhites: \$231 for all families, \$219 for whites, and \$246 for nonwhites. In 1969, there were 1.9 million families participating in AFDC, involving 7.3 million persons, of whom 5.4 million were children. Outlays under the Federally aided programs amounted to \$3.6 billion, and the average monthly payment per family was \$193 (just over \$2,300 per year).

Compared with the existing AFDC, the proposed FAP would have a significantly different impact on particular groups of families. For example, in 1972, a somewhat greater proportion would be white (61 per cent vs 49 per cent), and the proportion of nonwhites in the total would decline sharply (to 39 per cent from 51 per cent). The proportion of aided families headed by men would rise dramatically (from less than one-fifth to one-half) and the relative position of families headed by females would drop from over four-fifths to just under one-half. Moreover, family heads who were full-time, all year workers would constitute almost one-third of FAP recipients, compared with less than one-tenth under the AFDC. Finally, while over four-fifths of the AFDC family heads did not work in 1970, less than one-third would be in this category in the first year of the FAP.

#### IMPROVEMENT IN 21 STATES

On balance, it appears that FAP would represent a considerable improvement—compared with the existing AFDC program—in about 21 States. Of these, 13 are Southern States (with a heavy concentration of blacks), and most of the remainder are Western States (with a sizable proportion of Indians and Mexican-Americans among their populations). In 1970, the average for the largest amount of annual payment under AFDC for a family of four in the 13 Southern

States was approximately \$1,524. However, the average payment varies greatly among these States, and in some it is much below \$1,000. Thus, given an annual payment of \$2,400 for a family of four, there would be an increase of roughly \$876 (or 57 per cent) compared with the amounts received by the average AFDC family in that region. While the exact status of families under the old and new programs cannot be determined, there appears to be no doubt whatsoever that the new proposal would result in a real improvement.

In 30 States there would not be an opportunity to make further improvements—unless these States and local governments maintained their existing programs at substantially the same levels. Under the existing AFDC program, the average for the largest amount of annual payments for a family of four for basic needs in these States in 1970 was \$3,216. Under the FAP (and assuming the 100 per cent maintenance factor at the 1970 level), the new arrangement would require the States to add roughly \$816, or 34 per cent. The 30 States include primarily the heavily populated northern industrial States plus California. Most of these have a sizable concentration of low-income persons (including nonwhites) in urban areas.

#### ASSESSMENT OF RESERVATIONS REGARDING FAP

Having reached this conclusion, permit me to say that I also recognize that a number of reservations have been expressed about several features of the FAP. These criticisms have been especially strong in the black community. But, in my personal opinion, these limitations (while serious) need not be fatal—particularly if they are approached with perception and sensitivity.

Perhaps the most important limitation, as seen by some observers, is the requirement that a sizable proportion of aid recipients be available for work or training. If this requirement is held to those actually capable in this regard, it would be not only an acceptable feature of FAP, but also a necessary part of a viable program for income maintenance. Otherwise the program will fail to perform what should be one of its basic missions: to encourage those dependent on welfare to strive to improve their own condition.

A good deal of the criticism of the work or training requirement in the FAP seems to arise from the fear that mothers with minor children will be forced to leave their homes—and their children—to accept low-status jobs yielding incomes at or below the poverty level. In fact, as already indicated, the provision would not apply at all to mothers with preschool children. Nor would it apply to a mother or other female caretaker of a child, if the father or another adult male relative is in the same home and is registered. An exemption would also cover a woman (as well as a man) who is unable to work or be trained because of illness, incapacity or age, or who is needed at home on a continuous basis because of illness or incapacity of another family member.

#### MANY COULD SEEK EMPLOYMENT

Furthermore, it should be remembered that men will make up 1.8 million, or one-half, of the 3.6 million family heads to be covered by FAP. In contrast, there were only 436 thousand male family heads (or 18 per cent of the total of 2.4 million families) receiving benefits under AFDC in 1970. Thus, an additional 1.4 million male family heads would be brought under coverage of the program, while approximately 200 thousand fewer female family heads would be enrolled (an attrition that may reflect at least partially the substitution of husbands for wives among aided families). Consequently, with a much heavier representation of men, it is not unreasonable to expect them to seek employment or training—as their health and abilities permit.

Even in the case of women presently covered by AFDC, a substantial number are also employed or in training. For example (using the bench marks of the 1969 statistics as an index), of the roughly 2 million female family heads receiving benefits in October 1970, it is estimated that about one-sixth (or well over 340 thousand mothers) were holding jobs or undergoing training. Approximately another 280 thousand (or one-seventh) were incapacitated for employment. Also in 1970, about one-third of the mothers on AFDC (more than 600 thousand women) were full-time homemakers. Thus, around one-quarter (or 500 thousand) of the female family heads receiving AFDC benefits in 1970 (purely on the basis of the over-all statistics) might be considered eligible for employment or training.

On the other hand, the FAP must not be used as a device to force poor people to return—against their will—to the homes of rich people to serve long hours as cooks and maids, or as low-paid laborers on plantations and corporate farms, or as sweat-shop workers on the fringes of our industrial society. At the same time, welfare recipients (along with other disadvantaged members of society) should not conclude that jobs which match their skills and abilities (particularly after they have had a genuine opportunity to acquire training and experience) are too lowly to be performed. So, fundamentally, much of the success (or failure) of the FAP work or training provision will depend on those public officials responsible for the administration of the program: they must insist that the training involved is meaningful and that the wages, hours, and working conditions on the jobs offered are not substandard. And above all, in the long-run, the economy must be expanding at a rate sufficient to provide a sustainable measure of full employment.

Consequently, if women beneficiaries under FAP were to be distributed with respect to work-status in roughly the same proportions as they are under the AFDC, almost half of the female family heads (about 900 thousand) would be exempted from the work or training provision in any case. Perhaps another 300 thousand or so would keep the jobs they already have or continue the training in which they are already enrolled. Finally, many of the remaining one-half million female family heads would qualify under one or more of the other exemptions of FAP.

#### NEW JERSEY EXPERIMENT

But, on balance, the effect of the work or training requirement under FAP undoubtedly would be to encourage more welfare recipients to seek employment. However, this conclusion is not as strange (nor is the requirement as harsh) as it may appear to some observers. There is well-founded evidence (e.g., the results of the New Jersey Graduated Work Incentive Experiment) showing that poor people prefer to work—even when they receive an income supplement. The record is also full of examples of employers receiving large numbers of applications from unemployed poor persons in the labor force in response to even modest recruiting efforts. On the basis of these experiences, I am reasonably confident that the work or training provision of FAP would lead to a constructive outcome.

Another criticism of FAP is that the minimum benefit of \$2,400 for a family of four is already below the poverty level. In fact, some have suggested that the minimum be raised to \$5,500, while others have argued for \$6,500. While one can agree that the proposed minimum is too low, we should not confuse our preferences with a clear-headed assessment of the probabilities in the near-term. Even a figure of \$3,600, compared with \$2,400, would extend coverage of FAP from 18 million to 69 million persons, and increase the net cost from \$4.1 billion to \$25 billion. Extending

the minimum benefit to \$5,500 would cost an extra \$71 billion and cover more than half the population of the United States.<sup>4</sup> The cost and coverage consequences of the \$6,500 figure would be so large that it would be virtually impossible to carry on a meaningful discussion of its impact.

So, in my personal judgment, these larger magnitudes are beyond the realm of probability, and even the \$3,600 figure is most unlikely to be taken seriously by the Congress at the present time. To me, the reason is self-evident: the American public is simply not willing at the present time to underwrite a system of income transfers on such a scale.

#### CONCLUDING OBSERVATIONS

In closing these remarks, let me repeat the major theme stated at the outset: our existing system of public welfare—although it is continuing to expand rapidly—is not providing a means to increase the probability that those families dependent on it will become capable of self-support. In fact, it may perpetuate generation after generation of poverty among the people now entrapped in the system. Consequently, we need to get on with the task of designing—and implementing—a rational system of income maintenance.

For this reason, despite its weaknesses, I favor the early adoption of some version of the Family Assistance Program which the Administration recommended last year. Its establishment would mean that a sizable number of welfare recipients—and particularly the poverty-stricken families headed by females—would benefit substantially.

So, rather than get bogged down in an unpromising debate over the merits and limitations of a few specific features of the plan, we should devote our energies to the early launching of an income maintenance program with the broad features of the FAP. Once this is in place, we can always work to make further improvements. In the meantime, the adoption of the FAP would create a promising basis for checking the increased dependence on public welfare of a growing segment of our population.

#### EQUAL RIGHTS FOR MEN AND WOMEN SUPPORTED

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. EDWARDS of California. Mr. Speaker, I have been deluged with mail from dedicated women's organizations during the last few months. It is my impression that the enactment of the equal rights for men and women constitutional amendment is of the utmost concern to many intelligent, active, and concerned women throughout the United States. I recently received a resolution from the National Association of Women Lawyers reiterating this concern, and expressing their very serious and considered view that the constitutional amendment should be enacted in its original form, without weakening amendments. I do not believe that groups of women, such as the NAWL, can or should be ignored. The resolution follows:

<sup>4</sup> These alternative estimates were prepared by Josephine Allen for Charles L. Schultze, et al., *Setting National Priorities: the 1972 Budget*, Brookings Institution, Washington, D.C., 1971, Ch. 8, p. 187.

#### RESOLUTION OF THE NATIONAL ASSOCIATION OF WOMEN LAWYERS

Whereas, the National Association of Women Lawyers has for years supported and proposed a constitutional amendment that would grant equal rights to women; and

Whereas, the Committee on the Judiciary of the House of Representatives of the United States held hearings on House Joint Resolution 208 (commonly known as the Equal Rights Amendment) in March and April 1971; and

Whereas, the evidence adduced at such hearings has demonstrated overwhelmingly the need and desirability for the enactment of the Equal Rights Amendment, reading as follows:

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." and

Whereas, the House Committee on the Judiciary in June 1971 has appended undesirable and crippling amendments to the Equal Rights Amendment;

Now, therefore, be it resolved, that the National Association of Women Lawyers in National Convention duly assembled in New York, New York, on the 3rd day of July, 1971, opposes any and all amendments to the Equal Rights Amendment, as above set forth, and reiterates and reaffirms its commitment to the adoption of the Equal Rights Amendment to the United States Constitution as originally proposed in House Joint Resolution 208; and

Be it further resolved, that copies of this Resolution be sent to the Speaker of the House of Representatives, to members of the House Committee on the Judiciary, and to the President of the United States Senate.

#### CAPTIVE NATIONS

### HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mrs. GRASSO. Mr. Speaker, John Morley once wrote:

You have not converted a man because you have silenced him.

This aphorism is equally true with regard to nations.

History is filled with accounts of physical conquest. However, the conquest of a people's spirit is quite another matter. This week, we commemorate the plight of our Eastern European brothers. They are living proof that Mr. Morley's words strike a truthful note. The subjugation these nations have been forced to suffer has few parallels. Likewise, their clever and courageous resistance to cultural domination has been unequalled.

Bricks cannot hold back tanks, clubs cannot silence machine guns, unarmed people cannot repel soldiers. However, a nation's ideals and principles, hopes and dreams are not easily thwarted by tyranny. Czechoslovakia may have lost her chance for an independent socialist course, but her people have not lost the will to resist foreign domination. The Soviet Union is no longer able to conceal the fact that the Czech people detest their presence and are as uncooperative as possible. The Communist regime in Poland has not been able to turn people from their religious convictions; and at least one nation, Rumania, has been able to attain some release from the Soviet grip.

The nations of Estonia, Latvia, and Lithuania were briefly independent following World War I. Though they are now assimilated with the U.S.S.R., many people there still struggle to retain their national identity. The people of America applaud the valiant struggle of these people to pursue an independent course.

Despite some encouraging signs of a detente with the Soviet Union, let us not forget the cross of captivity now borne by the nations of Eastern Europe.

Hopefully, the captive nations of Eastern Europe will soon be free to choose their own course among the nations of the world. Until that long awaited day occurs, it is my belief that the President should implement House Concurrent Resolution 416—89th Congress—which would bring the Baltic States' question before the United Nations and would request the Soviets to withdraw from Lithuania, Latvia, and Estonia.

#### CAPTIVE NATIONS WEEK

### HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. FISH. Mr. Speaker, 12 years ago this month the 86th Congress, during the administration of the late Dwight D. Eisenhower, designated the third week in July as Captive Nations Week. This year, from July 18 through July 24, the people of the United States and 17 other free nations will again mark that anniversary.

This observance is a reminder to all the people of the world that America and the American people are dedicated still to the ideal of freedom for all people. That this desire for freedom still burns in those nations presently held captive was dramatically shown during the past year, when the proud people of Poland last December took to the streets in protest against their low standard of living.

The disturbances led to the fall of the leader of the Polish Government, but more than that, these uprisings again brought into sharp focus the inability of communism to satisfy either the spiritual needs for freedom, which is part of each human being, as well as the failure of that form of government to provide for the material necessities necessary to make freedom a reality.

Living as we do with a guaranteed freedom, as well as in a country capable of providing the material necessities to make this freedom meaningful, we sometimes tend to forget what a priceless possession we have in this country. Yet, the revolts of Hungary and Poland in 1956, the tragic crushing of a liberalizing movement in Czechoslovakia, and finally this most recent upheaval in Poland, must remind us all how much those people held under Communist domination desire freedom. The sacrifices of those brave people who die in these uprisings illustrate to us all how valuable is the priceless possession we, too, often take for granted.

This weeklong observance of Captive Nations Week gives us all an opportunity

to reaffirm, not only our efforts on behalf of all repressed people, but also the chance to ponder the danger and suffering that can occur through freedom's loss. Let us this week rededicate ourselves to the principle that all men should be free, and strengthen our spirits with that love for freedom that has marked us as a nation from our birth.

#### RHODESIA'S OFFICIAL ECONOMIC REPORT

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. RARICK. Mr. Speaker, I fear that very shortly we will be called upon to consider House Resolution 45, in an effort to gain congressional approval for the continuation of the President's enforcement of U.N. economic sanctions against Rhodesia.

During hearings before a Foreign Affairs Subcommittee, members of the U.S. State Department, desirous of appeasing the British as well as upholding the United Nations, delivered distorted and secondhand "expert" testimony on Rhodesian matters of which they had little knowledge, experience, or expertise. Even more ridiculous, our U.S. State Department, in matters on which they lack knowledge, also lack the initiative to even ask the Rhodesian people and thus obtain the information firsthand.

So that our Members will know that the sanctions against Rhodesia have only served to unite the people of that country and make them more self-sufficient and determined as to the propriety of their cause in gaining their independence from Britain and their refusal to look backward, I include a portion of the Official Report of the Parliamentary Debates from the Rhodesian House of Assembly—the equivalent of our CONGRESSIONAL RECORD—be inserted at this point, followed by Rhodesian newspaper comments on the distorted facts being given the American people and this body by U.S. State Department "experts":

(Rhodesia Official Report—Unrevised)

PARLIAMENTARY DEBATES—HOUSE OF ASSEMBLY

(No. 10, Vol. 79—Thursday, July 15, 1971)

(NOTE.—The Hon. James Wrathall, I.D., M.P., is the Minister of Finance.)

#### MOTION

Finance bill: budget statement

THE MINISTER OF FINANCE.—[Hon. Members: Hear, hear.]—I move that leave be granted to bring in a Bill to make further provision in connexion with the revenues and public funds of Rhodesia; and to make provision for ancillary and incidental matters.

I do not propose to dwell in any detail on the country's economic performance during 1970 since the salient features were outlined in the Economic Survey published in April. Instead, I intend giving greater emphasis to the picture that is emerging in 1971.

In the five and a half years since sanctions were first imposed the economy has made remarkable progress. Rhodesia has emerged from the stage of being largely reliant upon primary production with a relatively unsophisticated secondary industry into a vibrant

economy which is well diversified. I believe that this development may well have been achieved at a somewhat faster pace than would have been possible under free and unfettered conditions.

Although the rate of growth of the agricultural sector has not been as rapid as that of secondary industry, the agricultural industry is no longer as vulnerable as it was before Independence. The crops which are susceptible to seasonal factors now account for less than half of total agricultural output. Diversification and greater use of irrigation have helped the industry to insulate itself against the more severe consequences of adverse climatic conditions. The record of the last two years is adequate proof of this. Following a very poor harvest in 1968, there was a complete reversal in agriculture's fortunes in 1969. The harvest was good and output and income rose to a new record. Then followed the 1970 season which promised well at the start but deteriorated later because of the poor distribution of the rains. Yet the total value of agricultural output last year declined by less than one per cent, to \$230 million.

Climatic conditions this year were again disappointing, with parts of the Midlands and Matabeleland areas suffering virtual drought conditions. In spite of this, agricultural output in 1971 will not be depressed. Indeed, there are indications of substantially increased surpluses in most commodities.

In the mining field, the tonnage of minerals produced has been rising steadily. The volume of production increased by nearly 10 per cent in 1970 and this trend has continued. Base metal prices have weakened, however, and there has been a decline of some eight per cent in the total value of mineral production for the first five months of 1971, as compared with the same period last year. It is encouraging to note the diversification and expansion that is taking place in mining activity. As the industry becomes more broadly based it will acquire greater flexibility to withstand the wide fluctuations that occur in world market prices.

Growth of manufacturing industry is still vigorous but there are indications of a slowing down. The index of production indicated a 12.5 per cent. growth in 1970 whereas the average level of production for the first five months of this year was only some eight per cent. above that of the corresponding period of 1970. Some retardation must be expected because of the limited allocations for imports of minerals for manufacturing. I shall return to the subject of the balance of payments later.

With one exception, all sectors of manufacturing increased production fairly substantially in the first five months of the year. The exception was the beverages and tobacco sector whose level of activity is normally low in the early months of the year when the tobacco packing industry is dormant.

The level of output of both the building and civil engineering industries shows no evidence of slowing down. The volume of work done by the civil engineering industry during the first quarter of this year reflects a 55 per cent. increase over the corresponding period of 1970, mainly because of mining development and work on water storage and reticulation in urban areas.

The value of the output of the building industry rose by 14 per cent. in the same period. The demand for buildings as reflected in building plans approved has continued at a high level, increasing during the first five months of this year by as much as 19 per cent. over the corresponding period of 1970.

Since 1968 there has been marked activity in the industry to meet the heavy demands for residential accommodation arising from the inflow of immigrants. There is no evidence of any decline in home building and the level of construction of commercial and industrial buildings, as indicated by plans

approved, has increased by 50 per cent, compared with last year.

Economic growth in Rhodesia over the past few years has been characterized by a high rate of capital formation. Since 1968 this has been some 17 per cent of the gross domestic product, a percentage matched by few countries to-day. Although the analysis for 1970 is not yet complete, preliminary figures indicate that capital formation exceeded \$175 million. This is some 15 per cent above the level of 1969. This high rate of capital formation is likely to be exceeded this year and the next, if only because of the expected public sector development expenditure.

In addition to capital formation, skilled manpower is essential for continued economic growth, which of itself leads to a growth of employment opportunities. Although the recent discussions between Government, employee and employer representatives on the present skilled manpower position have not led to any agreement on the extent of shortages, I wish to mention briefly the major sources of skilled manpower to which we must look to ensure a sufficient supply, namely, apprenticeship training, higher education and immigration.

The effects of the Apprenticeship Training and Skilled Manpower Development Act of 1968 are now beginning to show. There has been a steady increase in the annual intake of apprentices and at the present time there are some 1,850 such persons who will complete their training within the next four years. The flow of apprentices, together with the normal gain from immigration, should be adequate for the expected growth of demand in the registered trades.

The country's requirements in the professional field are being met to an increasing extent by Rhodesians trained at universities. Our own University of Rhodesia is now playing a significant role in the provision of teachers, doctors, lawyers, agriculturists and geologists. It is perhaps appropriate, particularly because of the forthcoming triennial review, to emphasize the need for the most careful planning in the provision of future degree courses if the country is to achieve the best return from the substantial investment it is putting into the University. I believe it is essential to promote courses best suited to the requirement of the country, thereby ensuring the employment of those who have the privilege of a higher education.—Hon. Members: Hear, hear.]

European immigration remains at a high level. Figures for the first five months of this year already show a marked upward trend in comparison with the same period last year and net immigration into Rhodesia in 1971 is likely to be higher than in any year since 1958. Gains have occurred in all occupations but the net gain of 85 engineers and 778 artisans in the period January to May of this year is particularly gratifying.

I have spoken on many occasions about what I consider to be a major problem, namely, the growth of employment opportunities. This subject is so vital that I make no apology for once again returning to it.

On the evidence of the past, it is clear that the cash economy cannot expand fast enough to absorb the increasing number of potential work seekers generated by the African population. For example, in the period 1962 to 1970 the Gross Domestic Product increased in real terms at an average compound rate of about 3¼ per cent. per annum. In the same period the African population increased at a rate of 3½ per cent. per annum. From this it would be reasonable to expect only a moderate worsening in the rate of unemployment but, unfortunately, this is not the case.

The need to remain competitive in to-day's trading world has forced the pace of rationalization and has accelerated the adoption of improved techniques and generally substituted capital for labour. In 1961, nearly 17

per cent of the African population was employed in the cash economy. By 1970 this ratio had fallen to 14 per cent despite the growth of commerce and industry and the expansion in mining that has taken place since 1965. In numerical terms, 3.1 million Africans of all ages were not employed in the cash economy in 1961. By 1970 this figure had risen to 4.4 million, and by 1980, assuming the current pattern is unchanged, the figure will be about 6 million. However, the process of structural change in the economy to which I have just referred will probably aggravate the position. Apart from this depressing aspect, there is another facet of the problem that needs to be emphasized, namely, the growth of the urban African population.

Between the census years 1962 and 1969, the number of Africans in employment in the seven main urban centres increased by 17,000, but in the same period the number of Africans born in these centres amounted to 187,000. These facts show that the growth of the African urban population contains the seeds of a massive employment problem. The country is therefore faced not only with the prospect of unemployment among the urban Africans who may well have served their connexions with the tribal homelands, but also among the potential work seekers from the tribal areas.

The African people should have no illusions about the future. If they wish to attain a reasonable standard of life for their children, free from the frustration of thwarted aspirations and free from the misery of poverty, the realities of the situation demand a concerted effort to limit population growth.—[Hon. Members: Hear, hear.]—The economic lessons of history are clear. There is no simple bridge that spans, no springboard that propels an economy from subsistence into advanced stages of development. The transition can be achieved only through sheer hard work at the basic level of agricultural development and exploitation of other natural resources.—[An Hon. Member: Hear, hear.]—More and more Africans will be compelled to seek their livelihood on the land; they will have no alternative. They must learn to husband their land resources and put them to work for a better way of life.

Those who believe there are short cut solutions and easy panaceas are doing a grave disservice to the African people and to the development of this country.—[Hon. Members: Hear, hear.]

For some time past private enterprise has expressed concern about the ability of the railways to move traffic on offer. The Rhodesia Railways are faced with demands for traffic movement well above the present capacity of the system. Agricultural and mining traffic is at a record level and because of the delayed completion of the Kafue hydro-electric scheme in Zambia, large additional movements of coal are needed for the thermal power stations in Rhodesia to supplement power supplies in the jointly owned Zambian and Rhodesian power system. The Railways have to contend with staff shortages, delays in obtaining equipment and inefficiencies in the contiguous Zambian system; yet despite these difficulties, not only have record tonnages been moved in Rhodesia in recent weeks but even greater movements are expected in the peak months ahead. These achievements, in the face of extraordinary handicaps, should not be allowed to pass without a word of congratulation to railway personnel.—[Hon. Members: Hear, hear.]

Notwithstanding the efforts that are being made, the Rhodesia Railways will not be able to handle all the traffic on offer. Although priority is given to the movement of export traffic, even some of this cannot be moved for various operating reasons. A large proportion of export movements consist of low rated primary products which are carried at sub-economic rates. In giving priority to these export movements, the Rhodesia Rail-

ways have been forced to forgo higher rated internal traffic, which has been taken over by road haulers. The Railways are therefore faced with the twin problems of moving large volume of low rated traffic and of embarking upon an expensive capital development programme which is essential if future demands are to be met.

I turn now to the subject of prices. 1969 saw the first world-wide symptoms of a serious general inflation. By 1970 the average rate of inflation amongst the highly developed industrialized countries was  $5\frac{1}{2}$  per cent, which was more than double the rate experienced in the first half of the 1960s. The reasons are not far to seek. Very briefly, a situation of overfull employment in these countries has allowed wages to increase in excess of productivity, with both competitive demand for labour and the strength of trade unions contributing to the pressures for higher wage levels. Equally important, however, has been the almost universal existence of excessive demand for goods and services which has permitted spiralling price rises.

The effect on developing countries of inflation amongst industrialized nations is serious, especially when prices for the developing countries' exports remain relatively static. The increasing cost of imported capital goods and raw materials damages essential development programmes, inhibits the creation of employment opportunities for indigenous populations and erodes the profit margins of primary industries. Some of these effects were felt in Rhodesia last year. Short of economic isolation, the effects of imported inflation are inescapable. However, there are reasonable grounds for optimism in relation to those causes of inflation which are within internal control. Wage demands in Rhodesia generally are presented with an awareness of responsibility and, in consequence, wage awards have tended to move in line with improvements in productivity. There is also a general public resistance to price increases which, strengthened by the price control mechanism, has served to keep the internal situation within reasonable bounds.

The position in the first five months of the year was most satisfactory. The May consumer price index for Europeans was less than 1 per cent above the December index and only 2.3 per cent above the May index for 1970. However, because of increased car insurance rates and flat rents, the June index increased by a further 1 per cent. The average for the first six months heavily influenced by the June index, was 3 per cent above the average for the first six months of 1970. I am hopeful that there will not be further significant increases in the index in the rest of the year.

The African consumer price index has moved up fairly sharply over the past 12 months primarily because of long delayed price changes to bread and meat. The African index rose by 3.9 per cent, between June, 1970, and June, 1971, but it is also important to note that the same index increased by only 5.4 per cent between June, 1969, and June, 1971, that is, an average of about 2.7 per cent in the last two years.

The country cannot be complacent about its relative success in containing inflation. Rhodesia remains vulnerable to the continued inflation of the industrialized nations and the extraordinary rises in external freight charges which are occurring at present.

I have warned on several occasions that the balance of payments would continue to be under strain for some time to come. Rather in the manner of the homespun philosophy of Mr. Micawber, Rhodesia's "domestic happiness" depends upon her living within her foreign income. The ability to import plant, machinery and raw materials, service foreign borrowings and pay for other services is dependent upon export per-

formance. Notwithstanding a marked increase in export earnings during the past two years, commitments for imported goods and services have moved steadily upwards.

In 1970, even though domestic exports increased by 16 per cent, imports rose at a slightly faster rate. The increased deficit on invisible transactions had the added effect of moving the current account's balance from a surplus of \$5.7 million in 1969 to a deficit of \$7.7 million in 1970.

The balance of payments position during the past six months has not improved. Exports have been depressed by the adverse 1969-70 agricultural season, while imports have continued to rise sharply because of the additional demands created by the replacement needs of existing industry and the substantial development plans of the private and public sectors.

The foreign currency allocated to the private sector this year has fallen short of demand mainly because of the vital need to meet national priorities such as rail transport, power and those other basic services on which the rest of the economy depends.

The restricted level of present allocations will have an effect, of which everyone should be aware, namely, a slowing down of the national growth rate. Notable success has been achieved these past few years in developing the economy with less and less demand on imports, but there is a limit to which imports can be reduced in relation to the gross domestic product. Future growth therefore will be related more closely to the growth of imports of materials, which in turn will be governed by export performance and the necessary allocations for infrastructural development.

The balance of foreign transactions exerted relatively little influence on the growth of the banking sector's deposit liabilities during 1970. The deterioration that has since taken place in the balance of payments is now clearly apparent in the changing structure of the banking sector's operations. Figures available for the first quarter of 1971 reveal a marked slowing down in the growth of deposit liabilities to the public, despite a large increase in bank lending to the public of \$23 million. Deposit liabilities increased by only \$6 million compared with \$15 million in the first quarter of 1970. The deficit balance of payments position has also had an important impact on the money market, tending to deplete available short-term funds. The banking system's holdings of Treasury Bills declined sharply in the first quarter of the year in order to generate funds for the purchase of foreign currency and Treasury Bill rates tended to harden in this situation.

I do not intend to say much about the enhanced three year public sector investment programme which was published in April. I have spoken earlier about its impact on the balance of payments position, explaining how a substantial element of the difficulties on external account has arisen because of increasing public sector development expenditures.

The planned provisions for the triennium 1971-74 represent an increase of 40 per cent, over those of the 1970-73 programme. The greater part of the expenditure of over \$350 million will be applied to economic services, with particular emphasis being given to the transport sector.

Loan account expenditure for the fiscal year 1971-72 is a reflection of the increased measure of public sector investment and I estimate that it will amount to \$61.6 million. Of this, \$23.4 million will be spent on development in those areas of direct central government responsibility, for example, schools, hospitals, national parks, air-fields and the main road network. Loans to local authorities, statutory boards and statutory funds, amounting to \$34.4 million, will be primarily for development in their specific

areas of responsibility. In all, development expenditure will account for \$57.8 million out of the total provision of \$61.6 million. The balance of \$3.8 million is unrelated to development expenditure.

The amount to be spent on development is \$16 million more than comparable provisions for the last fiscal year. This sharp increase is largely accounted for by the needs of the Rhodesia Railways; more than \$22 million compared to the \$10 million of 1970-71. I should explain that it has not been possible to allocate to the Railways more than one-third of the total loan resources except by a severe pruning of other demands which nevertheless deserve a high priority.

I have provided \$9 million for the Department of Works' building programme. This represents a substantial increase over the \$6.2 million provided in 1970-71 and whilst an element of the increase must be attributed to rising building costs, the greater part will be required for the new teaching and central hospital complex in Salisbury and new office accommodation to alleviate a shortage which is now critical. As work on the new hospital complex gathers momentum, demands for funds will increase. I want to make it perfectly clear that there is a limit both to the availability of loan funds and to the capacity of the building industry. Thus it will be necessary to confine other Government building to relatively minor projects in the next few years.

In terms of the Rhodesia Railways Act, any deficit which cannot be met from the Railways' own resources must be charged to the Consolidated Revenue Fund. The Act further provides that any surpluses subsequently earned must be applied in the first instance to reimbursing the Exchequer.

In 1969, it became necessary to advance, by way of an interest free loan, the sum of \$3.28 million to the Railways to meet the deficit incurred during the year ended 30th June, 1968. The Railways repaid \$1.81 million from profits earned in the following two years. However, the Railways are expected to have incurred a further loss of approximately \$3.3 million in the year ended the 30th June last which means that they are unable to repay at present any part of the outstanding balance of \$1.47 million on the original loan. Because of the circumstances in which the 1968 losses were incurred and because of the further losses, I have provided \$1.47 million on revenue account estimates as a grant to the Railways to enable them to extinguish the outstanding liability on the original debt of \$3.28 million. The estimated deficit of \$3.3 million for the 1970-71 operations of the Railways will be covered by a statutory loan account appropriations.

I do not expect the financing of the loan account for 1971-72 to present a problem. I propose to raise \$79 million in the form of market issues and bonds, against which \$31 million will be used to redeem maturing debt. Thus, some \$48 million new money from the capital market will be available to cover the major part of the year's programme. This will be supplemented by loan recoveries estimated to be nearly \$13 million.

I now turn to the revenue account.

In my last Budget, I estimated that expenditure on revenue account would amount to \$215.7 million. In the course of the year I sought Parliamentary approval for supplementary estimates totalling \$2.1 million. I had also to authorize the issue of an additional \$1.9 million on statutory appropriations, making the total provision for the year \$219.7 million.

Because of underspendings on votes of \$5.9 million, the total out-turn was reduced to \$213.8 million. Revenue was more buoyant than expected, totalling \$213.4 million, as against an original estimate of \$206.7 million.

The deficit was only \$430,000 and after taking account of the accumulated past sur-

plus, the opening balance for the 1971-72 fiscal year is a surplus of \$6.8 million.—[An Hon. Member: Very good.]—[Hon. Members: Hear, hear.]

I estimate expenditure on revenue account for the fiscal year 1971-72 to be \$236.5 million, which represents an increase of \$16.8 million over the previous year's figure. It has long been a convention in presenting the Budget to explain the increase in some detail and to expand upon certain of the more significant aspects of expenditure. However, I have been attempting to modernize Budget presentation and this year I introduced a further innovation, namely, the Treasury Memorandum issued with the printed Estimates. Because of the detail contained in the Memorandum, I shall confine myself to three matters which seem to merit further comment.

A statement by my colleague, the Hon. the Minister of the Public Service, last April referred to a structural review of the service being undertaken by the Public Services Board for implementation on the 1st July, 1971. This review has produced new salary scales for both the civil and uniformed services, costing an additional \$12.25 million.

The Public Services as a whole now enjoy much improved conditions of service. Not only have salaries been increased, but the pension scheme has been revised. The new scheme is a marked improvement on that in force previously. While it is right that conditions of the Public Service should keep pace with the trends of to-day, these major improvements do constitute a burden on the general taxpayer, on commerce and industry. The public will expect, therefore, a further improvement in efficiency in administration.

Committees under the chairmanship of Ministers have been established to examine the functions of each Ministry of Government. The purpose is to eliminate unnecessary or uneconomic functions and redundant posts. These committees, co-ordinated by a central committee represented by the Public Services Board and the Treasury, will place their findings before Government later in the year. I believe this is the first occasion on which so searching an examination of the public services has been undertaken. I trust that the results will lead not only to a streamlining of departmental organization but also to improve efficiency.

In past years adjustments to civil, uniformed forces and war pensions have usually accompanied a general Public Service pay rise. On the other hand adjustments to old age pensions and other pensions paid from the Exchequer have been dealt with at rather irregular intervals.

From researches I have made, I find that there has never been any clear Government policy in relation to periodic adjustments in pensions for which Government is responsible. This has been unfair to the pensioner. To avoid uncertainty I wish to state that in future Government will adjust pensions paid from the Exchequer at the same time as any general civil and uniformed forces' salary increases are granted.—[Hon. Members: Hear, hear.]—Naturally, the level of adjustment will be related to the circumstances at the time.

My final comment relates to the tobacco industry. My Budget Statement last year referred to the tobacco situation and attempted to explain the financial aspects of the burden imposed by sanctions. Although tobacco remains a major problem, I can report some improvement. The volume of sales by the Tobacco Corporation has increased encouragingly during the past 12 months but unfortunately losses have increased also. I hope that the increased interest on the part of buyers will lead to firmer prices and a consequential reduction in overall Exchequer liability. The expected level of losses on disposal of each new crop is a massive burden

for the economy, more particularly when account is taken of the potential losses inherent in the stockpile of earlier production.

I am providing \$19 million to cover losses, that is, an increase of \$3 million over the 1970-71 appropriation. This will bring the total amount provided to the Tobacco Corporation to cover losses incurred up to the 30th June this year to \$68 million.

Last year I said that I expected the years ahead would reflect a steady rise in revenue which would be sufficient to maintain a normal expansion in expenditure. However, I drew attention then to the tobacco losses which I felt could disturb this rather favourable outlook. The Revenue account expenditure is being lifted to a higher level by the larger provision for tobacco losses and the new salary scales for the Public Services. On the other hand, two important sources of revenue have been lost to the Exchequer through the transfer of vehicle licensing to local authorities and the net postal and telecommunications revenue to the new Corporation. Despite these adverse aspects, the prospects for the Exchequer are encouraging.

I estimate that existing sources of revenue will produce \$229.1 million in the fiscal year 1971-72 compared with the estimated expenditure of \$236.5 million. After taking account of the surplus of \$6.8 million brought forward there is an estimated deficit on revenue account at the 30th June, 1972 of \$630,000. It follows that I have no proposals to increase taxation.—[Hon. Members: Hear, hear.]—[An Hon. Member: Very good.]

Although there are a number of minor income tax and other taxation amendments in the Finance Bill I have only one amendment which I wish to mention specifically. This concerns widows, widowers and divorcees who are providing their children with a full-time education. The law as it stands treats such persons as family taxpayers until their children turn twenty-one years of age, when they lose the family abatement. I cannot see that the attainment of majority by the child should in these circumstances create a change of this nature and I therefore propose to continue the family abatement for such persons whilst their children are undergoing full-time education and remain under the age of twenty-five.—[Hon. Members: Hear, hear.]

Mr. Speaker, I now lay on the Table the Financial Statements, 1971.

When I began my statement, I said that Rhodesia's economy was vibrant; the economic trends of which I have spoken confirm this assessment. If further evidence of the innate strength and resilience, of the economy is needed, I believe the budget itself is ample proof.

We have a modest rate of inflation. Our rate of capital formation is high and we have also a highly satisfactory level of national savings. We have been able to cover the estimated loss on this year's tobacco crop, absorb a substantial increase in public service salaries and pensions and the ever expanding costs of health, education and other social services. Not only have we been able to do so without recourse to additional taxation but in the last fiscal year we have surrendered net revenues to local authorities and the Posts and Telecommunications Corporation. Although the benefits of these changes need no explanation, the revenues lost are by no means insubstantial.

The country's successes against sanctions are, if anything, a condemnation of a mediaeval and archaic diplomacy.—[Hon. Members: Hear, hear.]—Nevertheless, despite these successes, we must never allow ourselves to become either smug or complacent.

The country has solid achievements behind it; it also has future problems. I have outlined what I regard as the major problem of the economy, the employment of a growing population, irrespective of whether sanctions exist or not. I speak for all thinking Rho-

desians, whatever their race or occupation, when I say that we accept the challenge and are ready to play our part to further the development of this fair land.—[HON. MEMBERS: Hear, hear.]

Mr. DIVARIS. I move that the debate be now adjourned.

Mr. CLARK. I second.

Motion put and agreed to.

Debate to be resumed: 20th July.

[From the Rhodesian Viewpoint, July 21, 1971]

RHODESIAN NEWSPAPER APPALLED AT MISINFORMATION GIVEN TO CONGRESS

NATIONAL DAILY CRITICIZES STATE DEPARTMENT REPRESENTATIVES

In an editorial headed "State Department at Play", the Rhodesia Herald, Salisbury's daily newspaper which is frequently critical of Rhodesian Government policies, said that it was appalling that the United States Congress should be relying on "information" about Rhodesia like that given by two representatives of the State Department. The editorial was referring to hearings on the Collins bill before the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee. Congressman Collins (R-Tex) introduced a bill seeking an amendment to the U.N. Participation Act which would make Rhodesian chrome available to U.S. consumers.

"The State Department", said the Rhodesian Herald, "can be expected to make a case for keeping sanctions. But at the level of official advice to Congress one would expect that argument to be backed up by knowledge of the facts."

"The most startling thing about Mr. Oliver Crosby, head of the State Department office that deals with Rhodesia, and Mr. John Armitage, the State Department U.N. man, is that they do not know facts it is their job to know."

"For their benefit, Rhodesia's House of Assembly has eight tribal representatives, not seven; and they are not appointed by chiefs. They are chosen by elected councillors sitting with headmen and chiefs."

"There is no tribunal that designates persons as Coloured or Indian. The title of a Bill Mr. Crosby was talking about is not the Property Value Bill. And although the churches have objected to it, it is not involved in their dispute with the Government about missions to Africans."

GOOD LAUGH

"Mr. Wrathall (Rhodesian Finance Minister) will have a good laugh at the assertion that 'in terms of real production' the economy has grown by less than 1 per cent a year; and Mr. Hawkins (Rhodesian Transport Minister) may be tickled by the picture of 'disintegrating' aircraft and railway rolling stock."

"We leave it to the chrome mining companies to express amusement, if they see fit, over what was said about their outfits."

"If there is a settlement Britain will have to sell it in the United States. Against such a background of misinformation the task will not be easy. If what Mr. Armitage called the 'administering power of Rhodesia' is not a little disturbed, it should be", concluded the Rhodesia Herald.

REPUBLICAN OPPOSITION TO TRIP MOUNTS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. SCHMITZ. Mr. Speaker, at this point in the RECORD I would like to in-

sert a short article which appeared in today's Washington Post.

It is self explanatory and chronicles a situation which I think may be indicative of the sentiments held by many thinking members of the Republican Party. They feel that they have been betrayed. They do not feel that pious homilies to the blessings of world peace accompanied by concessions to dictators which compromises both ourselves and our allies are in any way consistent with the best interests of the Nation or consistent with the understood position of the man they supported for President.

The article follows:

BIG NIXON DONOR IS "ASHAMED"

SANTA ANA, CALIF., July 20.—A millionaire former Marine officer threw into a trash can Monday night his award for being the top contributor in Orange County to Richard Nixon's 1968 campaign as a protest of the President's planned trip to mainland China.

"I am very ashamed of having supported Richard Nixon in 1968," George Brokate told the monthly meeting of the Central Committee of the Republican Party of Orange County.

He said Mr. Nixon had shown himself to be "just another tricky weathervane opportunist politician. He has sold out the hopes for freedom of millions of people in Asia by going hat in hand to an atheistic dictatorship which has helped kill thousands of Americans in Korea and Vietnam, and which grows and sells dope to the youth of the free world."

Brokate, 32, volunteered for—and got—combat duty in Vietnam in 1966, after he had completed his post-college tour as a Marine captain and returned to civilian life.

In 1968 he said he was given a plaque inscribed "with deep appreciation" by Mr. Nixon for contributing \$13,000 to his presidential campaign, more than any other single contributor from Orange County.

Brokate, who made his fortune in real estate development, produced the plaque before the gathered committee and threw it into a trash can.

"I don't want it," he said. "It is a symbol of the betrayal of freedom and betrayal of the United States Constitution. There is literally nothing left Nixon will not sell out to get reelected."

Brokate said conservatives should reconsider giving him their support.

VETERANS DRUG TREATMENT ACT

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1971

Mr. ZWACH. Mr. Speaker, I rise in support of H.R. 9265, a bill to authorize a treatment and rehabilitation program in the Veterans' Administration for servicemen, veterans, and ex-servicemen suffering from drug addiction.

It is estimated that between 10 and 15 percent of U.S. troops in Vietnam have acquired a drug habit and we need to make a massive effort toward treating and rehabilitating our heroin addicted GI's before returning to civilian life.

The Veterans' Administration hospital already has a continuing drug treatment program for veterans. Five specialized drug treatment centers are already in existence and it is hoped that 27 more centers will be in operation by October.

The bill we have before us will expand this program under an agreement with the Secretaries of the Army, Navy, or Air Force, to receive and treat active duty servicemen for drug addiction.

The most important provision of this bill, however, is that the Veterans' Administration will have the necessary authority to treat any servicemen, veteran, or ex-servicemen irregardless of type of military discharge.

This legislation is not meant to be a veterans "benefit" but rather a very logical, humanitarian, and necessary medical solution to our growing drug problem.

REPRESENTATIVE MOORHEAD INTRODUCES KENT STATE REPORT INTO RECORD: REPORT CALLS KILL THE RESULT OF A CONSPIRACY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MOORHEAD. Mr. Speaker, four students were shot to death and nine were wounded, one seriously, when the Ohio National Guard opened fire—for no apparent reason—on a group of student demonstrators at the Kent State University campus on May 4, 1970.

Since that fateful day claims and counterclaims have tried to establish what occurred and who was responsible for the carnage.

An Ohio State grand jury found that the Guard was justified in shooting the 13 and killing four. A Federal district Court ordered the destruction of the grand jury report because of its lack of content and its thinly veiled bias.

The parents of the four slain students have filed suit against the Guard and other Ohio officials. But to this day, there has yet to be an authoritative explanation of what happened.

The closest we have to an exhaustive study is a 25 volume FBI report and Justice Department summary which arrives at some disturbing findings, including the conclusion that the Guard's claim that their lives were in danger prior to the shooting was a "fabrication."

On May 24, 1971, 20 Members of this body sent a letter to the Attorney General, asking him to convene a Federal grand jury to investigate this sordid incident and report to the American people what really happened at Kent. To date, we have not received any word of any kind from the Justice Department.

I have in my possession now and will introduce into the RECORD today a report prepared by Peter Davies, the Department of Law, Justice, and Community Relations of the Board of Christian Social Concerns of the United Methodist Church, which suggests that the deaths of Allison Krause, Sandra Scheuer, Jeffrey Miller, and William Schroeder, were the result of a conspiracy by members of the Ohio National Guard to shoot and kill Kent State students.

Mr. Davies' study, based on the reports

of the Scranton Commission, the FBI, several books on the killings, and arduous personal research, charges that several members of troop G of company A, Ohio National Guard planned a deliberate act of murder upon a prearranged signal.

His study includes numerous photographs—which cannot be reproduced in the RECORD—and dozens of quotes from witnesses who have testified that members of troop G while advancing up a small knoll on the Kent State campus, suddenly wheeled around in a 135 degree turn, raised their M-1 rifles and commenced shooting into a parking lot some 100 yards away.

The soldiers later said that they were fired upon. The FBI report said conclusively that there was no sniper fire or shots fired at the guardsmen.

With pictures, testimony, and commonsense, Davies carefully explains why he believes that the guard's decision to fire was made when the Guardsmen were on a nearby football practice field and were being pelted with missiles thrown by students.

Mr. Speaker, photos contained in the Davies' study show conclusively that the National Guard Brigadier General Canterbury's claim that the men were under attack by screaming students is a lie, since the closest students were not "3 or 4 yards" away, as the General testified under oath, but 20 yards and more. Furthermore, there is no evidence that the Guard was being attacked. Photographs show that there were no students close to the Guard when the shooting started.

Mr. Speaker, I have asked, other Members of this body have asked, and Members of the other body have asked the Attorney General to convene a Federal grand jury to provide the people of this Nation with the truth. He has steadfastly refused even to answer our demands.

His own Federal Bureau of Investigation has provided him with a lengthy study that casts so much doubt on the defense offered by the National Guard that surely a question of perjury is involved in some of the sworn testimony before the President's Commission.

Mr. Speaker, I believe that a prima facie case has been made that there was murder committed at Kent State—and while I do not discount the possibility that outside agitators traveled to Kent State to add to the furor—I believe that this Nation and this Congress deserve the kind of explanation that only a Federal grand jury can produce.

We have a leadership crisis in this country. Our young—and our older citizens alike—cannot take heart when it becomes apparent that Federal officials are sitting on justice merely because certain people might feel uncomfortable with the findings of a grand jury.

I cannot accept—as one of my staff was told by a Justice Department official—that some cases are better left unopened.

That is not justice in America as I know it.

I hope that the work of Mr. Davies and the thousands of hours put into this investigation by friends and relatives of the four slain students is not wasted.

I believe that the only way their work will not go for naught is if the Attorney General convenes a Federal grand jury and investigates the deaths of these young people.

I would like to enter this into the RECORD at this time.

AN APPEAL FOR JUSTICE: JUNE 21, 1971

"If two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States . . ." Section 241, United States Code, Title 18

An Appeal to the United States Department of Justice For An Immediate and Thorough Investigation of the Circumstances Surrounding the Shootings at Kent State University May 1970 Respectfully Submitted to the Attorney General of the United States and the Assistant Attorney General of the Civil Rights Division.

Researched and Compiled by Peter Davies. Circulated by The Department of Law, Justice and Community Relations, The Board of Christian Social Concerns, United Methodist Church, Washington, D.C.

(NOTE.—Illustration, photographs, maps, and charts not printed in the RECORD.)

#### SOURCES

The Department of Justice Summary of the Report by the Federal Bureau of Investigation, July 1970.

The Special Report on Kent State by the President's Commission on Campus Unrest, October 1970.

The Minority Report of the Kent State University Commission, 1971.

The Special Report by the Akron Beacon Journal of the Knight Newspaper Investigation, May 24, 1970.

"Thirteen Seconds: Confrontation at Kent State" by Joe Eszterhas and Michael D. Roberts. Dodd, Mead & Co., New York, 1970.

"The Killings at Kent State: How Murder Went Unpunished" by I. F. Stone. New York Review (Vintage Books), 1970.

"The Kent Affair" edited by Ottavio M. Casale & Louis Paskoff. Houghton Mifflin Co., Boston, 1971.

"Kent State: What Happened and Why" by James A. Michener. Random House, New York, 1971.

Photographs: John P. Filo, Howard Ruffner, Mike Glaser, Kent State University News Service, The Akron Beacon Journal, Beverly K. Knowles, Richard C. Harris, Jr., John A. Darnell.

I am deeply indebted to many friends whose help and encouragement has made this appeal for justice possible.

In particular I wish to thank the Rev. John P. Adams, Mr. Pat Englehart, Mr. Robert Giles, Attorney Steven Sindell, Mr. Joe Eszterhas, Mr. Jeff Ballot, Mr. James Carreno, and several Kent State students who provided me with invaluable information concerning the events leading up to the fatal shooting.

I have not referred to the report of the special Ohio grand jury in view of the fact it has been ruled unconstitutional by a Federal District Court in Ohio and is under that Court's order to be expunged from the Portage County records and physically destroyed.

#### INTRODUCTION

This document suggests that an unknown number of Ohio National Guardsmen, mostly sergeants and members of Troop G, 107th Armored Cavalry, conspired together on or before May 4, 1970, to shoot at the students and that this conspiracy was formalized into a decision to do so at approximately 12:15 p.m., ten minutes before the act was executed.

On May 17, 1971, in a letter to Mr. Erwin D. Canham, a former member of the President's Commission on Campus Unrest, I

said: "No matter how outrageous or distasteful it may be, we have to face up to the possibility, no matter how remote, that the shooting was deliberately triggered by a few guardsmen, many of them sergeants, with the intent to punish the students."

On May 19, 1971, in his reply, Mr. Canham said: "As to whether or not there was a conspiracy on the practice field by some members of the National Guard, I agree that this should be investigated to the fullest possible degree. The Scranton Commission could not do so because of the barriers placed in the way of testimony by the National Guard. We could not overcome these barriers. I hope this matter can be pushed further."

Last year, on May 7th, the Vice President of the United States was interviewed by David Frost. During the course of his appearance, Mr. Agnew was asked some questions about the killings at Kent State three days earlier, and the following exchange occurred:

DAVID FROST: But you think that the Guardsmen obviously went far too far?

THE VICE PRESIDENT: Oh, yes, there is no question about that.

DAVID FROST: What if it is discovered there was no shot fired at them by a sniper and they just opened fire without a warning shot or anything? Not having been fired at in any way, in that sense what is the word for that, murder?

THE VICE PRESIDENT: Yes, but not first degree. As a lawyer, I am conversant, and I suppose most people who follow the courts are conversant, with the fact that where there is no premeditation but simply an overresponse in the heat of anger that results in a killing, it's murder. It's not premeditated, but it's a murder, and certainly can't be condoned.

At the time four families were burying their dead children, the Vice President of the United States was condemning their deaths and accusing the Ohio National Guard of committing second degree murder. "It was murder, he said, and certainly cannot be condoned." One year later, a member of the President's Commission calls for the fullest investigation into the possibility some guardsmen conspired together to commit first degree murder. This book reveals why Mr. Agnew told the American people the killings were murder and why Mr. Canham believes there should be an investigation of the Ohio National Guard.

Students killed, fatally wounded and wounded were taken to Robinson Memorial Hospital in Ravenna, about six miles from Kent.

#### I. THE THEORY

"It is my observation that it was completely impossible for that number of men to act spontaneously, yet in such perfect unison; there simply had to be an order from someone and it would appear that someone had chosen in advance a commanding point to make their stand." Witness before the Kent State University Commission

In late November, 1970, Joseph Rhodes, Jr., a former member of the President's Commission on Campus Unrest, spoke in suburban Northboro, Massachusetts, and said: "There were two Guardsmen who committed second degree murder. . . . The FBI knows about these two Guardsmen, but it wasn't brought before the (state) grand jury."

Mr. Rhodes went on to say that other members of the President's Commission knew about this, and that the two men had gone to Kent State "intending to kill students."

This was the first public allegation by anyone connected with an official investigation that the shooting on May 4, 1970, was not a sudden reaction to a real or imagined danger. However, it was not very sensational because both the Justice Department summary of the FBI investigation and the President's Commission report contain numerous indications that the shooting was indeed a

planned and deliberate act executed upon a pre-arranged signal. Furthermore, the publication of several books served to suggest that the shooting was the outcome of a conspiracy and the combined material presents an overwhelming indication to this effect.

Prior to Mr. Rhodes' comment, Senator Stephen M. Young of Ohio, as early as June last year, formally accused the Ohio National Guard of committing murder and later, on the floor of the Senate, he charged that Sergeant Lawrence Shafer of Troop G had deliberately aimed and shot Kent State student Joseph Lewis, Jr. It was through Senator Young's efforts that the Justice Department summary was finally revealed to the public at the end of October, and the report confirmed the Senator's accusation against Shafer. The summary also revealed that the Justice Department believed the guardsmen had gotten together after the shooting and concocted the story of having had to fire in self-defense. Such a fabrication was essential to concealment of the truth.

For reasons we do not know, the allegations of both these gentlemen have been pointedly disregarded despite the now monumental accumulation of testimony and photographs which support the theory that the shooting was planned and carried out with the intent to kill, maim or injure students. At least half the guardsmen who fired their weapons were not involved in such a conspiracy and did indeed fire in reaction to those who triggered the shooting by their willful firing. Most of these guardsmen shot into the air.

This theory is neither unrealistic nor improbable. In fact, it is the only theory which explains how so many guardsmen suddenly wheeled around like a flock of birds turning, why all their fire was directed into a certain area some 300 feet away when many more students were so much closer to them, and why the National Guard has gone to any length, no matter how bizarre, to try and justify the shooting.

The Guardsmen sent to Kent State by Governor James Rhodes were taken from active duty in Cleveland where, since April 29th, they had been subjected to extreme provocation, harassment and injuries at the hands of striking truckers. At one point during their confrontation with the strikers the guardsmen actually came under sniper fire. However, they were not disposed to shoot at men as swiftly as they would at young boys and girls under far less dangerous conditions. The shooting at Kent State occurred because a few guardsmen, perhaps no more than eight to ten, had decided to do so at an opportune moment during their march from the Commons to the football practice field and back again to the Commons. The decision to do this was almost carried out when the guardsmen were on the practice field, but their situation at that moment was not conducive to a shooting "in self-defense." The conspirators then agreed to shoot at the Prentice Hall parking lot area when they reached the Pagoda on their return march, the shooting to be done upon a signal provided by the firing of a .45 pistol.

The guardsmen involved in this decision were members of Troop G. As the return march commenced, it was Troop G which was located at the right flank of the line; sixteen men and two officers. During the course of the climb to the Pagoda, some six to nine guardsmen of Troop G maintained a fairly constant surveillance of the students in the parking lot where they knew, in a few minutes, they would be shooting with willful intent to hit students. The closer they got to the Pagoda, the more they tended to hang back until they became the last knot of guardsmen to crest the hill.

Suddenly a single shot rang out, and some eight to ten guardsmen instantly wheeled around 135 degrees, raised their M-1 rifles and commenced shooting back down into the

parking lot. They had selected an ideal "commanding point to make their stand." It is 19.8 feet above the parking lot. However, the timing was slightly off, and most of the guardsmen had gone a few yards too far. The sergeant with the .45 who had given the signal to shoot had to lead his men forward to the edge of the crest of the hill for better sighting of the students in the parking lot.

At the sound of the shot from the .45, the other guardsmen, mostly members of Company A, first of all looked over their right shoulders and most of them are looking in the direction of the sergeant with the .45 pistol. As the fusillade began, more guardsmen joined in until some thirty had fired one or more shots.

One officer, General Robert H. Canterbury, reacted by moving toward the front firing line ordering the men to "Cease fire!" His order was ignored. A pre-planned act was being executed. Major Jones is believed to have hit some of the guardsmen on the head with his baton to stop them from shooting. None of the photos substantiated the story. The firing had lasted for 13 seconds. In or near the parking lot into which the guardsmen were shooting lay ten students out of the thirteen which were shot. The scene in this area was one of carnage. Sandra Sheuer was bleeding to death; Allison Krause was dying, and nearby Jeffrey Miller lay dead. Not far from the two girls lay William Schroeder, his internal organs almost as badly destroyed as Allison's. Just to the south of the lot lay Dean Kahler, unaware that he would never walk again. Douglas Wrentmore was shot through the knee about 20 feet from Allison Krause and in the opposite direction Thomas Grace found he had been hit in the back of his left ankle. Further away Alan Canfora, who had waved a black flag at the guardsmen, was shot through his right wrist, and beyond him—over 500 feet from the Pagoda—lay Robert Stamps and Donald MacKenzie. Not one of these ten students was closer to the Pagoda than 270 feet. The two students closest to the guardsmen, Joseph Lewis, Jr., at 60 feet and John Cleary at 110 feet, happened to be in the direct line of fire to the parking lot. Lewis had been deliberately shot by Sgt. Shafer, but Cleary was standing sideways to the guardsmen when the shooting began and probably blocked the path of a bullet destined for the parking lot. He was shot through the upper left chest.

After Canterbury had finally stopped the shooting, the march back to the Commons resumed. It has been suggested that if the guardsmen were deliberately shooting at the students to kill, maim or injure, then a great many more would have died. This suggestion credits National Guardsmen with a shooting skill they just do not generally possess. These are weekend soldiers, and they were shooting at moving targets some 300 to 400 feet away. It is consistent with their general firing ability that they succeeded in hitting ten students with some 40 odd bullets. If there is one thing the National Guard is notorious for, it is their inept marksmanship.

This is one theory on how and why the guardsmen suddenly turned and began shooting into a specific location so far away. Another suggests that the decision to punish the students was made in the form of an order by an officer. This theory is based upon the acceptance of Sergeant Pryor's claim that he did not fire his .45 pistol. That he might not have fired is explored further in the conclusion to this appeal for an investigation. If the FBI ballistics test on Pryor's gun is negative, then who fired the .45 from which the FBI has four spent cartridges?

One of the photographs taken shortly after the shooting reveals another guardsman close by the Pagoda with a .45 in his right hand. In the same photo, to the right of the

Pagoda, is Sgt. Pryor with his back to the camera. One of the photographs taken during the time the guardsmen were on the practice field shows Sgt. Pryor having a private conversation with another guardsman who could be an officer. Did this officer tell Pryor that when they reached the Pagoda he would give the signal to shoot in the form of a shot from his .45 or by verbal command, such as "Turn and fire three rounds?" If Pryor did not fire, then this would indicate he did not approve of the officer's order, but passed it on to the men in Troop G as they collected together for the return march to the Commons. This seems unlikely. When the signal or order came, Pryor would have to simulate the motions of shooting. The man he spoke to on the practice field is probably another sergeant. The photographs referred to here appear in the chapter devoted to the film record of May 4, 1970.

To date, the only published basis upon which the guardsman with the .45 in his left hand has been identified as Sgt. Pryor is his own words to the Akron Beacon Journal that the figure in the photographs "could be" him. However, two photographs taken before the Guard commenced their march up the Commons to disperse the noon rally show a man forming up his men for the march, and this man can be identified as the same man in the pictures of the shooting with a .45 in his left hand. Identification is accomplished through the fact he is the only guardsman appearing in the scores of photos, with a consistency of positioning, wearing a shoulder holster. The straps over the left shoulder and around his back clearly stand out in many of the photos in which he appears, and this is also true of the picture taken when the shooting was about to commence, and he appears to have his arm in recoil from firing or in bringing his gun down to shoot at the students. The guardsman in this picture is Pryor, and he can be so identified in all the other photos beginning with the two covering his preparations to move out. Furthermore, this also identifies the soldiers in these two pictures as members of Troop G. It has not been possible to verify who is standing next to Pryor in one of the photos.

Captain Srp is likely among the small group of officers around General Canterbury in a number of the pictures covering the Guard on the practice field. Lieutenant Colonel Fassinger can be identified in a number of photos along with Major Jones, both of whom are in the group around Canterbury, and both without gas masks. It is, therefore, very doubtful that Captain Srp was aware of anything transpiring between Pryor and his men. Regardless of which theory is close to the truth, one thing is very clear. The shooting took place as the result of a decision or an order. It did not occur in panic or fear or self-defense. No testimony, no evidence, and no photograph has yet substantiated this claim by the Ohio National Guard.

The President's Commission, as Mr. Erwin Canham revealed in his letter, could not investigate why the shooting occurred because "of the barriers placed in the way of testimony by the National Guard." The Commission's report clearly indicates the degree to which it doubts the veracity of General Del Corso and Canterbury: "Even if the Guardsmen faced danger, it was not a danger that called for lethal force. The 61 shots by 28 Guardsmen certainly cannot be justified. Apparently, no order to fire was given, and there was inadequate fire control discipline on Blanket Hill." This is a conclusion full of doubt because the Commission was unable to overcome the barriers "placed in the way of testimony" by the party responsible for the killing of four students. It is time these barriers were overcome.

#### II. THE REPORTS

"Aside entirely from any questions of specific intent on the part of the Guardsmen or

a predisposition to use their weapons, we do not know what started the shooting," Department of Justice.

At approximately noon on May 4, 1970, the guardsmen assembled by the ruins of the ROTC building were ordered to advance against the students gathered on the Commons. The Justice Department reports that 96 men of Companies A and C, 145th Infantry and Troop G, 107th Armored Cavalry, moved out with bayonets fixed and their weapons "locked and loaded," with one round in the chamber, pursuant to rules laid down by the Ohio National Guard.

"All wore gas masks. Some carried .45 pistols, most carried M-1 rifles, and a few carried shotguns loaded with 7½ birdshot and .00 buckshot. One Major also carried a .22 Beretta pistol." The Major was Harry D. Jones, staff officer of the 1st Battalion, 145th Infantry.

The President's Commission reports that Troop G had gone off duty at 6:00 p.m. Sunday, May 3rd, but "had just lined up for their first hot meal of the day when they were sent back to duty on campus." This was due to the sit-in developing at Prentice Gate which would eventually be broken up by tear gas and culminate with guardsmen chasing students across the campus until trapping them outside a dormitory and there bayonetting several students. One girl suffered a wound requiring her removal to a hospital.

Between midnight and 1:00 a.m. Monday, Troop G once again went off duty, but were awakened less than four hours later to prepare to relieve Company A at 6:00 a.m. These events, following upon the hard time they had experienced in Cleveland, did little to generate a mood of tolerance in the ranks of the guardsmen. On the contrary, quite a few were becoming disgusted with the whole situation.

Prior to the march to the practice field, Company C—according to the Justice Department—was instructed that "if any firing was to be done, it would be done by one man firing in the air (presumably on the order of the officer in charge). It is not known if any instructions concerning the firing of weapons was given to either Company A or Troop G."

Both the Justice Department and the President's Commission agree on the Guard's formation as they started up the Commons toward Taylor Hall.

"Company A was on the right flank, Company C was on the left flank and Troop G was between the two."

This is the first significant fact in a secondary theory that part of the conspiracy to shoot the students involved deliberate aiming at specific students who stood out to some of the guardsmen by their shouting obscenities or throwing rocks. One of the victims, Allison Krause, appears in a photograph showing the guardsmen drawing near to the Pagoda for the first time. She is silhouetted against the sky with very few students near her. She is facing the approaching guardsmen and is shouting at them. The guardsmen have their backs to the camera, but it is clear that they are members of Troop G.

This fact is established by the reports. As the skirmish line neared the Victory Bell, Company C except for two, left the formation and advanced up to the northeast corner of Taylor Hall, to the left. The remaining line now had Troop G on the left flank and Company A (53 men) spread out to the right. As this line proceeded up the hill toward the Pagoda, members of Troop G would be marching up beside the west wall of Taylor Hall and Allison Krause would be facing them from her position on the crest of Blanket Hill. These same guardsmen would see Allison again when they were on the football practice field. At the time the photo-

graph was taken showing Allison Krause shouting at the guardsmen of Troop G, they were approximately 75 feet from her.

As the line of guardsmen swept across the crest of Blanket Hill, the students who had been in the center retreated down the south side of Taylor Hall. Some remained by the building watching the Guard continue toward the practice field, and the others went down into the Prentice Hall parking lot. When the guardsmen arrived on the field, they could proceed no further because of a long, cyclone-type fence. Members of G Troop were now the closest guardsmen to the parking lot where there were only a few students, estimates ranging from thirty to fifty, compared to the several hundred gathered in front of Taylor Hall and along its terrace.

Suddenly, 16 members of G Troop and one other guardsman, went down on one knee and aimed their rifles directly into the parking lot where Allison Krause was at this time along with Dean Kahler and Alan Canfora who was taunting them by waving his black flag. It was at this time that someone, believed to be a sergeant of Troop G, fired his .45 one or two times. We do not know why he fired nor whether this was a signal for the firing line to shoot into the parking lot. For some reason, the guardsmen of G Troop did not fire.

The line of kneeling guardsmen with their weapons trained on students in the parking lot incited an increase in shouting and rock throwing.

"The crowd on the parking lot was unruly and threw many missiles at guardsmen on the football field. It was at this point that the shower of stones apparently became heaviest." President's Commission.

One tear gas canister was fired into the parking lot. It was thrown back at them. Then the men of Troop G stood up. Many students believed their increased shouting and throwing had preventing the guardsmen from shooting. As the guardsmen of Troop G were still facing the lot and Company A was being organized for the return march to the Commons, several students drew attention to themselves by running up to the fence. Among these few was Allison Krause who, at 5'8" with a pony tail and wearing a bush jacket, would be recognizable again to those members of Troop G who had seen her before by the Pagoda. At the fence she again shouted at them in a loud voice just as she had done earlier.

The same is true of Jeffery Miller, who was also in the parking lot. He, too, drew the attention of a number of G Troop when he picked up the tear gas canister and, running toward the fence, threw it back at the soldiers. His distinguishing attire of Indian head-band and fringed jacket were no doubt noticed by some guardsmen.

It was now that witnesses report seeing some kind of huddle take place on the practice field. The group was Troop G. James Michener conceded: "It seems likely . . . that on the football field, when the students were being obnoxious and stones were drifting in, that some of the troops agreed among themselves, 'We've taken about enough of this crap. If they don't stop pretty soon, we're going to let them have it.' It was in this mood that they retreated up the hill."

We do not know precisely what was agreed among the men of Troop G, but subsequent events would indicate the man chosen to fire the signal for the shooting into the parking lot was Sergeant Myron C. Pryor, Troop G's senior non-commissioned officer, a career-army soldier in his forties. Sgt. Pryor was armed with a .45 pistol. Aware now that General Canterbury intended to lead the guardsmen back to the Commons, the conspirators had to agree upon the best point between the field and Taylor Hall at which to stand and shoot. The choice was obvious. The Pagoda provided a perfect landmark; it was

located at the crest of Blanket Hill which would give the guardsmen an excellent view into the parking lot, and it was close to Taylor Hall where there were many more students whom the guardsmen could later claim surged toward them and caused them to shoot in fear for their lives. It also had to be agreed that when Sgt. Pryor fired his .45 into the ground, those involved in what was going to happen would wheel around together and commence shooting.

Lt. Colonel Fassinger called for more tear gas, and then ordered the troops back to the Commons. Once again a long line of guardsmen started back up Blanket Hill, this time with Troop G on the right flank and Company A strung out to the left. General Canterbury was close to the center of the line on G Troop's side and Major Jones closer to the right flank. A series of photographs covering the Guard's return march to the Commons show a knot of about ten guardsmen on the extreme right flank, frequently bunched together compared to the rest of the line. They are the members of Troop G who are constantly watching the Prentice Hall parking lot as they ascend to the "commanding point" where they will turn and shoot.

The Justice Department report concedes there is so much conflicting testimony, it is unable to determine exactly what did happen when Troop G reached the crest of Blanket Hill, the last of the guardsmen to do so. However, the following extracts from their summary of the FBI investigation indicate the shooting was preplanned:

1. "There was no request from any guardsman for permission to fire his weapon."
2. "Some guardsmen, including some who claimed their lives were in danger and some who fired their weapons, had their backs to the students when the firing broke out."
3. "There was no sniper . . . The FBI has conducted an extensive search and has found nothing to indicate that any person other than a guardsman fired a weapon."
4. "At the time of the shooting, the National Guard clearly did not believe that they were being fired upon. No guardsman claims he fell to the ground or took any other evasive action and all available photographs show the Guard at the critical moments in a standing position and not seeking cover."
5. "Five persons interviewed in Troop G, the group of guardsmen closest to Taylor Hall, admit firing a total of eight shots into the crowd or at a specific student." (Emphasis added).

The five are: S. Sgt. Barry Morris, Sgt. Lawrence Shafer, SP/4 James McGee, SP/4 Ralph Zoller, SP/4 James Pierce.

Other members of Troop G who fired, but have not admitted firing into the crowd or at specific students, are: Sgt. F/C Okey R. Flesher, Sgt. Dennis L. Breckenridge, Sgt. Joseph D. Sholl, SP/5 William J. Case, SP/4 William E. Perkins, SP/4 Lloyd W. Thomas.

Excluding the Troop's two officers, Capt. Raymond J. Srp and Lt. Alexander Stevenson, there were 16 men in Troop G comprising: 7 Sergeants, 1 Specialist 5th, 6 Specialist 4th, 2 PFC's.

The four members of Troop G who did not fire are: S. Sgt. Rudy E. Morris, SP/4 John R. Baclawski, PFC Michael D. McCoy, PFC Paul R. McCoy.

We are left with one other member, and he is not only the key to the conspiracy to shoot the students, but also a man whose veracity is extremely questionable. This man is First Sergeant Myron C. Pryor who has made several claims about his role in the tragedy, claims which the testimony of witnesses and the evidence of photographs refute.

Shortly after the shooting, Sgt. Pryor claimed he was not even on Blanket Hill when it happened. Confronted with the now

famous photograph of the actual shooting, Sgt. Pryor conceded that the man standing out in front pointing his .45 pistol at the students, in his left hand, "could be" him. He denied firing the gun and claimed that throughout the shooting he was "loading it." Several photographs of the shooting prove that Sgt. Pryor is lying and numerous witnesses testified to seeing this guardsman raise his .45 and fire into the ground like a signal for the others to start shooting.

The reports contain overwhelming evidence to the effect that the first shot which preceded the volley did NOT come from an M.1 rifle. The Justice Department states:

"General Canterbury told the FBI that the first shot came from a small caliber weapon, such as a .22. In a statement immediately after the shooting, however, he does not specifically mention caliber or the fact that he believed the first shot was fired by a sniper."

The Akron Beacon Journal, recent winner of a Pulitzer Prize for coverage of the Kent State killings, conducted an interview with an unidentified guardsman who had fired his M.1 that day:

Q. What about the first shot?

A. It seemed to come from closer, but it was hard to tell because of the noise. I remember thinking when I heard it first that it was us shooting.

Q. How long were you up there before the shooting started?

A. I don't know. I heard the first shot. (Emphasis added)

The Justice Department notes:

"One guardsman heard someone yell and believed he had been given an order to fire. Another 'thought' he heard 'someone' say 'warning shots.' Another 'thought' he heard 'someone' say 'if they continue toward you, fire.' . . ."

"Capt. John Simons, the 107th chaplain, who interviewed a number of guardsmen who fired, says, 'I think they were angry, they were scared, and that something caused them to fire.'" (Emphasis added)

That is a fairly accurate description by Captain Simons. Men like Sgt. Pryor, with their loaded pistols and many years experience, certainly were not "scared" of the demonstrators. They were angry and they had but one means of venting that anger. Others, the younger ones, some of whom were students themselves, were no doubt scared at times, and when the shooting began, many of them fired in reaction. One guardsman stated that when he saw that front line shooting down into the students, he immediately ejected the rounds in his gun in disgust just to ensure he did not shoot. Some fired a round into the air because they could see no point in shooting into the crowd.

On the actual shooting there are conflicting conclusions and some obvious obstruction to justice on the part of the Ohio National Guard. How many shots were fired?

1. The Justice Department says a minimum of 54 shots were fired by a minimum of 29 guardsmen.

2. The President's Commission says 61 shots were fired by 28 guardsmen.

3. The Justice Department says 5 guardsmen admit to firing 8 shots into the parking area.

4. The President's Commission says 4 guardsmen admit firing 9 shots into the parking lot areas with M.1's and one man admits firing 2 shots into the crowd with his .45 pistol. Five guardsmen firing 11 shots into the parking lot area.

Obviously a number of guardsmen are lying. If their claim to firing only 11 shots at the students is valid, how do they account for the fact that there were 15 wounds inflicted and, according to the FBI, there were 32 bullet holes in cars parked in the Prentice Hall lot? Most of the shooting was done by the members of Troop G involved in the conspiracy, and they were shooting into a

specific area and perhaps, in some cases, at specific students, over a period of ten to eleven seconds following the signal to shoot. It is more likely that they fired 35 to 40 shots into the parking lot area and that the other shots were fired into the air or into the ground. The photographs of the shooting show at least 8 guardsmen aiming and firing their M.1 rifles down into the parking lot. There is also Sgt. Pryor who probably fired 4 shots.

Sgt. Pryor told the FBI he did not fire. However, the Justice Department reports:

" . . . at least one person who has not admitted firing his weapon did so. The FBI is currently in possession of four spent .45 cartridges which came from a weapon not belonging to any person who admitted he fired. The FBI has recently obtained all .45's of persons who claimed they did not fire and is checking them against the spent cartridges." (Emphasis added)

It is over a year later, and we still do not know the outcome of the FBI's check on these cartridges and Pryor's .45 pistol. The photographs clearly indicate he did indeed fire his pistol. It is time the FBI informed us whether or not Sgt. Pryor is lying when he says he did not shoot. If he did fire, then his role in the conspiracy was a major one and would confirm the testimony of witnesses that a guardsman with a .45 in his left hand fired the first shot. Pryor is right handed, but on the morning of May 4th he sustained a burn to that hand, according to the Akron Beacon Journal, and was forced to use his left hand. This is the reason he is seen holding the pistol in his right hand at the end of the shooting.

With respect to the five guardsmen of Troop G who admitted to the FBI shooting into the crowd or at a specific student, the Justice Department report says: SP/4 McGee claimed he saw . . . "a sergeant from Troop G" fire a .45 pistol "into the crowd." McGee told the FBI he then fired his M-1 "twice over the heads of the crowd and later fired once at the knee of a demonstrator when he realized the shots were having no effect." Unfortunately, the Justice Department does not elaborate on exactly what SP/4 McGee meant by this. All reports agree that when the shooting began, students either stood still, threw themselves to the ground, or ran away from the Guard. Mr. McGee says he fired twice over their heads and then shot AT a student because his first shots were "having no effect." What effect? Not killing them? This entire statement suggests that Mr. McGee fired all three shots into the crowd.

SP/4 Zoller also admitted to the FBI that he fired "at the knee of a student." SP/4 Pierce claims "the crowd was within ten feet of the National Guardsmen." The photographs and the reports refute his claim. No student was closer than 15 yards, and they were on the terrace where no shooting was directed. The closest student in the line of fire was Joseph Lewis, Jr., and he was 20 yards—60 feet—from the guardsmen. Such wild and totally inaccurate claims as this have contributed to the obstruction of justice. Pierce admitted firing four shots of which he aimed two at specific students and fired one "into the crowd."

Staff Sergeant Barry Morris claims "the crowd advanced to within 30 feet and was throwing rocks." This claim, like that of Pierce, is erroneous. Morris admits firing two shots from his .45 pistol "into the crowd." Sergeant Shafer, as previously noted, admitted firing once at a specific student (Lewis) when he was "25-35 feet" from Shafer. He said he fired four other shots but not at a student or into the crowd.

These five guardsmen of Troop G admit to firing a total of 16 rounds. Whether they fired more we still do not know, but it is reasonable to assume they were in the front firing line (any guardsman shooting "into the crowd" from behind this line would be

endangering the lives of the men in front) and, therefore, the photographs indicate it is more likely most, if not all, of their shots were fired "into the crowd" or at a specific student.

Two of the five claim they aimed "at the knee of a student" but only one student, Douglas Wrentmore, was shot in the knee. It is indeed disturbing that the Justice Department report should contain so much information which indicates that guardsmen are lying, distorting the facts and generally obstructing justice without moving the Department to intervene and establish, once and for all, just what is the truth about the shooting.

The excessive use of the Fifth Amendment by Generals Del Corso and Canterbury and Captain Srp in connection with the civil litigation serves to reinforce the theory that there was a criminal conspiracy.

The most significant aspect of the entire Justice Department report speaks for itself. The Department does not know what started the shooting "aside entirely from any questions of specific intent on the part of the Guardsmen. . . ." It is time these questions were faced and answered when four American citizens were shot to death.

### III. THE WITNESSES

"It's true that the Guards were surrounded but only by the fence. I wouldn't say that the students in the parking lot presented much of a threat. A lot of missiles were in the air, but damned few of them reached the Guardsmen. Then I saw the Guards go into a huddle, and it was quite obvious that a decision of some kind had been reached." Ken Kesey, Vietnam Veteran.

Both the Justice Department summary of the FBI investigation and the President's Commission indicate a considerable degree of command confusion from the time the guardsmen set out from the Commons. The main body, comprising Company A and Troop G, was under the command of Lt. Colonel Fassinger, but when General Canterbury, attired in a business suit, tagged along behind, he assumed authority for issuing orders such as whether or not to proceed across Blanket Hill and when to leave the practice field. Likewise, with Company C. When they broke away from the main body and headed for the opposite corner of Taylor Hall, they were under the command of Captain J. Ronald Snyder. However, Major Jones ran after them and presumably assumed command of the Company until he left the men and went down to the practice field. All of this must surely have caused some confusion among the guardsmen and in turn communicated itself in particular to the sergeants. For some, there must have been a sense of autonomy, especially when it became apparent on the practice field that the officers, from Canterbury on down, really did not know what they were doing.

The Justice Department simply observes: "Apparently no plan for dispersing the students was formulated." The significance of this confusion becomes obvious in light of what was to happen by the Pagoda on the return march to the Commons. There has, to date, been no concrete evidence indicating that any officer fired a weapon from Blanket Hill. Major Jones may have fired his Beretta while on the practice field but most witnesses report that the guardsmen who did fire used a .45 pistol, whereas Jones only had a .22 pistol. The shooting, at the Pagoda however, did involve seven sergeants—eight with Sgt. Pryor—and out of the 28 or 29 who fired, only 8 were below the rank of Specialist 4th. Troop G had 2 men below that rank and neither fired. Company A had 19 below that rank of which 8 fired. It is suggested these 8 were among those who fired in the air or in panic reaction to the shooting by Troop G.

During his appearance before the Presi-

dent's Commission, General Del Corso had this exchange with Commissioner Canham:

Q. Did I accurately understand you when you said that you could envisage no Commander giving an order to fire into a crowd?

A. That is right.

Q. Then is it your suggestion that the Commander might not assess the situation as being endangering to the lives of his forces? That is to say, why doesn't he think the same way as the individual troops?

A. Well, I am certain he does assess this all of the time. Commanders are doing this all of the time they are in command, continuously assessing the situation or attempting to do what is the best procedure to maintain peace and order.

Q. And you are suggesting that the Commander under these circumstances did not assess it as requiring fire?

A. No, I won't say that.

General Del Corso won't say it, but the photographs clearly indicate that General Canterbury, the commander on the scene, was taken totally by surprise when the shooting started and obviously did not, despite his post-shooting statements, regard the situation as endangering the lives of his forces. Nothing so far published indicates that officers like Canterbury and Fassinger were aware that some of the men had made a decision to shoot at the students and their reaction to it in the photographs tends to confirm this. In fact, past experience was such that the officers would have no reason, especially at Kent State, to expect their men to shoot. General Del Corso told the President's Commission:

"As a matter of fact, in all the commitments that our troops have been committed, which have been more than any other community in the United States Army, we have never injured an individual until the Kent State incident.

Yet, in every incident, we have had our troops injured, we have been fired at in many of them, and certainly we have taken verbal insults."

How very significant that the one State militia with the most prior experience in civil disorders of any militia in the nation should unleash a fusillade of firing at unarmed civilians over 200 feet away and kill four of them. How very significant that the most experienced militia in the nation should resort to shooting for the first time when the danger to their lives was almost non-existent compared to previous confrontations when, as General Del Corso pointed out, they had been, "fired at in many of them." The implication in this fact is but one more indication that the shooting was NOT in self-defense, as the Justice Department concluded, but was planned and executed by a few guardsmen. Such a conspiracy is totally beyond the control of the commander at the scene when that commander is not fulfilling his obligation to protect lives and property. At Kent State, General Canterbury, at the critical moment was not where he should have been.

During the march from the Commons to the practice field, the general was behind his men which is where he should have been on the return, especially the climb to the Pagoda when the bulk of the students were to the right of the guardsmen. Instead, he took no notice of the knot of men on the right flank and permitted them to become an almost autonomous unit. Major Jones was with them on their left but, like Canterbury, was not between them and the students. Had either of them positioned themselves as they had done during most of the marching around the campus, the conspiracy to shoot could not have been carried out.

It is the shooting itself which is the most damaging evidence against the National Guard. The sudden turn with incredible precision, the deliberate concentration of almost all their fire into the Prentice Hall parking

lot between a metal sculpture to their left and two evergreen trees to their right (see photo No. 1), and the totally unnecessary prolongation of the shooting are not consistent with troops shooting "in the honest and sincere belief" that their lives were in danger. On the contrary, it is consistent with troops determined to shoot specific students and continuing shooting to insure hitting those singled out for punishment. (See Diagram No. 2)

Finally, the fact that Sgt. Pryor and a number of those guardsmen who were shooting actually moved back toward the parking lot some 10 to 15 feet from the point where they turned signifies the extent of their determination to kill, maim or injure students in the parking lot area.

The observations of many witnesses to the Guard's conduct on the practice field and to the shooting serve to confirm the impression conveyed by the photographs: that some kind of decision was made on the football field, that the shooting was the consequence of that decision, and that Sgt. Pryor did indeed fire his .45 pistol at approximately 12:25 p.m. on May 4, 1970.

President Robert White convened a Commission to investigate the events of that weekend, and here are the observations of six witnesses before the Kent State University Commission:

"I don't think the Guard panicked. It seemed too orderly, and they fired as though on command." (page 241)

"It is my observation that it was completely impossible for that number of men to act spontaneously, yet in such perfect unison; there simply had to be an order from someone, and it would appear that someone had chosen in advance a commanding point to make their stand." (p. 241)

"Suddenly, as if on command, although I did not hear one, the National Guard turned toward the crowd who had moved onto the practice field and into the parking lot." (p. 241)

"I saw a guardsman with a sidearm draw from his holster aiming in the crowd, he fired. At the same time simultaneously with, and no pause between this, the rest of the guardsmen also fired." (p. 238)

"As (the Guard) crested the hill, they stopped, they turned, and at this time I saw a man withdraw a sidearm from his holster, aim it at the crowd, and fire into the crowd. With this firing, or at the same time, I saw there were other guardsmen with rifles that shot into the crowd." (p. 238)

"It appeared that there was someone in command since the troops, immediately prior to the shooting, did turn and consolidate into a more consolidated line, more or less simultaneously."

Many witnesses told of seeing a guardsman with a .45 draw the weapon and raise it in the air before lowering the gun and firing it at the students or into the ground. Some of the witnesses describe this guardsman as "an officer." Howard Ruffner's photograph showing the completion of the guardsmen's turn reveals only one man with a .45 pistol—Sgt. Pryor—and it is natural that among so many guardsmen with M.1 rifles, Pryor should stand out and appear to be an officer. However, there was another man with a .45 in front of the Pagoda. He will be referred to later.

Donald MacKenzie, one of the students shot by the guardsmen, told two reporters for the Cleveland Plain Dealer, Michael Roberts and Joe Eszterhas, that "one of the guardsmen turned and fired and then I heard the volley. As the guardsmen turned, they rushed a few steps back up the knoll, firing, led by a guardsman with a .45 pistol."<sup>1</sup> SP/4 Russell Repp, of Company A, told the same reporters: "Everyone was up tight. No one

was thinking of firing. Then I heard *small-arms fire*, three shots, it might have been an echo, and the guys returned the fire."<sup>2</sup>

During his testimony before the President's Commission, Howard Ruffner gave a vivid portrait of Troop G's autonomy and the lack of "fear" among the rest of the guardsmen preceding Troop G:

"The Guard turned around in somewhat of a maneuver, and I got a picture of the guards turning around, just the front line of the guard turned. The guard in this corner of the building (by the railing of Taylor Hall) turned, but I didn't know what they were looking at all the time, whereas this group up here (closer to the Pagoda) turned in the same direction like this, but the guard behind them hadn't reacted to anything, and they were still going toward the Commons."

His photograph, reproduced in the next chapter, has captured a reaction on the part of the rest of the guardsmen to the sound of Pryor's shooting. Most of them, including General Canterbury, have slightly turned to their right and are looking over their shoulders in Pryor's direction. It is one of the most significant photographs taken on May 4th because it proves that Sgt. Pryor is NOT loading his weapon and, more than that, reveals his arm in recoil upward, presumably from having fired the shot which caused the guardsmen and the general to turn in reaction to that shot. From the Justice Department summary and the testimony of witnesses, it is suggested that this is probably Sgt. Pryor's second shot, the first one having been the signal to turn and prepare to shoot. Ruffner's photo has captured the completion of the turn and guardsmen in various stages of preparation to shoot. One already has his M.1 in firing position and is aiming directly at Ruffner. Others have their rifles at different stages of coming up to their shoulders for firing.

Mr. Ruffner was ideally located to confirm or disprove General Canterbury's claim that his men were justified in shooting. He had said that his men had fired as they reached the Pagoda because there was a sudden charge of more than one hundred students to within "3 to 4 yards" of them, shouting and screaming "Kill the pigs." Ruffner told the Commission:

"As far as the number of students in this area here (between him and the Pagoda) as General Canterbury mentioned this morning, he said there was a rushing of students and a barrage of rocks. Seeing that I was 120 feet from them, there was *only two* other students in front of me. I believe one of them was near the sidewalk or just in front of me, along the front of the sidewalk. The one in front of me jumped over the railing as soon as the firing started, and the other one was hit."

Other photographs prove conclusively that General Canterbury's description of a student "assault" which justified the shooting is a description that was constructed to protect guardsmen from criminal prosecution, to mislead the public, and to conceal the truth. It should be noted that his dramatic account of this student attack was given under oath before the President's Commission. It is indeed most fortunate that so many persons took so many photographs, for they indicate that no such assault took place.

Civil suits filed by the families of those killed and wounded enable their lawyers to submit interrogatory questions to defendants like General Del Corso and Canterbury, and their excessive resort to the Fifth Amendment on those questions regarding the shooting serve to bolster the impression that these men are deeply concerned about their culpability in the shooting which has been condemned

<sup>1</sup> "Thirteen Seconds", Dodd, Mead Co.

<sup>2</sup> Ibid.

by both the Justice Department and the President's Commission.

William Montgomery, a Vietnam veteran, observed the noon rally and the shooting. "Most of the students were clean-cut fraternity types. Really, I saw very few people you would call radicals there. A lot of the kids had just come back from the weekend and didn't even know what was coming off. What happened at the Pagoda seemed to be planned. They sure didn't look like panicky men." (Emphasis added)

James Michener, in his recently published book "Kent State" also takes note of the evidence furnished by the photographs:

"Available photographs do not support claims of extreme danger (to the Guard). In picture after picture, empty space surrounds the guardsmen. They are under attack neither on the left nor the right, neither from the front nor from the rear." (p. 368) (Emphasis added)

Regarding a conspiracy, Michener makes ominous observations which confirm rather than refute such a possibility:

"One must also take into account the strong feeling running through the Guard that 'we've taken enough.' During the truckers' strike tough union men had cursed them, thrown rocks at them, hit them with empty beer bottles and on several occasions actually brought them under sniper fire, and 'we weren't about to take a lot of guff from some snot-nosed college brats.' (However, in weeks that were to follow, hard-hats at the Portage County Ordnance Depot northeast of Kent would create much more violence than had occurred at the university, but in neither that strike nor the earlier truckers' was firing into a crowd deemed necessary)." (p. 371) (Emphasis added)

Again, the implications are obvious. These guardsmen had literally had a very rough week, and their action in Cleveland was consistent with what society expects of its militia when it is committed to restore order in civil disturbances. At Kent State, there was a situation of minimum danger, compared to what they had experienced in Cleveland, yet they made the application of maximum force—shooting and killing. Why? The answer seems clear.

At Kent State, the Guard was exposed to college students, and there was an element of it that was not going to take the abuse from "snot-nosed college brats" and long hairs that it had experienced in Cleveland from the strikers.

Michener makes considerable emphasis on the effect upon guardsmen of foul language from females, going so far as to say: "... the girls had removed themselves from any special category of 'women and children'. They were tough, foul-mouthed enemies." Such an "enemy" was Allison Krause who had given the Guard a "hard time" with words for which she would be summarily executed by that element in the Guard who had "removed" girls from any "special category."

Brian Fisher, another witness to the Guard's climb to the Pagoda, recalls that a girl near him was yelling at the soldier when one of them, "a left-handed fellow" turned toward the girl and shouted at her: "Come one step nearer, you bitch, and I'll blow your head off."<sup>3</sup>

Countless witnesses were struck by the precision with which the shooting was carried out, the impression that it was "planned" and executed at "a commanding point" (and what better point than the landmark of the Pagoda at an elevation of 19.8 feet above the parking lot where the shooting is going to be directed upon prior decision?). Every action of the guardsmen on the right flank of the march back to the Commons just does not fit the excuse that the firing occurred because they "feared for their lives."

On the contrary, it fits but one theory: conspiracy to shoot at those students in the Prentice Hall parking lot who had cursed them or thrown rocks at them while they were on the football field or prior to their arrival there. Among those who had done so and attracted attention to themselves were Jeffrey Miller, Allison Krause, Alan Canfora, Dean Kahler and Thomas Grace. Joseph Lewis, Jr., drew attention to himself at the time of the shooting by making an "obscene" gesture with his finger and was deliberately shot by Sgt. Lawrence Shafer for this offense. Lewis could have been killed. It was quite incredible that no action has yet been taken against Sgt. Shafer for an act which, under any other circumstances, would automatically have culminated in criminal proceedings against Shafer.

In one of the photographs Lewis can be seen standing near the terrace railing making the harmless gesture known as "giving them the finger" During General Del Corso's appearance before the President's Commission, he was asked about the Guard's guideline to its men on the subject of shooting:

Q. Now, with respect to the discharge of weapons, as it is included within the Ohio National Guard training, will you describe what the training and what the regulations are in that area, please?

A. The only time an Ohio National Guardsman is permitted to fire his weapon, unless he is directed to do so by an officer, is for self-defense, to protect the life of himself or another individual.

Q. Now, with respect to self-defense, would you describe what, if any, elaboration is given a guardsman with respect to that rule and that prerequisite to discharge the weapon?

A. Well, in self-defense, if he is being assaulted, and it is apparent that he is going to be seriously injured or possibly killed, this is self-defense, this is *CLOSE CONTACT*. (Emphasis added)

Joseph Lewis, sixty feet away, was deliberately shot for insulting the Ohio National Guard with an upraised finger. Likewise, Allison Krause, Jeffrey Miller, Alan Canfora and several others were deliberately shot for insulting the guardsmen, taunting them with a black flag and throwing rocks at them ten minutes prior to their being shot. And all of them almost 100 yards away or further.

Much has been made by Del Corso and Canterbury of the great number of injuries to their men. The Guard claims that some fifty men were injured on May 4th, 1970, but the Justice Department says:

"Although many claim they were hit with rocks at some time during the confrontation, only one Guardsman, Lawrence Shafer, was injured on May 4, 1970, seriously enough to require any kind of medical treatment. He admits his injury was received some 10 to 15 minutes before the fatal volley was fired." (Emphasis added)

Sgt. Shafer of Troop G must have sustained this injury, then, when the guardsmen were on the football practice field. How many rocks were thrown at the Guard at that time? How large was the crowd in the Prentice Hall parking lot at that time?

One student witness was asked how many people she saw throwing things from the parking lot at the guardsmen on the field. "Well, I remember seeing at least eight," she replied. "And I could see because I was right down by the road. And there were maybe three in front of me who started to throw things. And the Guard started to point guns at the crowd." Photograph No. 2 confirms that there were few students in the parking lot at the time the guardsmen were on the practice field and other witnesses have stated that only a few of those in the parking lot were actually throwing anything. Photographs No. 3 and 4 serve to substantiate their testimony.

Of the three pictures only No. 4 shows

anyone in the act of throwing something toward the guardsmen who are a good 100 feet from the throwers—three in all in this photograph. The sparsity of the crowd in the parking lot combined with the few who really drew the attention of the guardsmen by running up toward the fence to shout or throw something makes it very reasonable to assume that several troops on the field would be able to pick out these students a little later, particularly when looking down at them from an elevation of almost 20 feet with some 13 seconds in which to do so.

Another disturbing aspect of the National Guard's campaign to obstruct justice is their subtle portrait of the guardsmen as very frightened young kids about to be overwhelmed by a vicious, violent screaming mob, bent upon killing them. This impression was recently given further credence by the Attorney General of the United States during a television interview when he said:

"The unfortunate part of all of this is that, certainly in the case of these poor kids that were guardsmen, you know they think of the National Guard being some heavy handed force. They're a bunch of kids that are pulled out of school and their jobs and thrown into this National Guard duty and they're just like the college kids on the other side."

At Kent State, these "poor kids" were not just like the students at all. The "poor kids" had M.1 rifles and the use of the word "kids" to describe them is deliberately designed to mislead the public. General Del Corso was asked by the President's Commission what was the average age of the "enlisted men in the Ohio National Guard." Del Corso replied, "I would estimate that the average age is approximately 23 years." The Justice Department reports:

"Each person who admits firing into the crowd has some degree of experience in riot control. *None are novices.* Staff Sergeant Barry Morris has been in the Guard for five years, 3 months. He has received at least 60 hours in riot control training and has participated in three previous riots. James Pierce has spent 4 years, 9 months in the Guard. He has an unknown, but probably substantial, number of hours of riot control training and has participated in one previous riot. Lawrence Shafer has been in the Guard for 4½ years. He has received 60 hours of riot control training and has participated in three previous riots. Ralph Zoller has been in the Guard for 4 years. He has received 60 hours of riot training and has participated in three previous riot situations. James McGee has been in the Guard for 4 years, 7 months. He has received 60 hours of riot training and has participated in two previous riots. *All are in Troop G.*" (Emphasis added)

There were some other "poor kids" in Troop G not included in the above because they had not admitted to the FBI firing into the crowd. Sergeant First Class Okey R. Flesher had been in the Guard for 13 years, 8 months at the time of the shooting and had received at least 60 hours training in riot control. SP/4 William E. Perkins, 4 years and 9 months in the Guard with 58 hours training in riot control and previous riot duty in 1966 and 1968. Sergeant Dennis L. Breckenridge, 5 years and 11 months service and at least 60 hours training in riot control, also with prior riot duty in 1966 and 1968. In fact, of the eleven men in Troop G who fired their weapons, not one had been in the Ohio National Guard less than 3 years and eight months—the length of service of Sergeant Joseph Scholl. And none of the eleven had less than 58 hours training in riot control. Furthermore, all eleven had previous riot duty in either Cleveland-Hough in 1966 or Akron-Cleveland in 1968 or both. Their experiences at the hands of strikers on April 29 and 30 are not included under

<sup>3</sup> "Kent State", Random House

"previous riot duty." Only black Americans and students "riot." Of the 15 in Company A who fired, PFC James Brown had 9 years service and Sergeant Mathew MacManus had 6 years. Seven of the fifteen had 96 hours training in riot control.

The Ohio National Guard claimed, after the shooting, that it had followed "to the letter" the crowd control guidelines and instructions laid down by the Department of the Army. This is not true. The guidelines do not recommend the issuance of live ammunition to all guardsmen because it exposes civilians to the kind of shooting which occurred at Kent State and, as the Army says, "implies summary execution." The guidelines do not recommend a process of crowd control which jumps from tear gas to M.1 bullets. When General Del Corso was asked by the President's Commission the range of the M.1 when fired on a level trajectory, he replied: "It is 3,400 yards." That is 10,200 feet. The use of such a weapon by National Guardsmen when activated for civil disorders is criminal negligence on the part of all concerned, from the federal government down. Guardsmen carry guns solely for use in self-defense when a crowd comes so close and is so menacing that they pose a real threat to the guardsman's life. In the event the guardsmen come under sniper fire, then specially trained units with weapons like the M.1 are to be utilized. At Kent State, there were fifty odd guardsmen with a weapon capable of killing four people with a single bullet and also capable of killing over a mile away.

An Army training film puts great emphasis on the need for minimum force: "You may be greatly outnumbered, but remember that your training and proper conduct, the image you present of a neat, well-disciplined soldier, give you a practical, psychological advantage over an unruly, emotional mob. Those confrontations demand much of you. You must work within an atmosphere of explosive emotionalism and yet remain calm and rational. You will be subjected to the worst extremes of provocation, and yet you must be guided only by logical thought. When every natural instinct within you begs for action, you must remain passive."<sup>4</sup>

At Kent State on May 4, 1970, a number of guardsmen gave in to their "natural instinct" and deliberately, with malice aforethought, used their weapons "for action" by shooting into an area selected beforehand to punish those in that area for their verbal insults and audacity in throwing rocks toward them.

Was the mood of the guardsmen conducive to a conspiracy? We have the account of Brian Fisher and we have this statement by a guardsman to CBS-TV News shortly after the killings: "How do I feel? I feel it's about time one of them got it like that." This is but a reflection of the hatred consuming many residents in the Kent-Ravenna area from which many of the guardsmen came. In fact, almost all of the members of G troop who were on Blanket Hill that day reside and work in Ravenna, the town where local residents ran a full-page ad in the *Ravenna Record Courier* praising the National Guard for their defense of the good citizens of Kent and their courage in upholding law and order.

The shooting was almost an inevitable end-product of irrational emotions. The dead at Kent State and the two shot to death at Jackson State ten days later are not martyrs. They are a challenge to the conscience of the American people. The deliberate killing of student demonstrators and blacks challenges the government and all of us who believe that law and justice are more vital to a healthy democracy than order at any price.

<sup>4</sup>"Eye On the World", Cowles Book Co.

#### IV. THE PHOTOGRAPHS

General Canterbury also testified that the closest students were within four to five yards of the Guard. In the direction the Guard fired, however, photographs show an open space in front of the guardsmen of at least 20 yards. President's Commission On Campus Unrest.

(NOTE.—The following are photo captions only.)

Photograph No. 2: This was taken at the time, or shortly thereafter, the jeep with Kent State policeman Rice and three guardsmen had gone out toward the students and ordered them to disperse on the grounds that their peaceful assembly was "illegal."

General Canterbury is to the left of center, in a business suit, and the man to right of center (with hand on right hip) is believed to be Lieutenant Colonel Charles Fassinger. To his left is a jeep, front wheels turned inward. This is the vehicle appearing in the next two photographs showing Troop G forming up for the march across the Commons. Sergeant Myron C. Pryor of Troop G is identified by the arrow.

Photograph No. 3: Sergeant Myron C. Pryor, senior non-commissioned officer of Troop G, 107th Armored Cavalry, lining up the men of his Troop who are to take part in the dispersal of the noon rally. Sgt. Pryor, wearing a shoulder holster for his .45 pistol, is identifiable by the straps for the holster over his left shoulder and around his back. Hanging from his belt, visible in the photo, are (from left to right) his canteen, gas mask and pouch for tear gas canisters. In a later photograph, he will be seen handing a canister to another guardsman. Soldiers in the background are members of Company C, 145th Infantry.

Photograph No. 4: Taken shortly after No. 2. This is Troop G getting into formation. Sergeant Pryor is to the right with his arms raised. The holster straps are visible. According to the Akron Beacon Journal special report on the Knight Newspapers investigation, Pryor is right handed, which would explain the holster being over his left chest. However, according to the newspaper, Pryor injured his right hand some hours before this photograph was taken. Sgt. Pryor will figure very prominently in the shooting to take place some 45 minutes from the moment captured in this picture, with his .45 in his left hand. To the extreme left of the photo is General Canterbury in a business suit. Many students believed Canterbury was university president Robert White, which naturally incensed some of them—seeing a man they believed to be the college president marching around with the National Guard. This mistaken identification was due to Canterbury's attire and the fact many students had never seen White.

Photograph No. 5: View of guardsmen approaching the Victory Bell at the start of their march to the football practice field. This picture shows Troop G in the foreground and Company A, on the right flank, in the background. Company C is to the right of Troop G. Crowd of students in background are ignored by the National Guard, despite the fact they are "technically" on the Commons and could be construed as participants, in the rally. The Guard, however, considered them "spectators" which, of course, contributed to the "circus" atmosphere witnesses spoke about before the President's Commission. The building in the background is Johnson Hall.

Photograph No. 6: Guardsmen advance up the Commons toward Taylor Hall, streamer of tear gas is from a canister thrown back at the Guard. The man whose helmet is directly beneath the streamer is believed to be Lt. Colonel Fassinger.

Photograph No. 7: View of Troop G and Company A approaching west side of Taylor Hall. General Canterbury is in extreme left of

the picture and Sergeant Myron C. Pryor is identified by arrow. Male student, in circle, has just thrown something toward the guardsmen. (Company A is to the right in the photograph).

Photograph No. 8: Guardsmen of Troop G, to the left, draw closer to the west side of Taylor Hall. Sergeant Pryor, arrow, is turned sideways as he holds out a tear gas canister in his right hand.

Photograph No. 9: View of Company C after they had broken away from the line and were proceeding to the east side of Taylor Hall. To extreme right can be seen Johnson Hall with the guardsmen of Troop G and Company A approaching the west side of Taylor Hall. Also, in extreme right can be seen Major Jones running to catch up with Company C. Structure behind Jones is the Victory Bell. The significant fact in this photo is that the rally HAS been dispersed and the area of the Commons occupied by the students "illegally" assembled has been cleared. This photograph, NOT included in the President's Commission report, proves it was totally unnecessary for General Canterbury to have continued pursuing the students as he did. This raises the question: What exactly constitutes "dispersal?" Where it not for the shooting, the Guard could have pursued students around the campus until doomsday in their quest to "disperse" the noon rally. This photograph established that the purpose of the mission, as Canterbury described his mission to the President's Commission, was here completed.

Photograph No. 10: This photograph, taken from the Johnson Hall parking lot, shows the entire west side of Taylor Hall and the marching skirmish line of Company A, nearest the camera, and Troop G. This picture also confirms that General Canterbury's mission to clear the Commons had been accomplished. Guardsman indicated by X is believed to be Lt. Colonel Fassinger. Arrow at crest of Blanket Hill indicates position of Allison Krause. (See photo K in Part V)

Photograph No. 11: Troop G, to the left, and some members of Company A climb the hill toward the Pagoda. This is the hill appearing in No. 10. In the foreground, left, is General Canterbury in his business suit. Sgt. Myron C. Pryor is identified by the arrow. At the crest of the hill eight students can be seen, one of them apparently shouting at the approaching guardsmen.

Photograph No. 12: The Guardsmen have arrived on the football practice field. In background is the long fence which prevented the troops proceeding any further in the direction they were going. The 10 guardsmen in center of the picture are members of Troop G. Note one guardsman aiming his M.1 rifle directly toward the Prentice Hall parking lot where, at this time, Allison Krause, Jeffrey Miller, Dean Kahler, Alan Canfora, and Thomas Grace were located and would harass and taunt the guardsmen. Robert Stamps would also come into this area and actively taunt the Guard. About 15 minutes from the time this picture was taken 11 members of Troop G would fire their weapons, at least 5 of them, directly into the same parking lot they are now facing. All of the above named students would be shot. Sergeant Pryor, arrow, has his left hand on his gun holster and appears to be adjusting it or possibly preparing to remove his .45 pistol from the holster. Another guardsman, indicated by X, is moving forward to fire a tear gas canister into the parking lot. (Refer to next picture).

Photograph No. 13: Guardsman indicated by an X has moved forward about 15 feet from his position in previous picture. In this photograph he has just fired a tear gas canister from an M-79 grenade launcher. Sgt. Pryor has also moved forward to the point where the guardsman with the M-79 is standing in photograph No. 12. Pryor is identified

by an arrow. There are only 16 men of Troop G on the practice field plus two officers—Captain Raymond J. Srp and Lieutenant Alexander Stevenson—for a total of 18. Except for Sergeant Richard K. Love and his companion from Company C, all other guardsmen are members of Company A. The three senior officers on the field are Canterbury, Fassinger, and Jones, the latter running down to the field when the men of Troop G knelt down and assumed a firing position (as shown in later photographs).

Photograph No. 14: Another view, taken about the time the previous picture was taken. Guardsman indicated by an arrow is believed to be Sgt. Pryor. In a few seconds the tear gas canister launched into the parking lot (photo 13) will be thrown back onto the practice field by Jeffrey Miller. It is possible this act prompted the group of men of Troop G closest to the parking lot to assume firing positions, although Commission photo No. 25 indicates the guardsmen were already down and aiming at the time Miller threw the canister back at the Guard.

Photograph No. 15: Allison Krause is standing close to the student wearing a fringed jacket, extreme lower right. Guardsmen can be seen on the practice field.

Photograph No. 16: A tear gas cannister lands on the football field after being thrown back at the Guard by a student. It is possible this is the one thrown by Miller. The guardsman bending down to pick up the cannister is a sergeant or possible Lieutenant Stevenson. Sergeant Pryor is identified by an arrow and General Canterbury can be seen in his business suit with his back to the kneeling guardsman of Troop G.

Photograph No. 17: Another angle taken at almost the identical moment as the previous photograph. Here General Canterbury can be seen clearly. He is apparently oblivious to what is going on behind him. Sgt. Pryor is the last guardsman in the picture in extreme right, looking at the sergeant (?) who is picking up the tear gas cannister (not in this picture).

Photograph No. 18: Guardsman is now seen throwing back the cannister he was about to pick up in previous photos. He is throwing it in the direction of the crowd in front of Taylor Hall, not toward the parking lot. This may indicate the cannister was not the one thrown by Jeffrey Miller. Sgt. Pryor is identified by an arrow as he watches the sergeant (?) throw the tear gas cannister. To Pryor's right is a guardsman with an M-79 grenade launcher. This is probably the same one seen firing a cannister in Photograph No. 13 and, as he is apparently a member of Troop G, is also the one guardsman seen near the Pagoda at the time of the shooting with an M-79.

Photograph No. 19: Tear gas from the thrown cannister has now blown across the field toward the fence. The man who threw it back at the students is indicated (A) as he walks toward Sergeant Pryor (B). Guardsman (C) is probably Lt. Colonel Fassinger and (D) is General Canterbury. Guardsmen indicated by an X has a .45 in his right hand, and it is possible that this man, rather than the one who threw the cannister, is Lieutenant Stevenson.

Photograph No. 20: Sgt. Pryor has stopped and turned and is obviously speaking with the guardsman who threw back the tear gas cannister. This man is probably another sergeant, although it is difficult to state this with certainty. Canterbury and Fassinger can be identified in the background from their indicated positions on the previous photo. Most of the tear gas in earlier photographs has now dissipated.

Photograph No. 21: Taken at the same time as No. 19. It shows the distance of the area in front of the Guard toward the parking lot of Prentice Hall. The lot is some distance further on to the left of the picture. Students in foreground are part of the

crowd at the base of Blanket Hill in front of Taylor Hall. Guardsman indicated by an arrow is believed to be Sgt. Pryor.

Photograph No. 22: General Canterbury speaking with his officers Fassinger and Jones, in cloth cap and back to camera. Sergeant Pryor, identified by white arrow is walking toward the group of officers, also with his back to the camera. Black arrow indicates man who might be Lieutenant Stevenson or possibly Captain Srp. In the foreground, waving a black flag, is a student.

Photograph No. 23: This is the eastern end of the Prentice Hall parking lot. The students are looking in the direction of the guardsmen on the football field. This is the part of the lot where Allison Krause was during most of the time the Guard was on the field. When the troops were preparing to depart, she ran forward to right of this picture and shouted at them. This part of the lot is about 150 feet from the guardsmen. The student wearing a hat is carrying a black flag and one of the two students seen in photos with black flags is Alan Canfora. Most of these students are carrying rags of cloths to protect themselves against the tear gas. Just to the left of center is a student walking, with right leg bent and holding a rag to his face. Behind him, almost obscured, is another student carrying a small rock, about half the size of a baseball. Were he to later throw it at the Guard from any part of this lot, it could not reach the soldiers. (Hand is indicated by arrow).

Photograph No. 24: This photograph and No. 25 taken as the guardsmen commenced to depart from the football practice field for the return march to the Commons. It is about this time that the decision to shoot at the students in the parking lot was formalized. In this photo, six guardsmen of Troop G can be seen looking toward the parking lot. This could be because they are the closest troops to the students in that area at this time. However, their surveillance will be maintained throughout their return march. This will be in spite of the fact that the parking lot gets farther away as they march, and the much larger crowd at Taylor Hall gets closer.

Photograph No. 25: This picture could relate to the testimony of witnesses that some kind of "huddle" took place at which a decision of some kind was reached. Arrow indicates a guardsman with a .45 pistol in his right hand. He will appear again in another photograph very close to Sergeant Pryor. The student at bottom left, wearing a hat and waving a black flag, is the same student in Photograph No. 23.

Photograph No. 26: Company A is marching forward in a fairly tight formation. Troop G, however, is straggling and starting to hang back. Four guardsmen are looking back over their right shoulders at the parking lot, watching the students harassing them. It is about the time that Allison Krause ran to the fence and drew attention to herself again by shouting obscenities at the departing guardsmen. Likewise, Jeffrey Miller and Dean Kahler taunted the Guard by throwing things toward the troops. Few, if any, of these missiles came close. The other student with the black flag appears here and the student to his left appears to be shouting at the guardsmen, one of whom, marked X, is looking directly at the student. The guardsman (B) to left of center is Sergeant Pryor, and the guardsman in extreme left (A) bears a striking resemblance in build and walk to the man marked (A) in Photograph 19. Presumably he is a sergeant. There are 7 sergeants in Troop G. Most of them are carrying M.1 rifles. First Sergeant Pryor is not, and perhaps the next highest ranking sergeant—Sergeant First Class Okey F. Flesher—would also just be armed with a .45 pistol.

Photograph No. 27: Guardsmen approaching the road en route to Blanket Hill, seen

in extreme right of picture. (A) indicates the same sergeant in the previous photograph. The developing group of about ten guardsmen in Troop G is now apparent as they trail the rest of the line. Presumably, this is part of the military V-formation General Canterbury stated was used. However, no such formation was apparent in the march up the Commons to the football field. Pryor and the sergeant (A) are once again close together, and this raises again the question what was said when the two conversed in photo No. 20. In this photo, and especially the previous one, no more than about 15 students can be seen to the Guard's left (in the background).

Photograph No. 28: Guardsmen have crossed the road and started their ascent of Blanket Hill to the Pagoda. The two guardsmen (A) are looking directly back at the parking lot, as are Sergeant Pryor and Major Jones. This part of the road is approximately 50 feet or so from the spot where Jeffrey Miller will be shot dead in about 3 minutes. Note no students at all in front of the guardsmen impeding their progress to the Commons.

Photograph No. 29: Guard continues march to the crest of Blanket Hill. In this picture, six guardsmen are looking toward the parking lot, among them Sergeant Pryor. The guardsman closest to the students in the foreground seems not overly anxious about their proximity to him. In fact, during most of this march back to the Commons, few guardsmen paid much attention to students that were the closest to them, and this held true when they started shooting. The students on the terrace of Taylor Hall were ignored during the 13 second volley. White arrow indicates man who will be standing about ten to twelve feet from Jeffrey Miller when he is killed. Black arrow indicates the first of two small islands in the road where parking ticket machines are located at the entrance to the Prentice Hall parking lot. Miller was standing about 20 feet from this point (to the right.)

Photograph No. 30: A front view of the guardsmen drawing closer to the crest of the hill and the Pagoda where they will suddenly turn and start shooting into the parking lot. Guardsman (A) seen earlier with .45 pistol in his right hand. John Cleary is seen walking away from the path to be taken by the Guard. He will shortly be shot in the upper left chest as he stands sideways to the guardsmen facing Taylor Hall. Guardsman indicated (B) is believed to be Sergeant Pryor, but it is not absolutely certain.

Photograph No. 31: At least 10 guardsmen can now be seen looking back at the parking lot. They are looking over the heads of the few students in the foreground. Sergeant Pryor is seen for the first time with his .45 pistol in his left hand, due to his having injured his right hand earlier this day. The guardsman (A) with a .45 pistol in his right hand is the same man appearing in photograph No. 25. The guardsman mentioned in the section of pictures covering the practice field with the M-79 grenade launcher is believed to be the one indicated here by X. The arrow points to General Canterbury. Guardsman (Y) appears to be dodging some kind of missile. The parking lot is about 150 feet from the guardsmen. Guardsman (Z) could be the one who had a conversation with Sergeant Pryor on the practice field.

Photograph No. 32: Sergeant Pryor is identifiable by the strap of his shoulder holster going round his back and under his right arm. Four guardsmen are looking back at the parking lot which is now over 200 feet away. The student walking with his back to the Guard is the same man seen in the previous photo (extreme right) standing still and watching the Guard march by. X is the guardsman with the M-79 grenade launcher who will shortly be standing close to the Pagoda during the shooting. Two guardsmen

are looking at the man, extreme right near the fern tree, who is shouting at the troop. Note the tight grouping now. These are the guardsmen who are going to turn with such precision and let loose a hail of gunfire into the parking lot.

Photograph No. 33: The Guard has reached the Pagoda. About 2 to 3 seconds after this photograph was taken, a signal to turn and shoot apparently was given. As the Justice Department noted, there is nothing to prevent the troops from continuing in the direction in which they are headed. The students in the foreground are the closest to the Guard of those actually on Blanket Hill. They appear to be close, but the metal sculpture, seen in extreme right, is 100 feet from the Pagoda. In this picture only one guardsman is looking back in the direction of the Prentice Hall parking lot. Again Sgt. Pryor is identified by the strap round his back. Comparing this picture with the next photograph enables us to see how far this knot of men proceeded before turning. Major Jones will have moved from his position in this picture to the Pagoda before the men turn. This delay in the signal to shoot will be corrected by some of the guardsmen, including Pryor, moving back to the crest they had passed over.

Photograph No. 34: The signal has been given. The reaction of some of the men of Company A and General Canterbury is to the sound of a shot. Five guardsmen in the group in background have turned to look over their right shoulders. Canterbury, in particular, is looking in the direction of Sergeant Pryor. Guardsman (X) is the one with the M-79. Guardsman (A) is already aiming directly at the cameraman, Howard Ruffner. The next photo shows the shooting in progress, and it will confirm that the two guardsmen (B) and (C) will not move from their positions in this photo nor—in the next picture—have they lowered their M1 rifles to shoot. This is also true of guardsman (D). During the shooting photos show that the group in the background—Company A—will also move toward the Pagoda but most of them keep their rifles pointing skyward. Fifteen members of Company A fired their weapons, but none admitted to the FBI firing at the students. The few photographs we have tend to substantiate their claim. However, far more than 5 guardsmen of Troop G aimed and fired at the students in the parking lot. Guardsmen numbered in this photo 1 thru 9 will be seen in the next photo aiming and firing directly toward the Prentice Hall parking lot. Guardsmen indicated by arrows will appear aiming and shooting in photograph No. 36 when Sergeant Pryor has stopped firing. Pryor's finger is visible and after examination under magnification, it can be reasonably stated that his trigger finger is . . .

Photograph No. 35: Unfortunately, I was not able to secure prints of this picture, and the next one from Mr. Darnell. Consequently, the clarity of the two photos leaves much to be desired. However, Sergeant Pryor stands out clearly and he is obviously shooting into the parking lot. It can now be clearly seen the extent of the move back toward the area into which they are shooting. Sergeant Pryor is now well in front of the Pagoda and on level terrain. In the previous photo, he is about level with the Pagoda and on the slope. X indicates the approximate position he was in when the prior picture was taken. It is this move back for a better position to sight specific students in the parking lot which condemns the Guard. This is a deliberate and aggressive motion. It is not a spontaneous or defensive movement. Neither the President's Commission nor the Justice Department drew attention to this fact. Why? It is the most significant act by those involved in the conspiracy to punish certain student and is the crux to a thorough investigation. These guardsmen have yet to be asked to explain why they moved back to-

ward the source of the "danger" which compelled them to shoot in defense of their lives.

Photograph No. 36: Guardsmen circled appears in previous photo shooting into the parking lot. In this photo, he has turned to his left and is shooting toward the metal sculpture where John Cleary was shot. It is also in the direction of Joseph Lewis. Note in background members of Company A with rifles pointing skyward (white arrow). Major Jones has not yet moved to stop the shooting, whereas Canterbury has reached the firing line and appears to be physically trying to restrain some guardsmen from continuing to shoot.

Photograph No. 37: Taken from the terrace of Taylor Hall. The shooting has just started, and some students are running for cover while others have not yet reacted. Joseph Lewis, making an "obscene" gesture at the guardsmen is indicated by arrow. Moments after this picture was taken, Lewis will be shot twice, one in the lower abdomen, and once in the left leg. Note the area of Blanket Hill beyond the railing all the way across to the trees in the background. From the Pagoda, to the thick tree trunk and then toward Taylor Hall, indicated by lines, is the area in which General Canterbury claimed, under oath, that a mob of students numbering close to one hundred was rushing the guardsmen screaming, "Kill the pigs! Stick the pigs!" and that if the soldiers had not fired, they would have been overrun and possibly killed. "I feel I could have been killed," General Canterbury told the Commission. This mob, he said, came within three to four yards when the troops had to fire or face certain injury and possible death. Lewis is standing 20 yards away from the Guard. One other student can be seen in this area, and he is ducking and running toward the railing. There are students closer to the Guard; eight are visible, but they are on the terrace and no shooting was directed into the terrace area. Like photo No. 35 this, too, indicates no assault. General Canterbury has yet to be taken to task for his . . .

Photograph No. 38: This is the entrance-way into the Prentice Hall parking lot and the bullets are flying. Point X indicates a distance from the firing line of approximately 250 feet. Arrow No. 1 indicates direction Allison Krause was running, with her back to the guardsmen, when she was shot. Arrow No. 2 indicates direction in which Sandra Scheuer and William Schroeder were going at the time they were shot, and arrow No. 3 indicates direction where Jeffrey Miller was standing when shot in the face. He is about 15 feet to the right from the arrow. The sign, which appears in photograph No. 39, can be seen in this picture in extreme upper right corner.

Photograph No. 39: The scene in the Prentice Hall parking lot, south side. The sign is just about 300 feet from the Pagoda. The students in the background running and diving for cover are over 400 feet from the guardsmen. This is the area, including that part to the north (to left of photo), where 10 of the 13 students were felled.

Photograph No. 40: Like the previous two photos, this one was taken as the guardsmen's bullets were spraying the parking lot and northern end of the football practice field. Dean Kahler and William Schroeder were lying prone, as these students are lying, when they were hit. Schroeder died, and Kahler was paralyzed for the rest of his life. These students are at varying distances from the Guard. The man in the foreground, lying on the slope of Blanket Hill, is about 230 feet from the Pagoda. The girl across the road is about 260 feet away, and the girl in the background, left of center, is approximately 450 feet away. The worn patch in the football field is where the front group of Troop G was standing in Photograph No. 12.

Photograph No. 41: Taken a few seconds after Jeffrey Miller was shot dead. Man in foreground is referred to in photo No. 29. Girl to right of picture has just realized that Miller has been killed. Arrow No. 1 indicates point where the FBI says Dean Kahler was shot while lying prone. Arrow No. 2 indicates direction of the parking lot where eight more students lie, three of them dying.

Photograph No. 43: In foreground, near path leading to the terrace of Taylor Hall, lies Joseph Lewis with several students beside him. Guardsman X is the man with the M-79 grenade launcher. This guardsman did not shoot during the volley. For the first time the guardsman with a .45 in his right hand is seen beneath the Pagoda along with a second guardsman. It is possible this is the guardsman who conferred with Sergeant Pryor on the football field (photo No. 20) and who is marked (Z) in photo No. 31. He is not the man in photo No. 31 marked (A). There is reason to believe this man and Pryor played a conspiratorial role in the shooting which took place, and in the giving of the signal for the turn. He appears in photograph No. 44 in front of the Pagoda. As yet, we have no photo showing exactly what this man with the .45 pistol did during the shooting.

Photograph No. 44: Behind the metal sculpture lies John Cleary with several students trying to aid him. To the right is Taylor Hall. Arrow indicates guardsman believed to be the man who spoke with Pryor in Photo No. 20. Joseph Lewis is beyond the sculpture near the railing.

Photograph No. 45: Joseph Lewis, in foreground, lying on his back as the guardsmen, shooting completed, continue their march back to the Commons. Just to the left of man standing holding a newspaper is the guardsman indicated by an arrow in the previous photograph. He is walking away from the Pagoda and has his .45 pistol in his right hand. Sergeant Pryor cannot be seen in this picture. There is a certain element of incredible callousness in this photo of the Guard departing the scene. A conspiracy possibly has been executed and with planned effect. Four killed and nine wounded. "We have reason to believe that the claim by the National Guard that their lives were endangered by the students was fabricated subsequent to the event." So said the Department of Justice. When is the Ohio National Guard going to be called upon to prove they fired in self-defense? Their claims so far have proven to be utter distortions of the truth.

Photograph No. 46: The cameraman who took this picture was standing close to the Pagoda. Here is the approximate view some of the guardsmen had during the shooting. The metal sculpture stands out to right of center, and in the background is Prentice Hall. To the left is Taylor Hall. In left foreground a boy and his girl friend hold each other. Further away a girl shouts in the direction of the Guard who has departed from Blanket Hill when this photo was taken. The cars, extreme right, are in the parking lot. THIS is the area into which all the shooting aimed at students was directed and where 8 students were shot down. Miller and Kahler were close to the parking lot, but not in the lot. The distance speaks for itself. Self-defense? No. Deliberate murder.

Photograph No. 47: A scene of carnage.

(A) Indicates location of Allison Krause, killed.

(B) Indicates area where Alan Canfora and Thomas Grace were wounded.

(C) Approximate location of William Schroeder and Sandra Scheuer, both killed.

(D) Area where Douglas Wrentmore was shot.

(E) Behind the students lies Jeffrey Miller, killed.

(F) Indicates area where Dean Kahler was shot and paralyzed.

(G) Approximate location of Donald Mac-

Kenzie, some 130 feet from the Pagoda, when he was shot.

(H) Indicates location of Robert Stamps, wounded.

Photograph No. 49: One of the cars hit by Ohio National Guard shooting. If Mr. Rhodes' statement is confirmed, this would further substantiate the more than remote possibility that certain guardsmen were aiming at specific students as they ran among the parked cars. It is very unlikely that all the shooting was deliberate in intent and at random in direction. Some guardsmen, as almost 50 photographs suggest, were shooting to kill students like Allison Krause, Jeffrey Miller, Alan Canfora, Dean Kahler, and in process "accidentally" shot and killed Sandra Scheuer. Whether or not William Schroeder had drawn attention to himself earlier is not known and presumably he, too, was killed "accidentally" or by those who were shooting at students at random.

Photograph No. 48: Bullet hole in one of the cars in the Prentice Hall parking lot. Five guardsmen admitted to the FBI firing 8 shots into this area. With those 8 shots they succeeded in killing four and inflicting at least 10 wounds, Lewis having been hit with two bullets. The bullet which killed Allison Krause disintegrated. The bullet which killed William Schroeder fragmented into at least two pieces. An M.1 bullet crashed through the bedroom window of an apartment house almost a mile from the campus and another went through the window of a room in Prentice Hall. The pictured bullet hole, and at least two in the next photo, reveal the extent of the fabrication of fact on the part of the Ohio National Guard. Joseph Rhodes, a member of the President's Commission, reported late last year that the FBI investigation turned up 32 bullet holes in cars parked in the lot by Prentice Hall. The Commission report states that a MINIMUM of 61 shots were fired. There is reason to believe even more than this figure were fired.

Photograph No. 50: The guardsmen en route back to their starting point after having shot 13 students, four of them fatally.

#### V. THE VICTIMS

"She was only with us for nineteen years. And when we go to her grave tomorrow, what do we say? Do we say that there is no justice, Allison? No one cares that you're dead, Allison? That you were—executed? Or do we say there is justice, Allison?" Mrs. Doris Krause.

In the public's almost obscene preoccupation with which students said what and how many rocks were thrown and who threw them, the fact that the National Guard actually used M.1 combat rifles and took four lives has become almost obscure. When General Del Corso was asked by a member of the President's Commission if he equated rocks with M.1 rifles, he replied: "Certainly not." Nevertheless, in the aftermath of the killings, the National Guard commanders left no stone unturned in their frantic effort to make the victims responsible for their own deaths. It was nothing less than a sordid attempt to conceal the truth, an attempt which has so far succeeded in obstructing justice in taking its course.

The lives of the four who died have been placed under numerous microscopes, but very little effort has been made to establish what the four did during the final hour of their brief lives. William Schroeder appears in two photographs among the crowd being driven from the Victory Bell by tear gas, but how he came to be in the Prentice Hall parking lot at the time of the shooting is not known. Sandra Scheuer left Taylor Hall to go to the Music and Speech Building at about the time the guardsmen were commencing their return march to the Commons. As she walked down into the lot, the Guard was nearing the crest of Blanket Hill, Jeffrey Miller and Allison Krause, unlike Sandra,

appear in several photographs, along with hundreds of other students, protesting the presence and actions of the National Guard. Neither were politically radical, nor did they belong to any student organizations like the S.D.S. Why, then did they participate in the demonstration. The answer for them and for a great many others is to be found in the testimony of Kent State student Barbara Knapp when she appeared as a witness before the President's Commission.

Q. What happened with you at the rally?  
A. Well, I was down by the Liberty Bell. I was over by myself. I didn't know anybody there, so I was standing there. The bell was to my right. . . . The first thing that happened almost immediately after I got there was, they announced over the PA system that we had to clear the area, and the crowd yelled back, "No," and all that. I was not yelling. I was just watching, but I had this feeling that I was not going to go, this is my area, I had a right here. And then the jeep came out from the guardsmen, came about halfway between the guard and the students and again announced, you know, we had to leave. . . . then the guardsmen advanced, started coming across, shooting tear gas, and the crowd came up the hill, you know, between Taylor and Johnson, and I went up the hill with the crowd. . . .

I went into the park lot side. I remember standing on the road down there, just as the guard got to the top of the hill and were coming over, and I just can't convey the feeling I had of just, you know, seeing these men come across the hill with rifles, with gas masks, and uniforms. I just kept thinking, "This isn't happening," you know. "We are civilized, this is Ohio, this is not happening here."

Well, it was happening, and to students like Allison Krause, the reality of troops armed with rifles and fixed bayonets forcing her off her own campus was not an event you just let happen. It was the conduct of the Guard at the outset which inflamed the students and incited the stone throwing and insults. There was a military arrogance in the dispersal of a peaceful assembly which anyone in the Guard with a modicum of common sense could have predicted would not contribute toward restoring peace on the campus.

It is appropriate to this theory of conspiracy that the factual, minute by minute, final hour of Allison's life be recounted here to emphasize the horrifying injustice in these four violent deaths and to explain why she, alone with several other students, may have been deliberately shot.

Allison had agreed to meet her boy friend, Barry, at the noon rally. She arrived about the time the crowd was beginning to gather and is seen running by the Victory Bell, at extreme left of Photograph A. She made her way up the hill toward Taylor Hall and the rear of the main crowd. When Barry arrived, she gave him half of a wet rag she had brought with her in case the Guard used tear gas, as they invariably do. As can be seen in Photographs B and C, the noon rally was indeed a peaceful assembly just as the Justice Department and the President's Commission concluded. The arrow in photo B identifies Jeffrey Miller. The girl marked X appears in Photograph No. 42 kneeling beside Miller's body.

When the guardsmen commenced their preparations to disperse the peaceful crowd, a jeep was ordered out by General Canterbury to tell the students their rally was "illegal." Allison and Barry stood watching the jeep as many students began shouting at the guardsmen. On the vehicle's second trip, a rock was hurled and bounced close to it, the act drawing cheers of approval. At this, Canterbury ordered his men to "lock and load" and move out to disperse the students.

As the guardsmen started out, tear gas was hurled into the midst of the students,

and as the Guard drew closer to the area of the Victory Bell, more tear gas was fired. The crowd began to move backwards up the hill toward Allison. She was soon caught up in the tide of students streaming up Blanket Hill toward the west side of Taylor Hall and the Pagoda. The tear gas was getting bad now, and in photographs F and G she can be seen trying to protect herself from the gas and avoid being swept up by the fleeing students.

The Guard now split into two formations. Company C went to the left toward the east side of Taylor Hall, leaving Troop G on the left flank of the main group heading for the Pagoda. Photograph H shows Company C in the foreground having just passed the Victory Bell, and in the background can be seen Troop G and Company A heading up the hill. The man in the extreme right of the photo running toward Company C is Major Jones. The most significant aspect of photograph H, as mentioned before, is the proof that General Canterbury had accomplished his mission of dispersing the rally.

Having fled the commons up to the crest of Blanket Hill, many of the students, among them Allison, stopped to see if the Guard was going to pursue them beyond the area they had been driven from by tear gas and bayonets. In photograph "I" the lingering crowd can just about be seen at the top of the hill through the haze caused by tear gas. The roof of the Pagoda is visible behind the tree just to the left of center. In the foreground are members of Troop G, on the left flank of the line, approaching the moment when they will clearly see Allison for the first time. Sergeant Pryor is identified by an arrow.

From her position in photograph G, Allison has moved up the side of Taylor Hall and in an unusual photograph, J, the last of the students can be seen rounding the southwest corner of Taylor Hall. This photograph was taken from the terrace, and the Pagoda appears in the far left of the picture.

Allison and Barry are either amid the crowd near the Pagoda or have yet to appear from behind the corner of Taylor Hall, extreme right. The student standing on the terrace wearing a fringed jacket, knew Allison, and he appears later in photograph M taken in the parking lot at the time Allison and Barry were standing to his right.

As the couple stood at the crest of the hill watching the guardsmen continue their march up the slope toward them, Barry recalls that she was weeping; not from the tear gas, but from the emotion of what was happening to her, her friends, and her campus. Troops with guns and bayonets sweeping through an American university. To Allison, this only happened in South America, and she was far from alone in her reaction to what seemed like a military invasion.

Photograph K captures the moment when Allison and some members of Troop G (in the foreground) have their first of two face to face confrontations. She stands out against the skyline and is shouting at the oncoming guardsmen in a loud and clear voice exactly what she thinks of their driving her and her fellow students from their rally. The members of Troop G are, at this point, some 60 feet from her, and she appears to be the only female out of the sixteen students visible to them. This fact, along with her choice of words, no doubt drew the attention of several of the guardsmen as they advanced toward the crest of the hill.

After photograph K was taken, the couple went down Blanket Hill "without stopping" to the Prentice Hall parking lot, occasionally looking over their shoulders to observe the guardsmen as they swept across the top of the hill and marched down toward the football practice field. (See Photograph L)

Why is Allison Krause dead? At no time during this final hour of her life did she pose a threat to any Guardsmen. At no time

was she ever closer to them than she is in photograph B. No student killed or wounded carried any kind of firearm. Like Sandra Scheuer, Allison was killed as she was going away from her killer, and had her back toward him. These deaths cannot be swept aside on the excuses of General Canterbury's imaginary "mob" coming within "three and four feet" of his men because the shooting was directed at the parking lot over 300 feet away. The guardsmen were totally unconcerned about the students milling around the terrace of Taylor Hall, some of them as close as 40 feet, because they were concerned solely with the students 300 feet away.

To conclude this account of the final hour in Allison's life it is fitting to record here the answers given by General Canterbury to some interrogatory questions submitted to the General by her parents' lawyers:

Q. Do you claim that Allison Krause in any manner caused any injury whatsoever to any member of the Ohio National Guard who fired a weapon immediately prior to or at the time of the shooting?

A. Yes.

Q. If your answer is in the affirmative, then state with specificity and in detail the factual basis for any and all reasons for such claim, including the names and addresses of any and all persons who have any knowledge supporting such claim.

A. Allison Krause was unknown to me so that it is unknown whether she was one of those rioters who caused injury to members of the National Guard immediately prior to the shooting.

Q. Do you claim that Allison Krause in any manner caused any member of the Ohio National Guard who fired a weapon immediately prior to or at the time of the shooting to fear serious injury or that his life was in danger?

A. Although Allison Krause was unknown to me immediately prior to the incident, it is known that she was among the crowd menacing, threatening, and assaulting the National Guard and causing them actual injury and grave concern for their lives.

Q. If your answer is in the affirmative, then state with specificity and in detail the factual basis for any and all reasons for such belief, including the names and addresses of any and all persons who have any knowledge supporting such claim.

A. I refuse to answer this in its entirety based upon the privilege against possible self-incrimination, United States Constitution, Amendment Five. I base part of my knowledge on photographs I observed at the President's Commission hearing relative to Kent State. These photographs showed Allison Krause with the rioters. (Emphasis added)

To the best of my knowledge, the photographs contained in this chapter are the only ones in which Allison can be identified with any degree of certainty, and upon these General Canterbury bases "part of his knowledge" that she "assaulted the National Guard", caused them "actual injury" and "grave concern" for their lives.

When a general states, in a legal document, that a young woman 343 feet from troops armed with M.1 rifles is "causing them actual injury and grave concern for their lives", and when he resorts to this kind of calculated distortion of the obvious, it suggests the extent of his fear of a thorough and impartial investigation of the shooting.

On November 3, 1970, CBS-TV News reported an interview with Major John Simons, Chaplain to the 107th Armored. Correspondent Shakne, in introducing the Major, said:

"Last May, four days after the Kent State shooting, CBS News learned that a National Guard chaplain who'd been on the scene was sharply critical in private conversations of the command decisions that had led to

the shooting. The National Guard commanders in Columbus, Ohio, the state capital, at the time tried to keep the chaplain from making his criticisms public. I was in the office of the Deputy Guard Commander, Brigadier General Robert Canterbury, when I overheard him say on the telephone, referring to the chaplain: "We've got to shut him up. This could be fatal." (Emphasis added)

Apparently, the Ohio National Guard commanders and an unknown number of its men will say anything and resort to any tactic to block an investigation. Why? Because what happened on May 4, 1970, was murder and they, more than anyone else, know it.

The following photograph, taken by Beverly K. Knowles, tells us why a thorough investigation of the shooting "could be fatal" for the Ohio National Guard. This picture is proof positive that the shooting was NOT self-defense. It is proof positive that General Canterbury's screaming mob of a hundred or more about to overwhelm his troops is a figment of his imagination, conceived and produced under oath to block any federal or congressional investigation of his men's conduct that day.

This photograph was first published, as far as is known in the June issue of "Kent," a magazine for the alumni of Kent State University. Donald D. Shook, the director of alumni relations, made these comments regarding the photograph in his report to the readers on the events of May 1 thru 4, 1970:

"One of the reasons given for the shooting was that the Guard felt threatened and thought the crowd closing in on them would take their weapons. A photo (never before published) taken atop a nearby dormitory at about the instant the shooting started shows relatively few students near the Guard at the time. Indeed, the main body of students was scattered in the parking lot some 200 to 300 feet from the Guard's position. Witnesses on the Commons say there were no students behind the Guard to impede its return to the Commons." (p. 7)

That was in June last year. The following month, the Justice Department confirmed these facts as did the President's Commission in October. Nevertheless, as the Attorney General has said more than once, the decision whether or not to convene a Federal grand jury is a most difficult one. Why? There is not ONE photograph among the many hundreds taken on May 4th which supports any of the reasons given by the Ohio National Guard as justification for the shooting. There is not ONE witness who has testified or stated in a deposition that the guardsmen did NOT suddenly wheel around, like a flock of birds turning, and move back toward the area into which they immediately began shooting.

One final observation on Miss Knowles' important photograph. The President's Commission states she took the picture "a few seconds" after the shooting. Mr. Shook says it was taken about "the instant it started." The latter statement is correct. Jeffrey Miller was still alive when Miss Knowles took her picture. The Commission has incorrectly located someone close to the curb of Blanket Hill as Miller when in fact he was shot exactly where someone can be seen kneeling on the opposite side of the road to where the Commission places Miller (circled on photograph). Reference to Photograph No. 41 will show Jeffrey lying just few feet from the curb of the practice field, not near the curb appearing in the bottom right hand corner of photo No. 41. Another point concerns the white Volkswagen parked near the X on Miss Knowles' photograph. In picture No. 39, this same car can be seen just left of center, its roof and the upper part of its windows appearing above the other cars nearer the camera, four in all. When photo No. 39 was taken, the shooting was in progress, and in this photo, as well as Miss

Knowles', the hood of the Volkswagen is down. However, in photograph No. 47, taken shortly after the shooting, the hood is up. This is important because defenders of the National Guard's action have argued that Beverly Knowles took her picture after the shooting was over and the crowd which was menacing the guardsmen had scattered during the shooting and, therefore, do not appear in her picture.

Many witnesses to the shooting reported seeing guardsmen "kneel" and fire. This was an optical illusion, because they had passed over the crest of the hill when they turned to shoot. Donald Shook reports: "From our vantage point some 50 yards downhill toward the Commons from the Guard unit, we observed the men reappear at the crest of the hill. They turned to face in the general direction from which they had come. At this point, rifles were raised, and the first row of Guardsmen took a step forward—a move that gave many the impression that they had dropped to one knee." (Emphasis added)

We are a nation of laws. The events of May 4th at Kent State were precipitated, inflamed and prolonged by the actions of the Ohio National Guard. Both the official reports of the Justice Department and the President's Commission stated that the noon rally was a peaceful assembly UNTIL the National Guard literally attacked the students with tear gas and then advanced upon them with fixed bayonets. The civilian authorities had failed to obtain any legal injunction to prohibit peaceful assemblies. The decision by General Canterbury to disperse this assembly violated the provisions of Ohio's Revised Code and the Constitutional rights of all the students, both participants in the assembly, onlookers, and those going about their business on the campus. The direct consequence of Canterbury's decision was the violent death of four American citizens. It is now our duty and our responsibility to publicly question the Ohio National Guard and to investigate "whether or not there was a conspiracy on the practice field by some members of the National Guard." Mr. Canham hopes this can be investigated "to the fullest possible degree." I have yet to hear one valid reason for not doing so immediately.

#### VI. CONCLUSION

"When we see someone in the first full spirit of life, suddenly and senselessly wiped out of existence, we are overwhelmed. The first brutal truth we must face together is that we mark here the anniversary of four senseless deaths. They, and their brothers at Jackson State and Orangeburg, were killed by the conscious deliberate acts of other men. When did we start to value life so cheaply?" James F. Ahern, Member of the President's Commission on Campus Unrest, May 4, 1971, at Kent State University.

"Justice delayed is not only justice denied, it is justice circumvented, justice mocked, and the system of justice undermined." President Richard M. Nixon, March 11, 1971.

#### CONCLUSION

The killing of four students at Kent State now stands as a classic example of justice delayed, circumvented and mocked. Very few tragedies like this are so extensively photographed, and very few occur in conditions where so many witnesses are able to provide investigators with so much invaluable information. Unlike the inexcusable shootings at South Carolina State in 1968, and Jackson State in 1970, the killing at Kent State took place in broad daylight beneath a brilliant sun. Consequently, we have an almost step by step record of what happened on May 4, 1970, and this record suggests that the shooting began as the result of a planned and pre-arranged act involving a certain number of guardsmen. Nothing occurred at Kent State to compare with the assault upon these same units by strikers in Cleveland. At the time of the shooting no student was closer than

60 feet in the area into which the firing would be directed. At the moment of the supposed "grave threat" to the lives of the guardsmen they had their backs to this "threat" and, therefore, were incapable of evaluating its gravity. The sudden turn upon the sound of a shot, the incredible precision of that turn, the number of guardsmen involved in that sudden turn, the advance back toward the parking lot "led by a man with a .45", the deliberate aiming into the parking lot where certain students had harassed them five to ten minutes earlier, the pointed disinterest in so many students close by them along the terrace of Taylor Hall who could be considered a "threat." All of these facts strongly indicate the execution of a conspiracy.

Section 241 of the United States Code, Title 18, provides the Department of Justice the statute necessary to convene a Federal grand jury for the purpose of investigating every aspect of the points raised in this appeal; an investigation the Ohio National Guard has so desperately sought to prevent by whatever means necessary. One judicial decision on Section 241 bears inclusion here:

"It is not necessary to find the conspiracy charged was formed against a particular individual, but it is sufficient if it appears that he was included in a class actually conspired against." U.S. vs Butler, C.C.S.C. 1877, 1 Hughes 457, 25 Fed. Cas. No. 14,700. (Emphasis added)

I submit the conduct of a number of Ohio National Guardsmen from the time they were on the practice field to the time they ceased shooting was such it "appears" that Allison Krause, Jeffrey Miller, Alan Canfora and several other Kent State students were "included" in the "class" conspired against, i.e., college dissenters, long-hairs, college girls using obscenities, campus hippies and anti-war demonstrators.

To deny the existence of an element in our society whose hatred for student protesters is such they do not only approve of the killings, but genuinely wish more had been shot is to deny reality. To assume that a uniform, whether of the police or the National Guard, cleanses the wearer of his prejudices is to assume they are not human beings. Who can deny, without an investigation, that there might not have been a man in Troop G and Company A who had recently been incensed by the sight of campus disorders at Ohio State and elsewhere on his television screen and perchance expressed his belief that a good shooting would put an end to their nonsense only to suddenly find himself face to face with the object of his anger and an M.1 or .45 pistol in his hand?

This is the conclusion to this appeal for justice, but we still do not have a conclusion to the tragedy. The events of that day strongly indicate that premeditated murder was committed and much of the theory to this hinges on the role played by First Sergeant Myron C. Pryor. Did he or did he not fire his weapon? He claims he did not, and the Justice Department report says, "The FBI does not believe he fired." However, we have the unresolved question regarding the four spent .45 cartridges. To whose pistol do these cartridges belong? If not to Pryor, then we have a truly fascinating question concerning this career-Army soldier. The following photograph is shown again to draw attention to his trigger finger. Is it possible he is just holding the .45 pistol with his trigger finger lying along side of the gun pointing toward the muzzle end? If so, it is unlikely he has just fired or is going to fire, yet his stance and the position of his arm and angle of his body are completely consistent with a man shooting. This is also true of the other photographs in which he appears to be aiming and shooting. He claims he did not, and the FBI believes he did not. Is it possible, then, that in Sergeant Pryor we have a rather cunning instigator who

hatched the conspiracy and protected himself by simulating to the men he was shooting when in fact he was not shooting? Who is going to notice whether or not he is actually firing a .45 amid the noise and concentration of some 20 or more M.1 rifles being discharged in a fusillade? If he did not fire, then who gave the signal by shooting into the ground? A photograph appearing earlier shows that close by the Pagoda there is an other sergeant with .45 pistol, or possibly an officer. This could be the man delegated to perform the task of sounding the signal to turn around and shoot into the parking lot. Whatever the case may be, these are extremely grave questions which have to be answered through the means provided by the grand jury process.

Justice delayed is not only justice denied, it is the undermining of the very system of justice. But beyond that, by what law do we deny the parents of those killed and wounded the right to know exactly what their children did that day, exactly what the FBI investigation found concerning their children that day, and precisely why their children were shot, especially those who were shot to death when all of them were nowhere near the National Guard to pose any kind of threat at all. The parents, and the American people, have a right to know the answers to all these questions. This is not a police state where people are shot down by the militia and the nation compelled to accept without question the reasons given by those responsible for the shooting.

Four human lives were not only inexcusably destroyed; they may very well have been deliberately taken by a number of men using their uniform, anonymity and subsequent lies to satisfy their personal animosity toward a "class of persons" they had decided were long overdue for punishment. It was time they were taught a lesson. It was, as one guardsman said, "Time they got it like that." That this might be possible is deeply disturbing to the orderly routine of our lives because it raises the horror and the spectre of another My Lai.

In this case, the victims are Americans, and the site of the massacre is an American campus. It is too much for the mind to contemplate, let alone accept.

We would much prefer to let the dead rest in peace and the reasons why they are dead at nineteen and twenty remain buried with them. Unfortunately, however, we must also reconcile their deaths with our Constitution and our laws. We would rather forget about Kent State than face up to this challenge. Why? Because to do so would require our submitting every aspect of the events of May 4, 1970, to our judicial process, and we know that to do so could culminate in several convictions of Ohio National Guardsmen for first degree murder. Is it possible that this administration does not want to expose itself to the public reaction which was unleashed by the conviction of Lt. Calley? Why else is the Department of Justice so reluctant to expose the Ohio National Guard to the scrutiny of a Federal grand jury? Why else did the State of Ohio convene a grand jury for the sole purpose of exonerating the National Guard of any responsibility for the four deaths and nine injuries? Why else does the Attorney General of the United States suggest that the "intervening action" of the Ohio grand jury "affect" his Department's deliberations without mentioning that their exoneration of the Guard has been declared unconstitutional by a Federal Court? Why else are the parents of the dead being denied the public judicial forum of a courtroom to compel Generals Del Corso and Canterbury to prove that the killing of their children was justified?

The answers to these questions, as recent American history has taught us, is painfully obvious. First, those primarily responsible

for creating the atmosphere and conditions conducive to this kind of official act of violence have always been protected no matter how many lives were deliberately destroyed, particularly when the dead are seemingly as insignificant as blacks or students. Who are these human beings of such power in this instance? One is former Governor James Rhodes of Ohio. This is the man who authorized the sending of troops onto the Kent State campus with live ammunition and then, after the guardsmen were there, went to Kent and whipped up hatred and emotions in a speech obviously designed to enhance his chances of winning a primary for the United States Senate. Did he use Kent State for political profit? He uttered wild and irrational statements totally unsubstantiated factually and accused his opponent, Robert Taft, Jr., of being "soft" on campus disturbances. He obviously seized upon the situation at Kent State in the hope that it would salvage his waning chances of winning the primary. The minds of some National Guardsmen inferred free license to shoot at students. Why? The Governor categorized them (the students) as "the worst type of people we harbor in America today." The extent of his culpability in the killing of the four students will never be established as long as the courts protect him from having to answer for his conduct.

Another gentleman of such power is General Del Corso who, at the same news conference on May 3rd, when Rhodes fished so desperately for votes, stated publicly that every means under the Guard's authority would be utilized to crush the Kent State uprising, including "shooting" if necessary. To some guardsmen this could have been the seal of approval from their Adjutant General to use the license they believed the Governor had granted them.

The appalling facade of officialdom's integrity, loyalty and devotion to duty has plagued our society for far too long. At My Lai this nation squarely faced its responsibility as a democracy in a world torn between two diametrically opposed ideologies. That we did so can only enhance our stature in this conflict and command the respect of nations wavering on the brink between our concept of society and the totalitarian concept of domination and injustice.

At Kent State we are faced with the same responsibility in a domestic concept. We are a nation torn between two opposing attitudes on priorities with a great many Americans wavering on the brink between the two concepts of national urgency. The tragic deaths at Kent State provide us with the unhappy, but unique, opportunity to demonstrate to our children that the hypocrisy, the lies, the self-preservation at any price, the contemptible facade is not more important than human life when those lives might have been taken deliberately with malice of forethought, as were the lives of those old men, mothers, young women and children at My Lai. Kent State, whether we like it or not, is America's My Lai in Ohio. If we fail to do what the United States Army has already done, then we are subscribing to the very philosophy we, as a people, have abhorred and sacrificed our lives to oppose—the philosophy that the state can do no wrong.

On November 5th last year, the *Akron Beacon Journal* editorially took note of the fact the Justice Department has reason to believe some Ohio guardsmen were lying when they claimed they fired in "self-defense." This conclusion by the Department, the editorial said, "Merits a full presentation of all relevant evidence to a federal grand jury." The *Beacon Journal* expressed the belief that "Many persons will lose confidence in our judicial system unless the facts go to a federal grand jury." Many Americans, however, feel there have been more than enough

investigations of Kent State and that nothing can be gained from rehashing the tragedy before a federal grand jury. The truth of the matter is that there has been but one investigation of any consequence, and that one ended up being consigned to the incinerator by a Federal judge. Why should there be a federal grand jury inquiry? The *Beacon Journal* says: "Because of the involvement of the National Guard, which is an arm of the federal defense establishment, and because of the possibility that an infringement of federal civil rights laws may be involved, presentation of evidence to a federal grand jury becomes necessary." Those reasons alone warrant the convening of such an investigation. The President's Commission was powerless to explore any possible criminal acts on the part of guardsmen or students and steered clear of any questioning which could possibly be construed as touching upon criminal responsibility for the four deaths. Consequently, the Kent State tragedy has yet to be investigated in accordance with the provisions of federal laws applicable to this case in which four Americans were shot to death. In both the Orangeburg and Jackson State tragedies, the Department of Justice convened federal grand juries despite the intervening action of local grand juries, and neither of the local findings were ruled unconstitutional by a federal court.

In view of these known facts, it appears that the principal reason the Justice Department has not yet fulfilled its obligation imposed by our Constitution is a reluctance to submit to a grand jury the ballistics, photographic and physical evidence now available for such an investigation. This evidence indicates that murder was committed at Kent State, as Vice President Agnew asserted over a year ago, and as others have intimated recently. The Ohio National Guard claims the shooting was justified and, therefore, the killings were justified. The Guard has yet to be called upon to produce any evidence to substantiate their claim. Why are we so reluctant to make this demand of the Ohio National Guard?

The President of the United States, in a letter to William Scranton, Chairman of his Commission on Campus Unrest, said, "Law enforcement officers should use only the minimum force necessary in dealing with disorders when they arise. A human life," said the President, "the life of a student, soldier or police officer, is a precious thing, and the taking of a life can be justified only as a necessary and last resort." Two young women and two young men were shot to death at Kent State. Was the taking of those four precious lives a necessary and last resort?

APPENDIX 1: DEPARTMENT OF JUSTICE SUMMARY OF THE FBI INVESTIGATION

PRINCIPLE CONCLUSIONS

1. Most persons estimate that about 200-300 students were gathered around the Victory Bell on the Commons with another 1,000 or so gathered on the hill directly behind them. Apparently, the crowd was without a definite leader, although at least three persons carried flags.

2. The crowd apparently was initially peaceful and relatively quiet.

3. Information suggests that it was the Ohio National Guard who determined that the rally would not be held.

4. Just prior to the time the Guard left its position on the practice field, members of Troop G, were ordered to kneel and aim their weapons at the students in the parking lot south of Prentice Hall. They did so, but did not fire. One person, however, probably an officer, at this point did fire a pistol in the air. No guardsman admits firing this shot.

5. Some guardsmen, including General Canterbury and Major Jones, claim that the Guard did run out of tear gas at this time. However, in fact, it had not.

6. Forty-seven Guardsmen claim they did not fire their weapons. There are substantial indications that at least two and possibly more Guardsmen are LYING concerning this fact.

7. The Guardsmen were not surrounded. Regardless of the location of the students following them, photographs and television film show that only a very few students were located between the Guard and the Commons. They could easily have continued in the direction in which they had been going.

8. NO guardsman claims he was hit with rocks immediately prior to the shooting.

9. Only one guardsman, Lawrence Shafer, was injured on May 4, 1970, seriously enough to require any kind of medical treatment. He admits his injury was received some 10 to 15 minutes before the fatal volley was fired.

10. One guardsman specifically states that the quantity of rock throwing was NOT as great just prior to the shooting as it had been before.

11. There was no sniper.

12. The great majority of Guards do not state that they were under sniper fire and many specifically state that the first shots came from the National Guardsmen.

13. At least one person who has not admitted firing his weapon, did so. The FBI is currently in possession of four spent .45 cartridges which came from a weapon not belonging to any person who admitted he fired. The FBI has recently obtained all .45's of persons who claimed they did not fire, and is checking them against the spent cartridges.

14. Sergeant Robert James of Company A, assumed he'd been given an order to fire, so he fired once in the air. As soon as he saw some of the men of the 107th (TROOP G) were firing into the crowd, he ejected his remaining seven shells so he would not fire any more.

15. Sergeant Ruby Morris of Troop G prepared to fire his weapon but stopped when he realized that the "rounds were not being placed." (?)

16. Sergeant Richard Love of Company C fired once in the air, then saw others firing into the crowd; he asserted he "could not believe" that the others were shooting into the crowd, so he lowered his weapon.

17. Four students were killed, nine others wounded, three seriously. Of the students who were killed, Jeff Miller's body was found 85-90 yards from the Guard. Allison Krause fell about 100 yards away. William Schroeder and Sandy Scheuer were approximately 130 yards away from the Guard when they were shot.

18. Although both Miller and Krause had probably been in the front ranks of the demonstrators initially, neither was in a position to pose even a remote danger to the National Guard at the time of the firing. Sandy Scheuer, as best as we can determine, was on her way to a speech therapy class. We do not know whether Schroeder participated in any way in the confrontation that day.

19. Miller was shot while facing the Guard. The bullet entered his mouth and exited at the base of the posterior skull. Both Krause and Scheuer were shot from the side. The bullet that killed Allison Krause penetrated the upper left arm and then into the left lateral chest. The bullet which killed Sandy Scheuer entered the left front side of her neck and exited the right front side. William Schroeder was shot while apparently lying in a prone position, facing away from the Guard. The bullet entered his left back at the 7th rib and some fragments exited at the top of his left shoulder.

20. Of the 13 Kent State students shot, none, so far as we know were associated with either the disruption in Kent on Friday night, May 1, 1970, or the burning of the ROTC building on Saturday May 2, 1970.

21. Aside entirely from any questions of specific intent on the part of the Guardsmen or a predisposition to use their weapons, we do not know what started the shooting. We can only speculate on the possibilities. For example, Sergeant Leon Smith of Company A stated that he saw a man about 20 feet from him running at him with a rock. Sergeant Smith then says he fired his shotgun once in the air. He alone of all the Guardsmen does not mention hearing shooting prior to the time he fired. . . . It is also possible that the members of Troop G observed their top non-commissioned officer, Sergeant Pryor, turn and point his weapon at the crowd and followed his example. Sergeant Pryor admits that he was pointing his weapon at the students prior to the shooting but claims he was loading it and denies he fired. The FBI does not believe he fired. Another possibility is that one of the Guards either panicked and fired first, or intentionally shot at a student, thereby triggering the other shots. (Emphasis added)

By any yardstick these conclusions constitute an indictment of the Ohio National Guard. They are not the findings of a commission or a board of inquiry. They are the findings of the Department of Justice of the United States based upon a massive investigation conducted by the most efficient and skillful investigative agency in the nation: the Federal Bureau of Investigation. The FBI report, upon which the Justice Department reached these conclusions, runs to some 8,000 pages. The thoroughness and magnitude of the FBI investigation was revealed by FBI Director J. Edgar Hoover on November 19, 1970, during his appearance before a House appropriations subcommittee. He said the FBI assigned a peak of 302 agents to the Kent State case. The investigation cost \$274,100 and resulted in 25 volumes which were furnished to the Department of Justice and the President's Commission on Campus Unrest. "The report contained both good and bad information concerning both sides of the controversy," Hoover said. (Emphasis added) From this massive FBI report the Justice Department concluded:

"We have some reason to believe that the claim by the national guard that their lives were endangered by the students was fabricated subsequent to the event."

APPENDIX 2: OHIO NATIONAL GUARDSMEN ON BLANKET HILL, 12:25 P.M., MAY 4TH, 1970

The Ohio National Guard and the Justice Department show that the following guardsmen were on Blanket Hill at the time of the shooting.

Unit, rank, and names	Fired	Claims injury
HHD/OARNG COMPANY H/107TH		
Troop G:		
Bvt. Gen. Robert H. Canterbury	No	No
1st Lt. Ralph G. Tucker	No	No
Capt. Raymond J. Sp.	No	No
2d Lt. Alexander D. Stevenson	No	No
1st Sgt. Myron C. Pryor	( )	Yes
SFC. Okey R. Flesher	Yes	Yes
S. Sgt. Barry W. Morris	Yes	Yes
S. Sgt. Rudy E. Morris	Yes	No
Sgt. Dennis L. Breckenridge	No	No
Sgt. Shafer, Lawrence A.	Yes	Yes
Sgt. Sholl, Joseph D.	Yes	Yes
Sp5. Case, William J.	Yes	Yes
Sp4. Baclawski, John R.	No	Yes
Sp4. McGee, James D.	Yes	Yes
Sp4. Perkins, William E.	Yes	Yes
Sp4. Pierce, James E.	Yes	Yes
Sp4. Thomas, Lloyd W.	Yes	Yes
Sp4. Zoller, Ralph W.	Yes	Yes
Pfc. McCoy, Michael D.	No	No
Pfc. McCoy, Paul R.	No	Yes
Company A:		
Cpl. Martin, John E.	No	No
1st Lt. Cline Dwight G.	No	No
2d Lt. Fallon, Howard R.	No	No
Sgt. McManus Mathew J.	Yes	Yes

Footnotes at end of table.

Unit, rank, and names	Fired	Claims Injury
Sgt. Wentsch William G.	No.	No.
Sp5. Bixler David A.	No.	No.
Sp5. Bragg Bruce W.	No.	No.
Sp5. Frisch John A.	No.	No.
Sp5. Maas Roger A.	Yes.	Yes.
Sp5. McQuate Raymond D.	No.	No.
Sp5. Michalak Daniel C.	No.	No.
Sp5. Snure David L.	No.	No.
Sp4. Antram, Dale L.	No.	No.
Sp4. Brachina, Gabor S.	No.	No.
Sp4. Cornelius, Gary A.	No.	No.
Sp4. Crater, James R.	No.	No.
Sp4. Crilow, Keith E.	No.	No.
Sp4. Emch, Erich R.	No.	No.
Sp4. Farriss, James W.	Yes.	Yes.
Sp4. Herschler, William F.	Yes.	No.
Sp4. James, Robert D.	Yes.	Yes.
Sp4. Klingerman, Dean H.	No.	No.
Sp4. Mast, Ted W.	No.	No.
Sp4. Mileto, Carl A.	No.	No.
Sp4. Moorhead, Robert P.	No.	No.
Sp4. Morris, Robert K.	No.	No.
Sp4. Moser, Dewey E.	No.	No.
Sp4. Myers, Ronnie B.	Yes.	No.
Sp4. Repp, Russell E., Jr.	Yes.	Yes.
Sp4. Rogers, David E.	No.	No.
Sp4. Smith, Leon H.	Yes.	No.
Sp4. Taggart, Wayne R.	No.	No.
Sp4. Zimmerman, Paul R.	No.	Yes.
Pfc. Biddle, Rodney R.	Yes.	No.
Pfc. Boss, Steven L.	No.	No.
Pfc. Brown, James K.	Yes.	Yes.
Pfc. Burger, Albert L., Jr.	No.	No.
Pfc. Farriss, Thomas O.	No.	No.
Pfc. Gammell, Ronald D.	No.	No.
Pfc. Huff, Norman L.	No.	No.
Pfc. Jones, Jeffrey L.	No.	No.
Pfc. Lorentz, Richard A.	No.	No.
Pfc. Miller, Stephen D.	No.	No.
Pfc. Mowrer, Larry R.	Yes.	No.
Pfc. Naujoks, Paul R.	No.	No.
Pfc. Raber, Phillip D.	Yes.	Yes.
Pfc. Shade, Richard R.	Yes.	Yes.
Pfc. Snyder, Richard B.	Yes.	Yes.
Pfc. Standford, Richard D.	No.	No.
Pv2. Boyes, Roy V.	No.	No.
Pv2. Hatfield, Robert D.	Yes.	No.
Pv2. Hinton, Lonnie D.	Yes.	No.
Company C:		
Sgt. Love, Richard K.	Yes.	No.
	Yes.	(?)
HHC/145TH		
Maj. Jones, Harry D.	No.	No.
HHT/2/107TH		
Lt. C. Fassinger, Charles E.	No.	No.

<sup>1</sup> Unknown.

The above list shows that 76 officers and men were on the crest of Blanket Hill at the time of the shooting. It also shows 29 of the 76 as having fired. The Justice Department says 29 fired, and the President's Commission says 28 fired! It is significant that so many guardsmen claimed injuries, particularly those who fired, whereas the FBI reports that only ONE guardsman sustained an injury requiring "any kind" of medical treatment!

APPENDIX 3: CBS-TV NEWS: INTERVIEW WITH MAJOR JOHN SIMONS: CBS EVENING NEWS WITH WALTER CRONKITE, NOVEMBER 3, 1970

KURALT. As of tonight it's legal to criticize that Ohio grand jury report which absolved the National Guard of responsibility for the killing of four students at Kent State University. A federal judge today knocked down a local court order which forbade anybody involved to comment on the grand jury findings. A Justice Department summary of an FBI report, which leaked out last week, paints a far different picture from the Ohio grand jury version. The FBI says the Guardsmen never thought their lives were in danger and, in the words of the report: "There is some reason to believe that the claim by the National Guard that their lives were endangered was fabricated subsequent to the event." It develops today that one of the people who disagrees with the state grand jury's finding holding the students and the university to blame is the chaplain of the National Guard outfits that did the shooting. Robert Schakne reports.

SCHAKNE. Last May, four days after the Kent State shooting, CBS News learned that

a National Guard chaplain who's been on the scene was sharply critical in private conversations of the command decisions that had led to the shooting. The National Guard commanders in Columbus, Ohio, the state capital, at the time tried to keep the chaplain from making his criticisms public. I was in the office of the Deputy Guard Commander, Brigadier General Robert Canterbury, when I overheard him say on the telephone, referring to the chaplain: "We've got to shut him up. This could be fatal."

Until today, that chaplain had said nothing in public. He's the Reverend John Simons, Major, United States Army, Ohio National Guard, Senior Chaplain of the 107th Armored Cavalry Regiment. In civilian life, Simons is pastor of an Episcopal Church in a Cleveland suburb. Raised in a military family with generals and West Pointers his close relatives, John Simons has worried and agonized privately about what he saw last May 4th at Kent State.

SIMONS. I think the initial mistake was made at the state level with the Adjutant General and the Governor, who apparently feels that every campus disorder is another Normandy invasion, so you go in with weapons loaded with rounds, which is not, you know, Kent campus or any other college campus is not coming up Iwo Jima. And second, I think that we did not have the men in enough numbers or the equipment to control that situation at noon on that day. Had we waited until, for instance, the shotguns arrived, and reserves arrived from Ravenna, and where they had been awakened the night before, I think we could have done a better job, without—I think we could have done the job without bloodshed.

I have no idea why the shooting started except as I reconstruct it from talking to the men immediately afterwards, and doing some counseling in the weeks that followed, that some were legitimately afraid and confused as to what was going on. A few were angry, and so they were in a position where someone, or some, could act out their fear and anger in a very lethal way, and I think this is what occurred.

SCHAKNE. And what did the men who had fired say?

SIMONS. Some said they had fired in the air. Some said they had not fired. One said he had fired right down the gulley, meaning—I'm sure he meant that he had put it where it hurt.

SCHAKNE. Did he say why?

SIMONS. No, I don't think he had to say why. I think he was just mad and angry and tired, and sick of it.

SCHAKNE. Are you saying in effect that Guard unit was not a controlled disciplined military unit?

SIMONS. Absolutely. Somebody fired without orders.

SCHAKNE. The unit that went up, or the men who went up, were they fresh troops, were they tired? I—you tell me. . . .

SIMONS. No, they were not fresh. They'd been—those men had been pulling duty, between the truckers and the campus thing, for several days and nights. Secondly, this was for some of those men, especially those men of the 107th, the third time, in a sense, that they'd been out within a month.

SCHAKNE. There are a lot of people in Ohio who say the students had it coming; if they didn't want to get shot they shouldn't have been rioting. The guard simply did what it had to do because the men were endangered. You've heard that argument.

SIMONS. I think that these perhaps bloodthirsty types who have never either fired or heard a shot fired in anger, I think they're very naive, hunting for a simple solution. After all, one of the tests of democracy is how much dissension it will allow and how peaceful it can keep that dissension, and I think democracy lost that round.

SCHAKNE. If I had to put it simply to you,

should shooting have taken place in Kent that day? Was the situation so bad that the men had to fire?

SIMONS. No.

SCHAKNE. You care something about the Army and care something about the National Guard. Why then are you sitting here this afternoon criticizing what they did?

SIMONS. Well, I happen to believe that I did not give my soul to the church when I was ordained, or to my wife when I was married, or to the Guard when I was commissioned. So I have no feelings about not criticizing, if I feel it can be helpful.

KURALT. A spokesman for the Ohio National Guard said there would be no comment from the Guard or its commanders about the critical remarks of Chaplain Simons. (Emphasis added)

APPENDIX 4: A PRESS RELEASE BY THE PARENTS OF THE FOUR YOUTHS KILLED AT KENT STATE UNIVERSITY, MAY 4, 1970

Issued on their behalf by: Rev. John P. Adams, Director, Dept. of Law, Justice, and Community Relations, Board of Christian Social Concerns, The United Methodist Church, 100 Maryland Avenue, N.E., Washington, D.C.

It has always been the genius of our democratic system to provide a remedy for injustice. Each branch of government complements the other, and provides adjustments for deficiencies. There are times, however, when the effective remedy is not forthcoming and the senseless killing of our children at Kent State University is such a time.

There have been a number of extensive investigations and their findings have raised so many disturbing questions that could only be satisfactorily answered by a federal grand jury. The Department of Justice is the effective remedy in this tragedy, but it has been incredibly reluctant to respond despite its own scathing condemnation of the conduct and actions of the Ohio National Guard. Having raised such grave questions and having made such ominous inferences regarding the National Guard we believe it is inexcusable for the Department to then remain silent. The Department's summary of the FBI investigation has dismissed or challenged the principal excuses offered by the Ohio National Guard in defense of their conduct one year ago today. We, therefore, believe it would be monstrous to then deny us, the parents, the judicial forum wherein the attention of the American people may be focused on the viewpoint that responsibility for the killing of our children does not rest solely upon the students, faculty and administration at Kent State University.

We have been compelled by the silence of the Justice Department to file civil suits in Ohio. This is an unsatisfactory course because it implies that we primarily seek monetary compensation rather than a public presentation of the truth which will show our dead children's peers that our system fulfills its historic obligation to provide equal justice for all and is, therefore, a system we must preserve and protect. We make this appeal for a federal grand jury because the truth of what happened has become the fifth victim of this tragedy.

Mr. and Mrs. Arthur Krause, parents of Allison Krause.

Mrs. Elaine Miller, parent of Jeffrey Miller.

Mr. Bernard Miller, parent of Jeffrey Miller.

Mr. and Mrs. Martin Scheuer, parents of Sandy Scheuer.

Mr. and Mrs. Louis Schroeder, parents of William Schroeder.

APPENDIX 5: A CALL FOR AN ACCOUNTING

A year has passed since the shooting of students at Kent State University and Jackson State College, and no one has yet had to answer for their deaths. In these inci-

dents, six young people were killed and others injured as a result of apparently indiscriminate gunfire by uniformed public employees. Under such circumstances, the public has a right to know whether the force exercised in its name has been rightly exercised. The families of those who died have a right to know why they were killed.

There have been several third-party investigations of these incidents, sufficient to suggest that neither the authority nor the justification for firing lethal weapons at unarmed students is clear. In each instance, local grand juries have declared the law-enforcement officers guiltless without examining all the evidence or the officers. None of these investigations has afforded the injured parties—and society—an accounting from those responsible for these exercises of official violence. They may be able to justify their actions, but they have not yet been obliged to do so in a forum where their explanation is subject to cross-examination and the rules of evidence.

It is not our intention, nor within our competence, to judge the legal questions at issue here. But it is every citizen's right and duty to assess the questions of right and wrong in public events of life and death, and even to judge the adequacy of the law and their application for the purposes of justice.

Public officials should enjoy considerable latitude in exercising their discretion, and allowance should be made for honest error of judgment in trying to serve the public good. But public officials are not protected by their office for acts that exceed the authority of that office. To shoot citizens who do not actually endanger public health and safety is more than just an "honest error of judgment." If that is what happened in these instances, then those responsible should be subject to the kind of penalty that private citizens would pay for comparable damage. Neither the police nor the militia is or should be clothed with authority to act as instant judge, jury and executioner. There may be circumstances where the use of lethal force is justified, but those who use it under color of law should not be immune from giving to the public they serve an accounting of its use.

In a nation that genuinely respects law and order, policemen are not above the law nor students below it. Law protects and binds them both. If students are unruly, the proper remedy is not impulsive and indiscriminate slaughter. If they break the law, they should be punished for it as the law provides, proportionately and by due process. If police or militiamen break the law, they too should be punished for it, proportionately and by due process. Instead we see the former slain seemingly at random and the latter subject to no penalty at all—a situation which is the opposite of law and order.

Surely a full year is long enough for due deliberation and for allowing state authorities to act, but they have not acted.

Therefore, we call upon the U.S. Department of Justice to rectify this situation either by prosecuting those responsible under existing laws or, if these are inadequate, to seek laws which will provide an adequate remedy for such situations in the future.

In the absence of prosecution and with a view to enacting suitable legal remedies, Congress should investigate these incidents, seeking answers for the public to questions such as those attached.

Pending such actions by federal and state authorities, the several aggrieved parties should be given every support and encouragement as they seek by civil suits to obtain an accounting from the public officials they believe have wronged them. It is not their own cause alone they are maintaining but that of all citizens who value impartial law and a humane order.

On the anniversary of their deaths may our nation perpetuate the memory of the deceased students by renewing our commitment to pursue justice and to determine responsibility for establishing safeguards for those participating in the democratic process.

Dr. Cynthia C. Wedel, President, The National Council of Churches of Christ in the U.S.A.

Rabbi Maurice N. Eisendrath, President, The Union of American Hebrew Congregations.

Bishop Charles F. Golden, President, The Board of Christian Social Concerns, The United Methodist Church.

Mrs. Wayne W. Harrington, President, The Women's Division, Board of Missions, The United Methodist Church.

Rabbi Solomon J. Sharfman, President, The Synagogue Council of America.

Dr. A. Dudley Ward, General Secretary, The Board of Christian Social Concerns, The United Methodist Church.

CURRENT NATIONAL ISSUES QUESTIONNAIRE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and would like to call them to the attention of the Members of the House. They are as follows:

QUESTIONNAIRE

(Answers in percent)

1. Do you think that J. Edgar Hoover should retire as head of the FBI? Yes, 44; No, 56.
2. Do you believe that many of the leaders of today's "marches" and "demonstrations" have revolution as their ultimate goal? Yes, 81; No, 19.
3. Do you favor:
  - (a) trade with Red China? Yes, 56; No, 44.
  - (b) seating Red China in the U.N.? Yes, 54; No, 46.
4. Do you believe there is a need for a federally imposed "no fault" automobile insurance? Yes, 59; No 41.
5. Do you support proposals to increase the federal minimum wage to \$2.00 per hour? Yes, 49; No, 51.
6. Do you approve of the President's plan to share federal funds with local and state governments without federal control? Yes, 56; No, 44.
7. Would you favor a federally-controlled program of national health insurance for everyone to be financed by increased Social Security taxes? Yes, 31; No, 69.
8. Do you approve of the President's Vietnamization and withdrawal program for ending U.S. involvement in Vietnam? Yes, 76; No, 24.
9. Do you believe we should set import quotas in an effort to stem the flow of certain foreign goods flooding American markets? Yes, 76; No, 24.
10. Do you favor the plan of The House Ways and Means Committee to provide a family of four with a federally financed guaranteed income of \$2,400.00 annually? Yes, 24; No, 76.

11. Would you favor tougher Presidential action to control wage and price increases in an effort to curb inflation? Yes, 88; No, 12.

12. Should our laws be amended to require binding arbitration of labor disputes in industries whose operations affect our national interests? Yes, 87; No, 13.

13. For farmers: The present Farm Bill gives you greater freedom to plant according to your own individual needs. Will it also increase your income? Yes, 48; No, 52.

TEXAS HIGHWAY DEPARTMENT CONCERNED OVER HIGHWAY BILL

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ARCHER. Mr. Speaker, I voted yesterday to recommit H.R. 4354, concerning motorbus limits on the interstate system of roads, to the Committee on Public Works. I do so because I had received, on May 27, 1971, a letter from the Texas Highway Department advising me that the department is deeply concerned with the potential effect of this bill. I wish to insert at this time the text of this letter in an effort to further explain my position:

TEXAS HIGHWAY DEPARTMENT,  
Austin, Tex., May 27, 1971.

HON. BILL ARCHER,  
Member of Congress,  
Washington, D.C.

DEAR CONGRESSMAN ARCHER: This is in reply to your letter of May 19 concerning the pending consideration of H.R. 4354 on the House floor and inviting our advice and views on this issue.

We are deeply concerned with the potential overall effect of this legislation. While it is drawn up to serve a small group of highway users on that small segment of highways which is most adequately designed, the Interstate System; there are factors which would inevitably broaden its impact. The location of terminals, service areas, and detours along other public roads would cause a restriction to movement on Interstate Highways to be most difficult to administer and enforce. And if wider buses can be allowed, other highway users would surely follow with arguments for similar legislation to meet their needs. In view of these factors, we are concerned with the influence on highway development and traffic safety which would result if the width limits were increased for all vehicles on all highways, as well as under the "dual set" of regulations proposed by H.R. 4354.

The minimum 12 foot lane specified on the Interstate System design standards and generally used on all new construction of major highways, was developed on the basis of lateral placement studies using the normal weaving of a conventional truck and automobile as it progresses down the lane at normal highway speeds. The normal weaving requirements take up about 10 feet of lane width which leaves only about 12 inches leeway on each edge of 12 foot lanes. Any increase in vehicle width would materially reduce the margin of safety with a possible increase in side-swipe accidents. Two 102 inch vehicles cannot safely meet or pass on 9 or 10 foot lane highways without one or both of the wheels leaving the pavement. The added stress on pavement edges together with wear on the adjacent roadway shoulders would add considerably to maintenance costs.

While we could go into considerable further detail on our thinking in this matter

It is felt that these comments explain in general our reasons for recommending retention of the 96 inch overall width for all vehicles on all systems of highway. This opportunity to comment on pending legislation is deeply appreciated.

Sincerely yours,

J. C. DINGWALL,  
State Highway Engineer.

P.S.—We acknowledge that this may be at variance with the position taken by the Federal Highway Administration and that of the American Association of State Highway Officials.

H.R. 1746, THE EQUAL EMPLOYMENT  
ACT OF 1971

**HON. OGDEN R. REID**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. REID of New York. Mr. Speaker, on or around September 15 the House will consider legislation which will have a serious impact on our commitment toward equality and social justice.

After a long struggle, H.R. 1746, the Equal Employment Act of 1971, will be considered under a 3-hour open rule. I feel that this bill is a major milestone in our struggle against discrimination in employment, especially on the grounds of race and sex. Since its inception in 1964, the Equal Employment Opportunities Commission has lacked enforcement authority. This bill would provide such enforcement by giving EEOC power to issue cease-and-desist orders. Those who oppose the bill do so because they believe enforcement authority should come through court action.

Based upon my experience as chairman of the New York Human Rights Commission, it is my view that the cease-and-desist power of H.R. 1746 will give the Equal Employment Opportunities Commission clear and effective authority to deal with employment discrimination, both on an individual and group basis. The major provision of H.R. 1746, granting EEOC—after full investigations and hearings—the power to issue judicially enforceable cease-and-desist orders against employers who are found to discriminate in their employment practices provides the best means for attaining equal employment and deter patterns and practices of employment discrimination.

This view is supported by the experiences of 32 States which have the authority to issue administrative cease-and-desist orders of some kind. In New York State alone, which has had cease-and-desist powers since 1945, 16,129 complaints were received between 1945 and 1967. Of these complaints 98 percent—or all but 326—were settled before they were ordered for a hearing and more than two-thirds of those ordered for hearing were settled before the hearing was completed. In contrast, 17,000 charges were filed with the EEOC in fiscal year 1970 and of those charges only 225 resulted in successful conciliations.

H.R. 1746 also consolidates in the EEOC the power to deal with employment discrimination presently under the

jurisdiction of the Department of Justice, Civil Service Commission, and the Department of Labor's Office of Federal Contract Compliance. The effect of such a consolidation will provide better and more uniform enforcement against employment discrimination at all levels.

This strongly needed legislation is an affirmative step toward social equality. I am pleased that the Rules Committee has acted promptly to grant H.R. 1746 a rule so that the full House can work its will on this important measure.

SOVIET PRESENCE IN MIDDLE EAST  
THREATENS WORLD PEACE

**HON. DANTE B. FASCELL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. FASCELL. Mr. Speaker, an editorial which appeared recently in the Miami Herald expresses my own sense of foreboding when I read of the joint communique issued by Egypt and the Soviet Union on the conditions to which they expect Israel to adhere as a price for the reopening of the Suez Canal.

The Soviet presence in Egypt has been growing continually since the 6-day war in 1967 until it has reached the point today where it is a powerful and ever-ready force poised to strike at Israel in the guise of Egyptian forces but with the full strength of Soviet military power.

The communique calling for full Israeli withdrawal from all occupied territory as a condition for the reopening of the Suez Canal can only be interpreted, in view of this military presence, as a direct threat to Israel and to world peace.

It is unrealistic to expect Israel to effect total withdrawal from territory which was so hard-won and which that beleaguered nation believes is absolutely vital to its continued security and very existence. Probably, given the proper diplomatic circumstances, some withdrawal will eventually take place. However, the Soviet Union's action in joining in this communique can only serve to polarize the situation further and add another stone to the perilous road toward war in the Middle East.

I call the Miami Herald editorial to the attention of our colleagues.

MOSCOW'S VOICE ADDS PERIL TO PULLOUT,  
SUEZ DEMANDS

Few developments in the Middle East could be more ominous than the joint communique issued in Moscow by Egypt and the Soviet Union declaring that reopening of the Suez Canal must be accompanied by total Israeli withdrawal from occupied Arab lands.

Russia's 15-year treaty with Egypt is one thing. At points it is vague. A joint communique is quite another. At the very least it obliges the USSR to be a party to a unilateral peace settlement forced on Israel. Indeed, we can place no other construction on this bit of madcap diplomacy.

In Jerusalem last month Israeli Defense Minister Moshe Dayan listed four conditions for reopening Suez: a permanent ceasefire, no crossing by Egyptian troops, free naviga-

tion and a separate agreement on the terms of the reopening which would have nothing to do with an overall settlement.

This is a hard-line position. It will not be altered voluntarily. The fact is that Israel has comparatively little stake in the canal since it now may enjoy undisputed use of its port of Eilat on the Gulf of Aqaba.

The joint communique is ominous for the fact that it makes the Soviet Union an active, committed partner with Egypt in a specific diplomatic and military area.

The implication is that Israel must back down or face whatever wrath the Russians, with their naval and air presence so obvious in Egypt, may be able to visit on it.

"The problem of opening the canal for shipping cannot be solved in isolation from other problems of the settlement and should be in context with an agreement on the withdrawal of all Israeli troops" to the pre-1967 frontier, says the communique.

Of course, this is to ask the impossible of a country which has fought and won three wars for survival and must rely now in large part on the new frontiers which offer greater security.

Some of these frontiers probably will be adjusted in time. To demand that all of them be vacated, as Egypt has demanded repeatedly, is not realistic. The addition of Moscow's voice to those demands creates an entirely new situation fraught with peril for the only fast friend of the United States in the Middle East and for American diplomacy as well.

ALASKAN PIPELINE

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DINGELL. Mr. Speaker, last February Secretary of the Interior Morton told a committee of Congress that a great many unsolved problems were presented by the proposal to build an oil pipeline in Alaska and that he was a long way from approving the project. Last month the Secretary visited Alaska, and statements he made while there and since his return sound as if he contemplates issuing a pipeline permit as early as this fall.

I do not know the basis for Secretary Morton's present thinking. I do know that many formidable questions about the environmental acceptability and technical soundness of the pipeline project were raised in the Interior Department hearings in February and March. Those questions included how a 48-inch hot-oil pipeline safely could cross one of the continent's most active earthquake zones, how it could be constructed in treacherous permafrost, how it could be built above ground without obstructing animal migrations and blighting the great Alaskan wilderness, and how the oil could be shipped from the proposed pipeline terminus at Valdez to west coast refineries without serious tanker spills.

I also know that the administration and Congress have not yet addressed themselves to the very serious issue of the present lack of a comprehensive land use plan for Alaska. It is obvious to me that there should be such a plan before the northern Alaska wilderness is opened up to exploitation and development, as

the proposed pipeline project would open it.

Mr. Speaker, the St. Louis Post-Dispatch on June 16 published a perceptive editorial expressing hope that Secretary Morton would not act hastily to approve a project involving such serious implications as the proposed trans-Alaska oil pipeline. I insert the text of the editorial in the RECORD at this point.

#### WHAT'S THE HURRY?

After stating in February that he was in no great haste to give his approval to the proposed trans-Alaska oil pipeline, Interior Secretary Morton now gives every impression of being in a great rush over the matter. A few weeks ago, he announced he would issue his decision on the pipe by September, this updating his previously announced schedule by nearly a year and a half and now says he will act by July 15.

Upon assuming office, Mr. Morton said there were unanswered questions on the pipeline's impact on the Alaskan environment and nothing that has occurred since has removed the doubt. Exactly, in fact, the opposite. The Army Corps of Engineers, among others, since has issued a critical report of the project's threat to ecology and Representative Aspin has revealed that as late as a week before the Interior hearings on the pipeline in February, the consortium with North Slope oil interests said the pipe was as yet undesignated and would be designed "as we go along." The passage of a few months should scarcely make that statement any more reassuring.

Mr. Morton plans an inspection tour along the pipeline route this month. As he surveys the matchless subarctic wilderness, we hope the Secretary will remember that a decision made in haste, whatever the momentary economic benefits, may result in consequences that the nation will regret for a long time.

#### THE DANGERS OF TRADE RESTRICTIONS

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, in light of the recent speculation about further attempts to legislate trade restrictions, I feel that it is necessary to briefly restate the inherent dangers of a restrictive trade policy. No one can disagree with the intentions of those who advocate the imposition of import quotas, because after all, they are designed to avoid the disruption of human and material resources. Unfortunately, however, the consequences of import regulation are detrimental to both our domestic and foreign welfare.

Although protective of jobs in certain domestic industries, quotas do not necessarily increase our aggregate national employment. Offsetting unemployment may develop in our export industries as a result of either an import quota-induced curtailment of foreign dollar reserves, or from retaliation against American export products. In addition, by the exclusion of lower-priced imports, quotas on textiles and shoes would contribute substantially to inflationary pressure in an area that would be reflected in the cost of living.

Perhaps, however, it is even more cru-

cial to study the foreign ramifications of a restrictive American trade policy. Import regulations have an essentially contractive impact upon foreign economies due to the resulting export losses. Subsequently, internal political pressure may compel foreign nations to retaliate by raising their own trade barriers. I recently received a letter from Jerry de St. Paer, an American businessman, originally from Wheaton, Ill., and presently residing in Brazil. I share with him the belief that, "free trade and the competition which it embodies are central to our Nation's long-term best interests." At this point I insert in the RECORD the full text of Mr. de St. Paer's letter and commend it to my colleagues:

#### U.S. TRADE POLICY

RIO DE JANEIRO, BRAZIL,

July 8, 1971.

Congressman JOHN B. ANDERSON,  
Longworth House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: The purpose of this letter is to express my appreciation as an American businessman overseas for the support you have given to the maintenance of a free United States trade policy and to explain why I feel your continued support of this policy is serving more than ever our nation's critical, long-term interests. In discussing the broad issue of trade policy I would like to touch on the following major areas:

The immediate effect of restrictive trade legislation

American economic interests and restrictive trade legislation

American political interests and restrictive trade legislation

#### THE IMMEDIATE EFFECT OF RESTRICTIVE TRADE LEGISLATION

The immediate response to an increase in United States trade barriers would be retaliation by other trading countries and a consequent strangling of world trade; two factors would be key to this reaction. First, the European Economic Community (the EEC) lost its powerful initial surge in the mid-sixties due largely to French President DeGaulle's obstinate position on majority voting and agricultural policy; only now is the EEC regaining its former initiative. Restrictive trade action by the United States could turn into an external and uniting threat pressing the EEC member nations to join more forcefully and increase their own trade barriers. Under these circumstances the EEC, possibly expanded to include the United Kingdom and part of Scandinavia, could become an inward-looking trade area shutting lucrative European markets to American goods. Together the EEC, the UK, and the United States account for over 90 percent of total world trade by value in a very large and important list of goods; consequently, curtailment of commerce among these trading centers would, by itself, stifle world trade.

Second, a trade war between the United States and Europe would inevitably destroy the entire structure of international trade as a result of the destruction of the international financial system. Currently, a great deal of trade is based upon the ready availability of a medium for payment in which traders can place their confidence—the American dollar. Since trade is of necessity often characterized by a delay of weeks and sometimes months between the order for and the delivery of a goods or service, confidence in the value of the currency of payment is a critical element; without this confidence trade would become too risky for many traders for whom, say, a 15 percent devaluation of the currency of payment in the interval between order and delivery would wipe out,

or at least seriously reduce, their profit margin.

The dollar serves a dual function in the present international financial system. It is at once (1) the key reserve currency in many central banks and (2) the primary currency used in international trade. The international confidence which has resulted in the assumption by the dollar of these central roles depends mostly on American strength in international commerce; because of America's strong commercial position in most parts of the world, the dollar has tended to retain a stable and strong position vis-a-vis the large majority of other currencies. However, the position of the dollar cannot be taken for granted. The recent international financial crisis demonstrated the tenuous nature of that position. Further, the United States has registered a deficit for the last two consecutive months in its commercial balance (exports less imports of goods and services); the last such deficit was incurred over ten years ago. If the commercial balance in our balance of payments were to run a deficit over the longer-term, confidence in the dollar would be retracted—and at the moment there is no substitute for the dollar in its key roles. If the dollar were to lose its function as the primary currency in the international financial system due to a United States/EEC trade war, rapid dehydration of remaining international trade would certainly ensue.

In sum, restrictive American trade legislation could very conceivably result in the destruction of world trade and finance; American interests of an economic and political nature would be affected by the immediate and subsequent secondary effects of this legislation.

#### AMERICAN ECONOMIC INTERESTS AND RESTRICTIVE TRADE LEGISLATION

American economic interests are influenced by international trade in two primary ways. Quantitatively, American exports of goods and services have tended for about the past ten years to be slightly more than 5 percent of our gross national product whereas imports have tended to be somewhat below the 5 percent level. From these figures it can be concluded that (1) foreign trade is not critical to the American economy in relative terms but also that (2) in absolute dollar terms we have more to gain than to lose from free international trade.

Qualitatively, competition is the quintessential strength of the American economy; free enterprise is the foundation on which the American economy rests. Many of the industries responsible for recent pressure to increase tariffs are comparatively inefficient in an international sense and the stimulus of competition is needed to force them to put their management and technology into order; these industries should be required to meet their competition in the best American tradition and in the best national interest. If protected by trade barriers, they most likely will continue to deteriorate even further in a sound business sense and thereby further undermine the health of our economy.

Before moving on, I think it is important to note that foreign trade is not critical to United States national security; with very few exceptions America does not rely exclusively or even primarily upon foreign supply for products which are essential to our defense. Consequently, trade barriers cannot be justified as protection for most of our industries on the basis that they are critical to our security. From both a qualitative and a quantitative perspective, maintenance of our free trade policy can only benefit our own economic interests.

#### AMERICAN POLITICAL INTERESTS AND RESTRICTIVE TRADE LEGISLATION

The impacts of the enactment of restrictive trade legislation on American political

interests would be even more serious than those on our economic interests. First and very broadly, increased trade restrictions would call into question American espousal of free enterprise as a tool for economic development. Our credibility as sponsors of the free market system as a valid means to economic growth would obviously be shaken.

Second, a trade war would inevitably damage United States political ties with Europe where the current reduction in the level of tensions across the Iron Curtain is a positive move toward defusing the East/West conflict. A trade war could reverse the increasing attitude of detente and also leave our European alliances in a very weakened position to confront any renewal of Cold War tensions.

Third, Japan, the largest non-Western, international trader, depends in large part for its livelihood on the ability to export, and almost half of Japan's exports go to Europe and the United States. If these markets were closed, the Japanese economic miracle would come to a grinding halt; without a sound exporting sector the intricately interrelated world of Japanese finance and commerce would almost certainly collapse. The serious weakening of the Japanese economy would leave Australia and New Zealand as our only powerful allies in the Pacific, both of which are more Western than Asian. The theater for Communist Chinese influence would be substantially increased, especially as Japan began to look more intensively to China as a source for raw materials and as a market outlet; American communication and influence in that part of the world would be correspondingly reduced. In this connection, it is useful to recall that it was Asia and not Europe that formally thrust the United States into the Second World War through an attack on our Fiftieth State. The importance of Japan as an American ally is difficult to understate, and a free American trade policy is critical to that alliance.

Fourth, the United States has an interest in assisting stable economic development in the developing countries, employing private enterprise wherever feasible. These nations, like Brazil, require international financing and commercial resources if they are to develop. Yet, they are experiencing deteriorating terms of trade; basically, this refers to the current phenomenon where the price indices for primary commodities (i.e., metal bearing ores, coffee, crude oil, and sugar) are increasing more slowly than the indices for manufactured products. In some cases the prices of primary products are even decreasing in nominal terms. Since developing countries' exports are largely comprised of primary products while their imports are largely manufactures, they are caught in a foreign trade price squeeze. There are only two broad solutions to this problem: (1) continually increase exports of primary products to make up for the price slippage relative to manufactures; and (2) diversify exports into industrialized products. The first route is limited because, in the case of many primary products, the demand is relatively constant in world markets and is not influenced by abundance or scarceness of a product; an influx of greater volume onto the market results not in increased sales at the old prices but in sales at slightly increased volumes and greatly reduced prices, the final effect being a reduction in net proceeds.

The second route, diversification into manufactured product exports, is the key long-term solution to the deterioration terms of trade. Many developing countries, Brazil prominent among them, are putting a great deal of emphasis on diversification of exports in a sincere and well planned effort to pay as much of their own way as possible in economic development. They are also trying to attract private foreign capital to help them in their effort. Many of the governments, of-

ficials, and economists in the developing countries who are most friendly to the United States and are most convinced of the efficacy of private enterprise have staked a great deal of prestige on diversification. A trade war would largely close this escape route tying the developing countries to reduced levels of primary product exports both seriously injuring their efforts to develop economically and seriously embarrassing those who led the way to development through export diversification and free enterprise. Such a result would provide a great boost to the nationalists in the developing countries; general hostility toward the United States and a stimulation of already significant efforts to expropriate America's overseas business enterprises could be expected.

As an example of the emotional political dynamite with which the issue of United States trade policy is packed in Brazil, the attempt to pass the Mills Bill in the 91st Congress was considered by many of the educated Brazilians I met to be a direct attempt by America to cut Brazilian shoe and textile exports to the United States; the Mills Bill was characterized in the local press as an attack on Brazil. In our office we monitor all major local newspapers and business periodicals; during the debate on the Mills Bill there was not one mention in the many articles I saw that the textiles portion of the Bill was directed primarily at Japan and that the measure on shoes was basically intended for Italy. The Brazilian reader who could not follow available English language reports was led to the impression that the Mills Bill was directed solely at Brazil. The vitriolic response in the Brazilian press and among many Brazilians to even the consideration in Congress of restrictive trade legislation reflects the seriousness of the issue to them and gives some idea of what would happen to Brazilian/American relations if, as the result of such legislation, the United States started a trade war which hurt Brazilian economic development. In all likelihood, this same anti-American hostility would be generated in most developing countries to a greater or lesser degree, violent nationalism and possibly expropriation of American interests could result. Certainly American relations with the Third World would be damaged.

#### CONCLUSION

The obvious economic and political advantages of the maintenance of a free trade policy seem to me to be so important to the United States that efforts by Congressmen and Senators such as yourself to defend that policy deserve sincere appreciation. I was struck with deep concern by the strength of the support behind the Mills Foreign Trade Bill in the 91st Congress; most of the American businessmen with whom I am associated both in Brazil and in the States opposed that Bill on the conviction that free trade and the competition which it embodies are central to our nation's long-term best interests. I would like, in conclusion, to place my vote of confidence in your continuing defense of a free United States trade policy.

Very truly yours,

J. M. DE ST. PAER.

#### NO-WIN POLICY

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DUNCAN. Mr. Speaker, I would like to share with my colleagues a letter written by a U.S. Army officer who served two tours of duty in Vietnam. It

appeared in the Knoxville, Tenn., Journal on July 14:

NO-WIN POLICY BLAMED FOR LOSS OF LIVES  
To the Editor, The Journal:

The other night I went to my son's Little League Baseball game. I was reminded that last spring when my family and I were at Fort Leavenworth, that Bob Degen was my son's baseball coach. Like most Army officers, Bob believed in winning, and I thank him for teaching my children in this day of progressive permissiveness. When they made a mistake, he let them know about it gently, but not too gently. He cared for the kids and they knew it. They won the post championship for themselves and their coach. Bob coached just the way he should have—and I am grateful for the leadership and discipline he gave my boys. I would imagine that Bob brought up his two little girls and eight-year-old boy the same way.

In late June or July, Bob said goodbye to his baseball team and his wife and children and he went back to Vietnam to serve as an operations officer of a unit stationed at Quang Tri, just south of the DMZ. Like most of us who have served more than one tour in Vietnam, he dreaded leaving his family—but knew the job had to be done. I would guess that Bob felt about Vietnam like he felt about baseball—win it without the overtime. I know that's the way I feel about it.

Contrary to what the national television segments of the press and certain politicians say:

We can and could have whipped the hell out of Charlie whenever the American people instructed their politicians to let us do it. Those of us who served as advisers knew well that the moral obligation was to save Vietnam from the things the Vietnamese people learned to fear after Tet 1968—a Communist takeover after the Americans pull out of the country. But then I am committing a no no in this brave new world where heroes are traitors and traitors are heroes: Members of the "Military Industry Complex" can't talk about "whipping" anybody.

We can only go so far and then we are forced to listen to the peaceable "Agrarian reformers" talk about how they whipped us, and will continue to do so. Well, anyway Bob Degen went up to his new assignment in I (Eye) Corps. Bob would be just about ready to DEROS (return to the states) now—but Bob died last fall, not from a sniper's bullet or from shrapnel or a helicopter or from a jeep accident or from malaria—but from a bullet allegedly fired into him by an American soldier. Was it pot? Was it LSD? Was it heroin? Was it boredom? Or was it just as one of our sterling national television commentators suggested that such things just happen in an Army which has failed to win a war?

Well, I don't know—but I have my own idea. Perhaps it doesn't count for much but I've been there twice and I limp a little from old wounds and it is my opinion that maybe Bob Degen was killed by people who scream that the war was immoral and play God in condemning the little born Vietnamese peasant to slavery by "get out of Vietnam now" by men who take it upon themselves to steal classified documents and charge that we didn't consider the enemy civilian casualty rate while they and those of their ilk failed to consider the thousands of South Vietnamese who have been assassinated by our Communist enemies, by certain newspapermen who never failed to find anything right but always find everything wrong, and for the record, ignored the stacks of North Vietnamese Army dead while they cried that we were defeated in Tet '68. All \* \* \* the bombing and then ignored the long lists of wounded and dead Americans by teachers who believe and teach that "peace" at any price will solve the world's problems; by parents who are silent when their kids disobey

them, and excuse their children when they break the law or speak about the law enforcement officers in devious terms, or perhaps because the same television reporters who scream that their privileges were being curtailed in a combat zone take so lightly their responsibilities but they permit a private soldier to state over nationwide television that he will tell his commanders to "go to hell" if he is ordered to accompany his unit into Laos.

Perhaps Bob Degen died because some people in the United States believed that our Communist enemies will just go away or will behave themselves if we would only speak to them nicely and consider their problems. But most of all, perhaps Bob died because during this the longest war in our history too many people just didn't give a damn while somebody else's husband, father, brother, or son was over there getting the hell shot out of them. It's my opinion that Bob may have died because a lot of people, if they think at all, are letting their kids grow up to believe that the Army is depicted by "F" Troop, the Marines by "Gomer Pyle, USMC," the Navy by "McHale's Navy," the Air Force and all our POWs in North Vietnam are enjoying themselves as do "Hogan's Heroes."

I don't know, maybe that's part of it. But anyway, Bob's dead and he was a fine man. Maybe if certain reporters had told the good as well as the bad (how many names of winners of the Medal of Honor are on the tip of your tongue) and if a few million people had really given a damn, Bob Degen would be coaching Little League Baseball this summer. And maybe if a few million more had written their congressmen to inquire about the methods by which a "no-win" war would be fought—fifty thousand others like Bob might have finished the job and been home coaching or playing baseball or drinking beer, or just breathing, which they aren't doing now. Perhaps thousands of them would have never been to Vietnam, because we could have played to win—without any extra inning. But we haven't because the "silent majority" has been brainwashed and mesmerized by fuzzy-brained double-thinkers who feel our victory is defeat and defeat is victory.

Some eternal optimists ought to draw a parallel between conditions today and other periods in our history where dissension, despair and loss of hope were abroad. But today we are faced by the most insidious and diabolically clever enemy we have ever known and rather than face this reality the American people thrust their heads in the sand. Meanwhile the Bob Degens, the Sam Ashers, the Harry Hodges, the Steve Ramsey's, the Charlie Ayres, and the Tim Worths of the Free World have recognized the danger and have bought time with their lives until the sleeping giant awakens. For almost two hundred years they have paid the price to buy time. I pray to God that there will be enough time to buy.

The views expressed here are entirely my own and do not reflect opinions or policies of the Department of the Army or Department of Defense or those of any other personnel of the Armed Forces of the United States.

JOHN S. DANIEL, Jr.,  
Lt. Col. Infantry, USA.

#### NEW EVIDENCE BACKS UP B-1 STAND

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MAZZOLI. Mr. Speaker, last month when we debated and voted on

proposed amendments to H.R. 8687, the military research and development and procurement authorization bill, I proposed a number of the amendments aimed at reducing unnecessary defense spending. I thought money could be saved for other urgent priorities by cutting certain unnecessary or wasteful items from the budget, without jeopardizing national security.

One of the budgeted items which I considered unnecessary at this time, and voted against, was the \$370.2 million for stepped-up research and development on the B-1 bomber. For one thing, a number of experts argued that the reliable B-52 could be remodeled and reequipped at a substantial saving over the B-1 program—and in the end produce a better plane.

Additional evidence came to light recently indicating that the conduct of the B-1 program to date has been wasteful as well as unnecessary. A secret General Accounting Office report written in March and reported a few days back in the Washington Post shows that the Defense Department has permitted sloppy cost estimates, loose management guidelines, and lowered performance standards in the B-1 program.

It appears that the taxpayers may be asked to underwrite another multibillion-dollar cost overrun for an unnecessary project—unless we in Congress keep a close watch on the manner and purpose for which public money is spent in the defense area.

Mr. Speaker, I insert in the RECORD a recent article from the Washington Post about the General Accounting Office report on the development of the B-1 bomber.

B-1 COSTS, SETBACKS IGNORED, GAO SAYS  
(By Bernard D. Nossiter)

The Pentagon has plunged into development of the multi-billion-dollar B-1 bomber, ignoring safeguards against cost overruns, long delays and lowered performance standards that have marked other big weapons systems.

This is the central finding of a secret General Accounting Office study. The 40-page report, written in March, has been made available to Congress, but not to the public.

According to the GAO, Deputy Defense Secretary David Packard had failed to insist on the fulfillment of the Pentagon's own management guidelines before awarding contracts to develop the new bomber. Agreements were made on June 5, 1970 with North American Rockwell to build the airframe and General Electric to construct the engines.

Among other things, the paper says: the Air Force production estimate of \$8,175,000,000 makes no allowance for any inflation during the 1970s, when the planes will be built; four months after the development contracts were signed, the Air Force had still not settled on the avionics, the electronic gear that will control the navigation, firing of weapons, bomber defense and penetration; vital performance characteristics of the plane, including engine thrust and maximum takeoff and landing distances, have been relaxed in an effort to hold down the ballooning costs.

The study does not provide an independent estimate of the ultimate cost of the 240 B-1's that the Air Force intends to buy.

A public GAO report of last March estimated the cost at \$10.5 billion, \$1.5 billion above the original planning estimate. But the Air Force itself now acknowledges a cost of \$11.1 billion. Sen. William Proxmire (D-

Wis.) has put it at \$20 billion or more and a group of congressional critics thinks it could go as high as \$47 billion.

Still another secret GAO report is sharply critical of the SRAM or Short Range Attack Missile, the principal armament for the B-1. This 43-page paper says that SRAM has already experienced "significant" cost growth (an incomplete estimate puts it at more than 260 per cent); test flights through December 1970 do not conclusively demonstrate that the missile will work as intended; and Soviet radar developments could make SRAM's carriers vulnerable miles before the missile can be fired at its targets.

The heart of GAO's analysis of the B-1 is as follows:

"The DOD (Department of Defense) management process leading to the approval for Engineering Development has not ensured elimination of past problems of major weapons acquisition—cost growth, schedule slippage and/or performance degradation.

"The cost estimates were optimistic and the type of avionics was not fully defined. . . . Cost appears to be the controlling factor while performance degradation and schedule slippages will be accepted to remain within established cost parameters."

The B-1 has been peppered with criticism since the Air Force first began pushing in 1964 for a new strategic bomber to replace the B-52. Defense Secretary Robert S. McNamara held off approval, largely in the belief that manned bombers are obsolete in an age of faster, longer ranging missiles. The Air Force has insisted that the bomber is a needed strategic system to complement land and sea-based missiles, that three nuclear weapons systems will complicate Soviet defenses.

Within the Nixon administration, the Office of Management and Budget waged a losing fight last year to hold the program back. But Packard threatened to resign if it was not pushed forward.

The House has already authorized \$370 million for this year's installment while the Senate is still waiting for the procurement bill. Defense critics in the Senate plan a major effort to cut back or wipe out the program.

The GAO paper lists these shortcomings among those that have already come to light:

By June of 1970, the program was already 34 months behind schedule and "there may be additional slippage."

To hold down costs, performance specifications have been loosened for the takeoff weight, weight of avionics, sea-level speed, engine thrust or power and takeoff and landing distances.

This technique of buying less plane for more money is consistent with the Development Concept Paper for the B-1, issued within the Pentagon in November 1969. According to the GAO, "The DCP contained a statement that cost objective would be established for the program and performance degraded if necessary to attain the objective."

The study, prepared by unidentified GAO staff members, suggests that the first management mistake was the failure to complete the Concept Formulation. In this stage, the Pentagon is supposed to make tests and studies showing that it can master the technology for a new system, define the mission and performance, demonstrate that it is cheaper than competing systems and produce "credible and acceptable" cost and schedule estimates.

But the failure to settle on an avionics system and the omission of an inflated estimate during production left this stage incomplete.

The same defects, the GAO says, marred the next or "Validation" stage, a step that is supposed to be completed before development contracts are let.

The GAO study of B-1's weapon, the SRAM missile, paints an even blacker picture. When SRAM was approved for develop-

ment in 1965, the cost per missile was estimated at \$338,000. By June of 1970, GAO estimates the cost at \$890,000. This moreover, does not include the Atomic Energy Commission's outlays for developing and producing SRAM's nuclear warhead. Since the Pentagon intends to buy 1,900 SRAMS, the program's expenses have climbed from \$640 million to at least \$1.7 billion.

Boeing is the prime contractor for SRAM, and Lockheed Aircraft is making the motor. "The rocket motor has been a major SRAM developmental problem," says the GAO and the performance specifications have been lowered to reduce the missile's range, speed or both.

"In our opinion," the GAO study says, "SRAM test flight results through December 1970, when the procurement decision was made, did not conclusively demonstrate that SRAM will work as intended."

SRAM is a "stand-off" missile, to be fired from B-52s, FB-111s and, ultimately, B-1s from a point outside the range of Soviet SAM defenses. But the GAO notes that the Soviet Union is developing ground and airborne radars that may pick up SRAM-carrying planes long before they reach the firing position.

Finally, SRAM is supposed to be fired at certain maximum and minimum altitudes. But General Dynamics, maker of the FB-111, says its contract does not compel it to produce a bomber capable of flying these heights.

"If General Dynamics' interpretation of the contract is correct, the Air Force may buy a missile with a specified launch altitude from an aircraft which is not contractually required to launch the missile at the altitude" the GAO report says.

#### SHOULD PEKING BE LET IN U.N.?

### HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ROONEY of New York. Mr. Speaker, under the permission heretofore granted me by unanimous consent of the House, I include the following highly interesting article written by the Reverend Daniel Lyons, S.J., published in the Sunday, July 25, 1971, issue of the National Catholic Register:

#### SHOULD PEKING BE LET IN UN?

(By Father Daniel Lyons, S.J.)

Peking should not be admitted to the United Nations until it becomes less violently opposed to the purposes for which the UN was founded. To admit it now would violate the UN Charter, which rejects the universality of nations. It is limited to those countries advocating peace. Either the Charter should be changed or Peking should take steps to qualify itself. Those who argue for universality should first work for the admission of Spain, Germany, Korea and South Vietnam, none of which has been admitted into the United Nations.

The UN Charter calls for the right to self-determination of peoples. The last free election on the Mainland was held nearly 25 years ago. Mao was not elected. The present government is a military dictatorship which suppresses the rights of the individual, fosters class hatred, promotes war all over the earth, and subordinates the welfare of the people to the cause of guerrilla wars and revolution.

The government of Free China has just made public its detailed account of people killed by Mao in the first 20 years of his rule,

from 1949 to 1969. Not counting the toll in human lives taken during the Cultural Revolution, when thousands of irresponsible Red Guards killed at will, the total killed by Mao's regime is 39,940,000. That is more than the total populations of Greece, Portugal, Hungary and Chile put together.

The government of Peking is so incompetent that its foreign trade has not increased in the last 10 years. Its annual two-way volume, a tiny \$4 billion, is less than one percent of the world's trade. Peking cannot even surpass the foreign trade of Taiwan, though it outnumbers Taiwan 30 to 1.

Twenty percent of Red China's foreign trade consists of opium and opium derivatives, chiefly morphine and heroin, which are destroying American lives. Opium poppies are now planted under government supervision on one million acres on the Mainland. Up to 10,000 tons annually are shipped out of Red China by air, sea, and land.

To admit Red China to the UN would make it much easier for her agents to smuggle heroin into the United States. To admit its agents means to destroy many more thousands of American youth and to increase our crime rate substantially.

There is a war going on between the forces of freedom and the forces of Communism, a war within and without the United Nations. To vote for Peking is to vote against the best interests of the United States. It is to vote against the forces of freedom.

The Communist nations will continue to vote as a bloc for Peking's entry. Moscow and Peking are united in their efforts to "liberate" the non-Communist world. But of the two, Peking is the more violent and aggressive.

Had Peking not started helping Hanoi so much, 15 years ago, Moscow might never have shipped so much ammunition to North Vietnam. To reward Peking for helping Hanoi is to dishonor 50,000 U.S. dead, about half of whom were killed by bullets from Peking. I have seen shiploads of guns and ammunition in South Vietnam captured from the Viet Cong, all made in Red China.

Politics, said Mao "is the barrel of a gun." As long as Peking continues to give millions of guns and bullets to Hanoi to kill Americans and our allies in South Vietnam, it should not be admitted into the United Nations. As long as Peking continues to help train American Leftists in China, as long as Peking helps to finance revolution in the U.S.A., in South America, in Europe, in Africa, Peking's military leaders should be left out of the United Nations. To do otherwise would destroy the UN and create serious problems for the United States.

#### CLEAR UP BOTTLED WATER

### HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MONAGAN. Mr. Speaker, for some time now, I have been working for uniform standards of health and safety for bottled drinking water. At present, there are no Federal laws in this field, and while some States have laws, these regulations are vague and generally unenforced.

On February 10, I introduced legislation which would correct this situation. By bill, H.R. 4147, would empower the Administrator of the Environmental Protection Agency to establish uniform

quality standards for bottled water products, and would punish companies which failed to meet these standards.

The recent removal of several bottled drinking water brands from the shelves of two of Washington's largest supermarket chains dramatically illustrates the urgent need for this legislation. This action, the result of bacteria tests sponsored by the Washington Evening Star, has affected over 250 stores.

The basic problem in this case arises from the fact that there are no uniform Federal quality standards for bottled drinking water. Bottled water producers have no consistent guidelines to assist them, and consumers have no definite assurance that their water is safe. In many places, bottled water products can actually reach the supermarket shelves without being monitored by any kind of Government agency.

The particular case in question was compounded by the ambiguity of jurisdiction over bottled water. The supermarket chains involved were unsure of where to turn for professional, scientific assistance. As no specific agency is empowered to regulate in this field, none was prepared to offer immediate advice as to the safety of the products involved.

I have written to Mr. William D. Ruckelshaus, Administrator of the Environmental Protection Agency, concerning the urgency of the situation, and I have asked for his support of H.R. 4147. I include a copy of that letter at the close of my remarks. I should also like to include a copy of an excellent account of this case by Mr. John Fialka of the Washington Star.

This entire incident proves the need for uniform Federal standards. I plan to reintroduce H.R. 4147 with cosponsors on July 26. I urge all Members to join me in supporting this legislation.

The items follow:

U.S. HOUSE OF REPRESENTATIVES,

Washington, D.C., July 21, 1971.

MR. WILLIAM D. RUCKELSHAUS,  
Administrator, Environmental Protection  
Agency, Washington, D.C.

DEAR MR. RUCKELSHAUS: Enclosed is an account by the Washington Evening Star of the recent removal of several bottled drinking water brands from the shelves of two of Washington's largest supermarket chains. This action, the result of a series of bacteria tests sponsored by the Star, involves over 250 stores. I also include a copy of the Washington Star survey for your information.

The basic problem in this case arises from the fact that there are no uniform Federal standards to insure the quality and safety of bottled water products. While some states have laws in this field, most of them are vague and have no administrative machinery. In the case of Washington, D.C., no standards exist at all, and hence some brands can be sold in the area without being monitored by any kind of government agency.

The ambiguity of jurisdiction over bottled water products creates additional problems. As the Star article notes, the supermarket chains involved are unsure of where to turn for professional assistance. No specific agency is empowered to regulate in this field, and hence none is prepared at present to advise as to the safety of the products involved.

On February 10, I introduced legislation which would clear up such confusion by establishing definite responsibilities and specific regulations. My bill, H.R. 4147, would authorize the Administrator of the Environmental Protection Agency to set and admin-

ister uniform federal standards for bottled drinking water.

On February 12, 1971, I communicated with you concerning the need for this legislation. In light of this additional instance of confusion, I urge you to give H.R. 4147 your further consideration and your support.

Sincerely yours,

JOHN S. MONAGAN,  
Member of Congress.

#### TWO SUPERMARKETS SUSPEND SALES OF SOME BOTTLED WATER

(By John Fialka)

Two of the Washington area's largest supermarket chains have removed some brands of bottled water from their shelves.

Spokesmen for both companies, Giant and Safeway, said the removal was a precautionary measure resulting from the publication of water tests by The Evening Star. The actions affect more than 250 stores in the area.

According to a spokesman for Giant, the company ordered the removal of the one brand of bottled water it carries, Deer Park Mineral Water.

Ronald Zachary, employe public relations manager for Safeway, said that it has removed two brands from its shelves, Deer Park and Great Bear.

A spokesman for a third food chain, Grand Union, said that it had suspended delivery orders for bottled water until samples of its stocks of Deer Park and Great Bear were tested at a company laboratory in East Paterson Park, N.J.

"The laboratory told us to go ahead and sell them," he said.

According to a series of tests sponsored by The Star conducted by a microbiologist at Georgetown University, some samples of bottled water contained much higher bacteria counts than samples of six varieties of area tap water tested.

Four bottled water brands were tested. The Deer Park sample had a bacteria count of 500,000 per liter. Great Bear had a count of 140,000 per liter. Another brand, Poland Water, had between 50,000 and 500,000 per liter, and a fourth brand, Mountain Valley Mineral Water, was found to be bacteria free.

#### NO UNIFORM STANDARDS

A major point of the article was that there are no uniform government standards for bottled water and that some brands could be sold in the area without being monitored by any government agency, unlike tap water which is constantly monitored by local health departments and, in some cases, by the U.S. Public Health Service.

The highest bacteria count found in an area tap water was 7,000 per liter. The sample was obtained from a water tap in Alexandria's City Hall. The city uses Fairfax County water.

The spokesman for Giant said that the company will receive no further shipments of bottled water until it confers with executives from Deer Park and obtains advice from federal health agencies.

#### WE WILL ASK PROOF

"It is our opinion that spring water is supposed to be a little bit better than tap water," he said, "From now on we will ask for proof of tests by an independent laboratory or we will do our own testing," he added.

Zachary, of Safeway, said that his company has also stopped receiving bottled water shipments and has invited officials from the firms which bottle Deer Park and Great Bear to confer on the matter.

"We want to take our lead on this from the Food and Drug Administration or the Environmental Protection Agency and from the producers," he added.

As the earlier Star article pointed out, no federal agency is specifically empowered to monitor interstate shipments of bottled water. The FDA, which has some jurisdiction

over food items, says it leaves the matter of testing bottled water up to individual states, some of which have no testing laws.

Currently, Rep. John S. Monagan, D-Conn., has a bill pending in Congress that would establish strong federal standards for bottled water.

#### PANTHER LEADERS EMPLOYED IN FEDERALLY FUNDED COMMUNITY PROJECTS

#### HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ICHORD. Mr. Speaker, during last year's hearings on the Black Panther Party before the House Committee on Internal Security, witnesses from Omaha testified that some Panther leaders were employed in federally funded community projects.

This led to some searching interrogation by the distinguished gentleman from Iowa who was then a member of the committee, the Honorable WILLIAM J. SCHERLE. His questioning brought out the fact that several Federal agencies were involved in the funding, contributing to confusion as to which agency should be held responsible for the personnel and operations of the community projects.

Fortunately, the gentleman from Iowa did not let the issue die with the ending of the Panther hearings. He pursued the matter and now has been rewarded by what appears to be a remarkably responsive executive agency of our Government. Correspondence tells the story and I include in the RECORD letters from the Office of Economic Opportunity dated June 10 and 23 together with a copy of a contract signed between OEO and the Department of Labor:

OFFICE OF ECONOMIC OPPORTUNITY,  
Kansas City, Mo., June 10, 1971.

Mrs. IDA BROWN,  
Board Chairman,  
Omaha, Nebr.

DEAR MRS. BROWN: Over the past several years the Opportunities Industrialization Center Program has been funded Federally by three agencies (DOL, HEW, OEO). This process has caused a great many problems for the community action agencies which have sponsored OICs. Among these are: the different program year dates for each Federal agency, the lack of coordination of these agencies in monitoring and evaluating these programs, and the budget and record keeping processes required for sponsorship of the program.

The Office of Economic Opportunity has in recent months been involved in discussions aimed at eliminating many of these problems. The three Federal agencies have recently reached agreement in these discussions.

In accord with this national agreement negotiated in Washington between OEO, Departments of Labor and HEW, all Federal dollars to the OICs from these agencies will, as of July 1, 1971, go to the OIC National Institute of Philadelphia, Pa. The Institute will as of the above date prime sponsor all of the OIC operations.

This will, as you know, require a change in the responsibilities your agency has exercised as sponsor of an OIC. This new approach to funding OICs will require that CAAs no longer sponsor OICs as delegate agencies, as well as change the way HEW

and DOL funds have been funded to the OICs. All OIC funds will continue through the end of your FY '71 Program Year, January 31, 1972. OEO and GOCA responsibilities to, and involvement with the Omaha OIC program will also continue until the end of your program year.

Let me assure you that the change in sponsorship, by no means, is any reflection on the manner your CAA has exercised its responsibility. The CAAs have greatly contributed to creating the success this program nationwide is experiencing.

Some of the paramount reasons for the change in sponsorship are as follows:

1. The nature of the OIC movement suggests that they are sound enough fiscally and programmatically to become a national emphasis comprehensive manpower program and prime sponsor their own activities;
  2. This new procedure to funding will reduce the Federal agency involvement in the OIC operation from what has been primarily three agencies to a single agency (DOL);
  3. The Federal government will have a single national contract with the OIC National Institute to prime sponsor and provide monitoring and evaluation support for the local projects.
- OEO is gratified with the success and confidence your agency has helped to create in the OICs. If there is further information you wish to have in regard to this change, please contact your assigned field representative, John West.

Sincerely,

SAMUEL J. CORNELIUS,  
Regional Director.

OFFICE OF ECONOMIC OPPORTUNITY,  
Kansas City, Mo., June 23, 1971.

HON. WILLIAM J. SCHERLE,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN SCHERLE: You will recall during the hearing of the Internal Security Committee concerning the City of Omaha and its Federally funded programs testimony revealed that in the funding of Opportunities Industrialization Center three Federal agencies were participating. You stressed the point that such a system caused a great deal of problems, particularly as to where the responsibilities lie.

I am sure you will be pleased to know that as of July 1, all of the OIC funding will be carried out by one single Federal agency, namely the Department of Labor. Certainly your interest and concern in this single matter was brought to the attention of the proper Federal officials, which subsequently resulted in this procedure.

Enclosed you will find a copy of a letter which was sent to the Board Chairman of Greater Omaha Community Action announcing this date, together with a memorandum of agreement between the Office of Economic Opportunity and the Department of Labor stating this change.

SAMUEL J. CORNELIUS,  
Regional Director.

#### MEMORANDUM OF AGREEMENT BETWEEN THE OFFICE OF ECONOMIC OPPORTUNITY AND THE DEPARTMENT OF LABOR

This agreement is entered into this 21st day of June, 1971, between the Office of Economic Opportunity (hereinafter referred to as OEO) and the Department of Labor (hereinafter referred to as DOL).

Whereas, the OEO has statutory authority under Section 222(a) of the Economic Opportunity Act of 1964, as Amended, to conduct Opportunities Industrialization Centers (OIC) manpower training programs that provide a complete range of activities for underemployed and unemployed men and women, including the provision of complete prevocational and vocational training courses;

Whereas, the OEO has the statutory au-

thority under Section 602(h) of the Economic Opportunity Act of 1964, as Amended, to transfer to the DOL funds to carry out such OIC manpower training programs; and Whereas, the DOL has the statutory authority to accept this transfer of funds in order to carry out such programs.

Now therefore, it is mutually agreed as follows:

1. OEO hereby agrees to transfer to the Department of Labor no later than June 30, 1971, the sum of six million dollars (\$6,000,000). OEO agrees to submit to the DOL no later than June 25, 1971, a Form 1151 in order to effectuate this transfer.

2. The Department of Labor hereby agrees to enter into a contract for not less than \$6,000,000 with the OIC National Institute of Philadelphia, Pennsylvania, no later than June 30, 1971, which contract shall provide that the OIC National Institute shall become prime sponsor during Fiscal Year 1972 for those OIC Programs listed in Appendix A, which is incorporated herein by reference.

3. Both OEO and DOL hereby agree to the terms and conditions of this transfer set forth in Appendix A, which terms and conditions may from time to time upon the agreement of both OEO and DOL be amended.

The agreement shall become effective as of the date first shown above, and shall remain in effect during all of Fiscal Year 1972.

ROBERT J. BROWN,  
Associate Manpower Administrator,  
Department of Labor.

WESLEY L. HJORNEVIK,  
Deputy Director, Office of  
Economic Opportunity.

MODEL CITIES

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. THOMPSON of Georgia. Mr. Speaker, I insert in the RECORD the last of a series of articles concerning model cities that recently appeared in the Atlanta Constitution:

PLAN, CITY DON'T MESH  
(By Duane Riner)

The Model Cities concept and Atlanta's weak mayor form of government with its multiplicity of aldermanic kingdoms simply haven't meshed.

When the Johnson administration gave birth to an ambitious new grant program back in 1966 and announced that it would train its big guns on social and economic problems and physical blight, it didn't take into account the pitfalls of Atlanta's archaic city government.

For instance, Chuck Straub, a Model Cities official in the Department of Housing and Urban Development (HUD), recalls the amazed reaction of his colleagues when they compared the difference between Atlanta's original application for a planning grant back in March of 1967 and the actual program submitted a year later.

"Quite frankly," he said, "we were surprised. Their application seemed to be far more to the point on problems than the program."

There's a ready explanation for the difference. The application was drawn up by a pair of men who were intimately aware of problems in the six neighborhoods that were to comprise Model Cities. The drafters of the application were former Mayor Ivan Allen Jr. and his top aide, Dan Sweat.

The application was completed in a flash because Allen wanted Atlanta to be among the first cities in the nation to take advantage of a promising new Great Society program.

But by the time the program itself emerged from the City Hall morass, it had the appearance of a jellyfish.

Allen says he had no doubt that "we were moving into an extremely difficult field" because changing social and economic patterns "is a damn difficult thing to do."

The former mayor presided over seven months of Model Cities' planning and organization stages before leaving office, and "as far as I was concerned we had made reasonably good progress."

Allen says he has followed Model Cities only as a private citizen since stepping down as mayor "but it looks like they're not making a great deal of progress."

Although Allen has left City Hall, Dan Sweat remains as chief administrative officer in Mayor Sam Massell's office.

He feels that time and the Nixon administration may be closing in on Model Cities.

"If Nixon gets reelected," Sweat predicts, "he's going to cut out every evidence of Great Society programs. That's when the mayor and Board of Aldermen will have to set priorities. The grantsman is on his way out."

It probably will happen before the 1972 presidential election, according to officials at HUD.

Whether or not Nixon's revenue-sharing plan is approved by Congress, HUD Secretary George Romney plans to lump a large number of grant programs into a money box labeled "community development" at the first of next year, and Model Cities will lose its identity, according to a HUD spokesman.

What happens to Atlanta's largely unsuccessful Model Cities program at that time is anybody's guess. After all, if it's no longer one of 500-odd federal grants available for plucking by local governments, the decision won't be so easy for Atlanta aldermen.

Dan Sweat put it succinctly: "When the decision comes down to whether or not to support day care projects in Summerhill versus cleaning up pollution of the Chattahoochee River, where do you think they're going to put the money?"

Sweat says he can only hope that the city's policymakers will recognize the "potential" of the Model Cities concept and that the pleas for money throughout the city for all types of projects won't result in all the federal money going for "other, more glamorous projects."

"In fairness to the aldermen, they have the tough job of making the final decision" on priorities once individual grants are out the window, Sweat declared.

"While history will probably record Model Cities as a failure here and nationwide," Sweat said, "I hope we'll be so far along on

housing, educational improvements and social services that the momentum will carry them to completion."

But Sweat readily acknowledges that Model Cities and Atlanta government are not made for each other.

"You have to do a lot of begging, cajoling and a helluva lot of praying. If I could just be a benevolent dictator, I could make things work. The buck's got to stop somewhere."

After four years and \$20 million invested in planning and action phases of the Atlanta Model Cities program, one of the few stellar successes has been one of the least costly.

The Greater Atlanta Arts Council received \$82,000 last year as one of Model Cities' operating agencies.

The council provided opportunities for 14,896 Model Cities residents to see plays, ballets, symphony performances, puppet shows and art exhibits.

Already this year, operating with an \$86,000 Model Cities grant, the council has offered visual and performing arts to 12,622 persons.

In its first year of operation in Model Cities, the council used none of its grant for administration, according to Mrs. Ralph Beck, its director.

"I wanted every cent of it to go into the program," she explained.

This year's emphasis is in seven schools where the council teaches the arts.

"I'm amazed at the talent we've been able to find. It has opened up whole new worlds to them," says Mrs. Beck.

She says principals tell her some disadvantaged pupils are motivated to come to school only on the one day a week when dance is being taught.

"I stay awake at night worrying that the money will end. I don't dare drop these kids after we've brought them this far," says Mrs. Beck.

Other private agencies are turning in similar performances on meager budgets.

Meanwhile, at Model Cities headquarters the payroll goes on. While Mrs. Beck's organization has \$86,000 for a full year, \$3,000 of which goes for administration, payroll records show that for two weeks in May, 65 Model Cities employes received \$20,854.22. Only 54 positions are authorized.

Model Cities executive director Johnny C. Johnson, who received \$801 for those two weeks, could not be reached to explain the discrepancy.

His office reported he had departed for a month-long vacation.

POLL OF THE SECOND CONGRESSIONAL DISTRICT

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. GROVER. Mr. Speaker, I am pleased to submit for publication the computerized totals and responses to my ninth annual questionnaire:

10,337 RESPONDENTS

Question	Responses	Percent	Question	Responses	Percent
1. Do you approve of:			2. Do you favor President Nixon's proposal to make the Federal Government more efficient and responsive to citizens by reorganizing the executive branch, abolishing 7 cabinet departments and creating 4 new ones in their place:		
(a) The President's Vietnamization of the Southeast Asian War.....	4,931	47.9	Yes.....	6,514	63.1
(b) Escalation to a military victory.....	1,037	10.1	No.....	1,059	10.3
(c) Immediate withdrawal of our forces.....	4,112	39.9	Undecided.....	2,536	24.6
No response.....	217	2.1	No response.....	219	2.1
Total.....	10,297		Total.....	10,328	

10,337 RESPONDENTS—Continued

Question	Responses	Percent	Question	Responses	Percent
<b>3. Do you support the over-all objective of the President's revenue-sharing proposal—to move Federal money and power closer to the people and to help relieve the fiscal crisis state and local governments face:</b>			<b>6. With regard to campaign spending, do you favor:</b>		
Yes.....	7,969	77.1	(a) Full disclosure of all donors and the amounts they have contributed:		
No.....	1,312	12.7	Yes.....	7,576	73.4
Undecided.....	825	8.0	No.....	929	9.0
No response.....	226	2.2	Undecided.....	356	3.4
Total.....	10,332		No response.....	1,465	14.2
<b>4. To fight pollution would you support:</b>			Total.....	10,326	
(a) Enactment of the President's \$10,000,000,000 clean water program:			(b) A maximum spending limitation placed on campaigns:		
Yes.....	6,028	58.4	Yes.....	7,963	77.1
No.....	1,312	12.7	No.....	863	8.4
Undecided.....	1,026	9.9	Undecided.....	283	2.7
No response.....	1,954	18.9	No response.....	1,223	11.8
Total.....	10,320		Total.....	10,332	
(b) Spending even more money and passing even stricter laws:			(c) Free and equal time on radio and television for all candidates for major elective offices:		
Yes.....	5,093	49.4	Yes.....	5,984	58.0
No.....	2,202	21.3	No.....	1,950	18.9
Undecided.....	891	8.6	Undecided.....	450	4.4
No response.....	2,129	20.6	No response.....	1,925	18.7
Total.....	10,315		Total.....	10,309	
(c) Requiring manufacturers to prevent pollution even if it means that they charge higher prices for their products:			(d) Having the Federal Government use tax revenues to pay for all major political campaigns:		
Yes.....	6,318	61.3	Yes.....	815	7.9
No.....	1,279	12.4	No.....	6,857	66.4
Undecided.....	611	5.9	Undecided.....	390	3.8
No response.....	2,092	20.3	No response.....	2,271	22.0
Total.....	10,300		Total.....	10,333	
(d) User fees and/or taxes on all polluters and users of water in order to fully finance Federal water pollution abatement:			<b>7. Do you favor compulsory arbitration of labor-management disputes in public services industries:</b>		
Yes.....	6,376	61.7	Yes.....	8,381	81.1
No.....	1,179	11.4	No.....	976	9.4
Undecided.....	820	7.9	Undecided.....	750	7.3
No response.....	1,952	18.9	No response.....	224	2.2
Total.....	10,327		Total.....	10,331	
<b>5. Do you favor lowering the voting age to 18 in State and local elections:</b>			<b>8. Based on our present knowledge of the effects of using marihuana—conflicting evidence as to whether it leads to use of hard drugs or whether it is harmful in itself, do you favor:</b>		
Yes.....	4,994	48.4	(a) Retaining present penalties for possession.....	5,627	54.7
No.....	4,858	47.0	(b) Reducing present penalties.....	2,780	27.0
Undecided.....	293	2.8	(c) Legalizing its use and possession.....	1,645	16.1
No response.....	183	1.8	No response.....	227	2.2
Total.....	10,328		Total.....	10,288	
<b>9. Do you favor:</b>			<b>9. Do you favor:</b>		
(a) Continuation of the welfare system in its present form.....	133	1.3	(a) Continuation of the welfare system in its present form.....	133	1.3
(b) President Nixon's proposal for a work incentive and job training program coupled with a guaranteed minimum income.....	6,175	60.2	(b) President Nixon's proposal for a work incentive and job training program coupled with a guaranteed minimum income.....	6,175	60.2
(c) Some other welfare reform proposal.....	3,789	36.9	(c) Some other welfare reform proposal.....	3,789	36.9
No response.....	168	1.6	No response.....	168	1.6
Total.....	10,265		Total.....	10,265	

If one compares the responses in 1970, it is interesting to note that support of the President's Vietnamization program continues and that those favoring immediate withdrawal appear to have gained support mostly from the ranks of those previously supporting escalation to a military victory.

1970 response: A. 49.6; B. 18.3; C. 27.1; D. 5.1.

A comparison of those favoring or opposing the 18-year-old vote is interesting:

In 1969 31 percent favored, 62 percent opposed; 1970 37 percent favored, 55 percent opposed; 1971 48.4 percent favored, 47 percent opposed.

My colleagues and constituents will also find interesting the broad support for revenue sharing, welfare reform, campaign spending controls, Government reorganization, and compulsory arbitration of public service industrial disputes.

With many legislatures, easing the penalties for possession of marihuana, the response of 54.7 percent opposing such changes is also most interesting.

**STATEMENT OF MR. NEIL SMITH BEFORE THE HOUSE COMMITTEE ON AGRICULTURE**

**HON. ED JONES**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. JONES of Tennessee. Mr. Speaker, the House Committee on Agriculture is currently conducting hearings on proposed farm credit legislation. Yesterday, my good friend Mr. Neil Smith, a farmer from Jackson, Tenn., testified before the committee in behalf of H.R. 8306.

Because I feel that his statement should be brought to the attention of the whole body, I insert in the RECORD at this point:

**STATEMENT OF NEIL G. SMITH**

Mr. Chairman and Representatives: I am Neil Smith from Jackson, which is the hub of West Tennessee. I am a full time farmer with 340 acres of cotton, corn and soybeans, plus about 80 acres of small grain. I annually finish around 300 hogs and maintain an 80 cow beef herd.

For 15 years I have used credit from the local Production Credit Association and have been a director for 7 years. Our local Board of Directors is made up of five farmers of which four derive all their income from farming. Some feel that this legislation is too liberal in credit policy, but with men like our Board, we can assure you of proper control.

By now you probably already know that I favor HR 8306. 1913 was the birth of our present law. A man by the name of Ford built a good car around that time. But since then, both our credit laws and our Ford Automobiles have had additions and alterations; however, most of us favor new legislation and a shiny new car.

Since 1957, I have purchased six separate tracts of farm land in a community where land doesn't change hands very often. Financing has come from every available source, starting with a Federal Land Bank loan on which I still have 24 years to go. Certainly the Federal Land Banks need a more liberal lending policy. Young farmers such as I was are very discouraged in having to give a first mortgage and only finance 50 percent of the cost.

I have farmed all my life of 41 years except for four years of college and two years in the U.S. Air Force. One thing about the proposed legislation interests me very much.

That is the opportunity to finance custom operators who specialize in doing certain operations for the farmer such as fertilizer application, spraying, seeding and defoliation by plane and combining grain. I own a two-row cotton picker and a large combine. To obtain efficiency with either, I must sell one of these machines real soon as it is impossible to run them both at the same time and often that is what needs doing. Also it is my feeling that the intermediate term credit policy of the Production Credit Associations should be lengthened due to the increased capital investments of farmers today.

My operation consists of myself and one full-time man. During the fall harvest season, part-time help is hard to find and that is the only time they are needed. If PCAs could finance the custom operator, it would relieve many harvest time pressures in our area. I honestly believe that custom operators will help insure the survival of family farms. My wife and I are rearing five children from ages 16 to 3. The three older children are a big help around the farm already. They spray and chop cotton, feed hogs, work cattle, mow grass and weeds and anything else they can safely do. I hope we don't turn them against this occupation because of the hard work. For the past three months, my working hours have run 12 to 14 hours a day, six days a week. I really don't enjoy working this hard. Well planned, reliable, strongly financed custom operators could relieve many of these conditions.

About a year ago, Federal Land Bank, Co-op and Production Credit Association directors and managers were mailed individually a survey which helped the Farm Credit Commission draft certain proposals in this Farm Credit Legislation. I participated and appreciated the opportunity to express myself.

I respectfully request your support of HR 8306 and appreciate the opportunity to appear before you today.

#### KEEP AMERICA FREE

### HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. PATTEN. Mr. Speaker, one of my talented constituents, Art Sutton, of Edison, N.J.—his professional name is Johnny D'arc—has written a new and moving song called "Keep America Free."

I have endorsed this inspiring song because I am impressed by its message and its music. It is my sincere desire that the song will help, in some small way, to get Americans to stop and think—get closer together again—and consider all they have—before they lose it.

Mr. Speaker, "Keep America Free" is produced by D'arc-Stone Productions and is directed by Layne Stone, of Staten Island, N.Y. The chorus consists of a 52-voice vocal group, The Troubadors, of New York and the narration—"The Statue"—is by Laine Sutton D'arc, a professional actress-singer, of Equity and SAG, New York.

As I mentioned earlier, the song was written by Art Sutton—Johnny D'arc—ASCAP, playwright-songwriter, and a former page in the House of Representatives, Washington, D.C. A graduate of Wayne State University, of Detroit, Mich., Mr. Sutton was a combat veteran of World War II, European Theater of

Operations, and is a member of several organizations, including the Veterans of Foreign Wars, American Legion, Loyal Order of Moose, Knights of Columbus, and ASCAP.

The distribution plans are twofold:

Through all veteran organizations, civic groups, military channels, and fraternal orders.

Recording, radio, television, and print media on a national basis.

The date for releasing the record is September 1, 1971.

Mr. Speaker, words of the song, "Keep America Free," follow and I hope the words and music will move my colleagues as much as they moved me:

#### KEEP AMERICA FREE

(By Johnny D'arc—Art Sutton)

(Opening)—(short verse, not part of song)

I hear America singing . . .

#### CHORUS

I see the face of God in the land I love  
I see the wings of a hawk and a dove  
I see the little people, just like me,  
Saying, "Keep America Free"  
I see the Pittsburgh steel and the Kansas wheat

I see the Statue of Liberty  
And all those little people, just like me,  
Saying, "Keep America Free."

Free from hunger, free from want

Free from misery

Free from the right wing

Free from the left wing

Free as the eagle flying free

I see the face of God in the land I love

I see the wings of a hawk and a dove

I see the little people, just like me,

Saying, "Keep America Free . . ."

Saying, "Keep America Free."

#### THE SNOWMOBILE

### HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. RUPPE. Mr. Speaker, one of the most interesting phenomena in American recreation in recent years has been the advent of the snowmobile. Thousands of Americans are enthusiastically taking up this winter sport, and the impact of snowmobiling is especially great in recreational areas such as my district in northern Michigan.

Because this sport does not appear to be a passing fad, I was especially pleased to note the foresighted address delivered by Mr. G. Douglas Hofe, Jr., Director of the Bureau of Recreation in the U.S. Department of the Interior, to the Snowmobile and Off-the-Road Vehicle Research Symposium at Michigan State University. Mr. Hofe has wisely pointed out some of the problems and potential solutions which must be considered as the use of snowmobiles and other offroad vehicles increases in recreational areas. I am pleased to insert his fine speech into the RECORD:

KEYNOTE ADDRESS BY G. DOUGLAS HOFE, JR.

Mr. Chairman, Honored Guests, Ladies and Gentlemen: From the standpoint of value, this symposium could not have come at a more opportune time. As many of you are aware, Secretary of the Interior Morton has recently directed the Bureau of Outdoor

Recreation to lead other Interior agencies in a broad policy review of the use of off-road recreation vehicles on public lands, including those lands administered by Interior and other Executive Departments.

The Department of the Interior is, in one sense, the Nation's Landlord. We administer through the Bureau of Land Management, National Park Service, Bureau of Sport Fisheries and Wildlife and Bureau of Reclamation over a half-billion acres of publicly-owned lands.

Because of their location and general recreation desirability, we are experiencing heavy off-road recreational vehicle use. On Bureau of Land Management lands alone, we estimate there are currently over 1,000,000 motorcycles in use; over 700,000 pickup trucks; over 600,000 four-wheel drive vehicles; 80,000 snowmobiles; and about 50,000 dune buggies. The Bureau estimates that of 39 million visitor days annually, 7 million involve off-road recreation vehicles.

To a lesser degree, but with perhaps more serious results, similar use exists within national park and recreation areas, wildlife refuges and even on Indian lands.

The goal of the task force being led by BOR is to examine current practices and needs, and to develop a generalized management plan to assure an optimum of recreation opportunity and a minimum of environmental conflict.

In our deliberations about snowmobiles, dune buggies, all-terrain vehicles, motorcycles and scooters, we must remember to recognize that no one group has a pre-emptive right to the rural landscape. The needs for off-road recreational vehicles must be recognized, planned for by administrators, and integrated with other equally valid needs for recreational use of the rural, and urban landscape. Needless to say, development and production of these vehicles have moved faster than our regulatory and legislative machinery.

During our studies we will actively seek the views of all interests, including industry, public and private sources, and we will draw upon the results of your present and future research efforts. Our study will necessarily require the cooperation of all to seek to cope with the dynamic impact of these new recreation vehicles. I might add that the public response to the Secretary's announcement of our study has been overwhelmingly in support of the need for it and for some type of controls over certain vehicle uses. This is clear to anyone who has reviewed the past history of these vehicles.

In only a matter of a few years this relatively new form of recreation has attracted a large and ever increasing number of participants. Any doubt you may have about the activity's popularity is immediately erased by a quick look at the facts—620,000 snowmobiles alone sold this past winter—bringing the total to more than 1.5 million snowmobiles now in use—not to mention the existence of 50,000 all-terrain vehicles, or ATV's another member of the off-road vehicle family.

We recognize, as I am sure you do, that recreational vehicles have many legitimate uses. The major use is, of course, for outdoor recreation. Other types of uses include search and rescue operations, law enforcement, wildlife management and resource oriented uses.

The popularity of this new activity came about not because it was a new "here today—gone tomorrow" fad, but rather because in one package it offered the American public a new form of recreational transportation. To the snowmobiler the machines are a means for utilizing leisure time during the winter months. For users of other types of off-road vehicles this is a new travel dimension added to their normal recreation pursuits. To the Federal, state, and local land managing agencies, the "boom" represents a greater utili-

zation of public lands for recreation. There are also economic values of obvious interest to Federal agencies. The Upper Great Lakes Regional Commission, for example, is a State and Federal organization directly concerned with the economic development of parts of Minnesota, Wisconsin, and Michigan; the Commission's boundary coincides geographically with the major midwest snow-belt. Snowmobile activities have enhanced these areas economically and will undoubtedly continue to do so.

The proliferation of snowmobiles and other off-road vehicles has provided some positive social and economic benefits, but problems have also occurred. I do not believe, however, that these problems are insurmountable. My lack of pessimism stems from the fact that early efforts to resolve the problems have met some success. In particular, during the past four years the Bureau of Outdoor Recreation, through its Lake Central and Northeast regional offices, has sponsored and participated in a number of snowmobile meetings and conferences which brought together U.S. and Canadian representatives from public, and private organizations to define and solve problems. From these meetings a wide range of concepts and information evolved. Though they dealt primarily with the snowmobile, there were many correlations to all forms of off-road recreation vehicles which I feel must be fully understood if we are to answer the question "... where do we go from here?"

The first order of business during this early stage was to define the real and the alleged problem areas. After itemizing our concerns, it became apparent they could be categorized under four main headings, allowing in some instances for overlaps. The four broad areas of concern were:

1. Environmental impact
2. Conflict with other recreation and land use activities
3. Safety of the participant
4. Legal and enforcement problems

It will be helpful, I think, to discuss some representative examples under each of these categories. Under environmental impact one could include: concern about the effect of snowmobiles on rare and endangered species of wildlife; the effect on wildlife in general; the effect on vegetative cover; litter problems; and soil damage under marginal snow conditions.

Conflict with other recreation and land use activities is manifested by: the noise, aesthetic, and resource damage complaints by various user groups; impulse buyers who expect to use their snowmobiles whenever and wherever they buy them; and the overall problem where extensive land areas needed for snowmobiling near population centers are either unavailable or are committed to other recreation activities and other land uses.

Under safety problems we must refer to: the number of fatalities and injuries which have resulted from collisions with automobiles; or drownings from breaking through ice-covered lakes and rivers. The novice urbanite snowmobiler, frequently unschooled in winter hazards, may find his safety threatened since, at 20 miles an hour he can suddenly suffer severe frostbite because of the wind-chill factor. There is also a large difference between leisurely walking a foot-path and safely controlling a snowmobile at 40 miles an hour.

Under legal and law enforcement problems, we should mention: the vandalism of previously inaccessible summer cabins; trespass and nuisance complaints; administrative problems in handling tort claims; illegal hunting practices; and administrative and monetary problems involved with law enforcement. We must also answer questions on what the restrictions should be. Who enforces law and regulations? What are the jurisdictional boundaries? How are costs of enforcement to be paid?—and above all, the

very difficult law enforcement problem of regulating a recreation vehicle which is extremely mobile and is adaptable to large areas of land without depending on established roads or trails. These were the defined problem areas—how did we attempt to resolve them?

To begin with, we were fortunate at the early meetings to gain widespread cooperation among the involved Federal, state, local, and private sectors. All parties willingly provided their expertise and agreed to be frank. As a result, one of the most important aspects of these meetings was the clear acknowledgment by all concerned, including manufacturers, that problems did exist and would occur in the future; and that resolution of the problems would require the constant cooperation of all to resolve them.

More than anything else, the first round of proposed solutions hinged on the voluntary efforts of snowmobile manufacturers and their customers. Snowmobile codes of ethics and safety were developed calling for the snowmobiler to conduct himself in a sportsman-like manner and not to abuse the natural resources. The safety code provided the operators with a check list of ways to prevent injuries. Both codes are being distributed to purchasers by members of the International Snowmobile Industry Association.

In the area of advertising, several public agencies requested the manufacturer to avoid the variety of TV and magazine advertisements which pictured a snowmobile and hopefully the driver launching through the air off a snowbank and which further described their product as a "... go anywhere—do anything—fun type machine." This request was prompted by a concern for the snowmobiler's safety and the realization that we should not add to our regulatory problems by implying to the participant that he was completely free to recreate solely as he saw fit. There has been general adherence to this request.

As the sport became more popular, snowmobile clubs and associations were established around the country. It is to the credit of these organizations that they acknowledged the problems and then took steps to promote proper conduct and self-policing of their activities. Because of their efforts they have prevented many inconsiderate operators from causing problems for the vast majority of responsible users.

One of the most promising areas is in coordinating the development of new trail and sign design concepts. One accomplishment has been acceptance and use of a standard trail marker by a significant number of Federal and state land managing agencies. The necessity for this sign concept becomes apparent when you realize that within a short period a snowmobiler can operate on Federal, state, municipal and private lands. Without a systematic manner of signing, complete confusion will result with a reduction in user safety and enforcement.

A major effort was made to establish guidelines for locating snowmobile trails where environmental and user conflicts would be at a minimum. In some instances we have found innovative uses of trails where summertime use is limited to foot or horseback riding while in the wintertime snowmobiles are welcomed. However, trails cannot solve all the problems. Even with maximum opportunity, some users will seek nontrail areas. It does appear, however, that a major portion of the owners will use designated trails if a large enough choice of well-designed and well-maintained trails can be provided. This is particularly true if these trails are located in area of minimum resource impact. The implication is clear that many problems can be reduced through adequate planning for snowmobilers as well as other recreation user groups.

I note, however, that in spite of the joint efforts of manufacturers, users, and public agencies, the problems continue. This then brings us to the present endeavor of this symposium—which I wholeheartedly support—and that is to focus attention on the need for unemotional, systematic research concerning the user and the environmental aspects of these recreation vehicles. The past efforts which I have discussed certainly do not constitute the basic type of research we need.

I would like to discuss a concept which is not new, but one which could form the framework and direction for your future research efforts. The basis of this concept relies on the structuring of outdoor recreation in this country as presented in the 1962 report of the Outdoor Recreation Resources Review Commission, and reiterated in the recent Public Land Law Review Commission Report. Specifically, both reports refer to the six classifications of recreational areas.

The six original categories were: high density recreation areas; general outdoor recreation areas; natural environment areas; unique natural areas; primitive areas; and historic and cultural sites. Obviously, these classifications can be expanded to twelve or eighteen, depending on how detailed one wishes to break them down. The six general classifications can also be regrouped into three general categories.

One of these categories would be the historical and archeological areas such as Gettysburg National Military Park, Lincoln's Birthplace, and Dinosaur National Monument. These areas are not set aside for mass recreation but to preserve our national heritage. Although many of these areas are not large in terms of acreage, they are of utmost importance. Once they have been destroyed, they are lost forever.

The second category is comprised of these areas we set aside to maintain some of our natural heritage. This category includes such areas as Grand Canyon, Yosemite, Redwoods; and areas to preserve endangered species. These units are extremely important.

The third category is primarily activity oriented, although not entirely so restricted. This includes national recreation areas, certain parts of the national forests and some areas of the public domain. Many of these areas, such as the NRA's, have natural attributes well above the ordinary in quality and recreation appeal. NRA's, as you know, contain both lands and activity-oriented developments to serve large numbers of users.

It is essential that you, as researchers, provide guidance for the land managers in the developments of meaningful land use plans. These plans should identify suitable types of areas for off-road recreation vehicles. We must also, at the same time, preserve the quality of the environment.

Environmental quality embraces many factors, but it is not difficult to fix responsibility for its preservation. It rests with all of us. It is clear that the greatest responsibility rests with the individual. However, the concept of recreational zoning may offer opportunities for minimizing conflicting interests, improving the quality of winter-time recreation on public as well as private lands, and at the same time, providing the mechanism for developing and maintaining a quality environment. Herein lies the responsibility of the researcher. Your work in developing conceptual guidelines is essential to the planning and managing agencies.

In summary, there are many concerned conservationists, and recreationists aware of not only the problems of off-road vehicles, but the challenges, too.

Many of the problems will be resolved by those most directly affected—the manufacturers and their customers.

Manufacturers will, I feel certain, assist by making their machines less offensive to Nature. They have some public relations and

image problems now—and they know it. Their customers—the users—must help themselves, too. They must learn safety and courtesy to other users of the outdoors.

At all levels of recreation—Federal, state, county and community and certainly in the private sector—concerned persons and groups are mounting programs to ensure that off-road vehicle users receive equitable treatment, as is our goal for all users of the public lands.

In four simple words: "We must work together."

I know we will work together.

THE WARREN, OHIO, JUNIOR  
MILITARY BAND

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. CARNEY. Mr. Speaker, it was a great pleasure to invite my colleagues and their staff members, to hear a concert by the Warren Junior Military Band at 11:30 a.m. today, on the House steps of the Capitol. This group, consisting of approximately 114 young people, under the very able direction of Mr. Donald W. Hurrelbrink, are on tour as goodwill representatives of the 19th Congressional District of Ohio.

Organized in 1927, for the advancement of youth through music, it is an honor to list their outstanding record of achievement:

Was personally acknowledged by President Hoover in the 1929 inauguration parade.

The only band of its kind invited to play at the Chicago World's Fair, 1933.

Played at the Canadian Nation Exhibition as coartists with the U.S. Navy Band in 1937.

Has played in the Hollywood Bowl, the Orange Bowl, the Rubber Bowl, and the Cotton Bowl.

The only band to be invited to Chautauqua, N.Y., for a third scheduled appearance.

Played in Akron, Ohio, with the 1st Division U.S. Army Band as coartists for the National Soap Box Derby in 1954.

Has played in the Los Angeles Coliseum; Soldier's Field, Chicago; Briggs Stadium, Detroit; Cleveland Stadium; Roosevelt Stadium, Jersey City; Milwaukee Stadium; Harvard Stadium; University of Denver Stadium; University of Minnesota Stadium; Loyola Stadium, New Orleans; Jordan Conservatory of Music, Boston; Boston Conservatory of Music and Symphony Hall, Boston.

Received the greatest ovation of its history following the concert at Expo '67. Shouts of "Bravo! Bravo!" rang out from the overwhelmed and enthusiastic audience as the band rose nine times to acknowledge this approval.

In 1954 national competition at Philadelphia, it won the most colorful marching unit in the parade award against approximately 75 other marching units.

Received a standing ovation when leaving the field from 84,587 baseball

fans at the Cleveland-New York double-header on September 12, 1954.

Chosen as the official band to greet Richard Nixon at the 1960 VFW National Convention in Detroit.

In 1962 national competition at Minneapolis, it won the trophy for the most outstanding unit in the parade against over 100 competing units.

Presented concert and drill on July 21-22, 1964 at New York World's Fair. Played return engagements in 1965.

Official band at Ohio Republican State Convention in Columbus in 1966. Soloist with the band was Miss Ohio 1966, Miss Sharon Phillian.

Played concerts on July 4, 1966 at Chautauqua Institute, Chautauqua, N.Y.

Invited by the U.S. Government State Department to perform at Montreal, Canada, at the Universal and International Exhibition of 1967, as a representative of the United States of America. Played return engagement in 1968 at request of mayor of Montreal.

In 1969: 20-day, six country tour of Europe.

In 1970: Cincinnati, Drummers State Competition.

In 1970: February, band featured in "Wonderful World of Ohio."

Today's concert was a most enjoyable—and memorable—event. The Members of the Band, most of whom were present for the concert, are—

Color guard: Janet Keffer, captain; JoAnne Caniglia, Maxine Lunn, Joanne Zufall, Rebecca Smith, Beth Behner.

Flute: Maxine Lunn, Virginia Smith, Marlon Kopnisky, Sue Frank, Laura Powell, Susan Caniglia, Janice Hernan, Carol Brdek, Charyl Rossler, Cheryl Jones, Jayne Dahman, Sandra Davis.

Bb clarinet: Michelle Munger, Robert Morris, Pamela Batt, Larry Gessner, Stanley Gregory, Gary Gault, Sharon Knight, Martina Donko, JoAnne Caniglia, Stephanie Prox, Patricia Harkabus, Diane May, Darlene Wilson, Joyce Billock, Linda DeZee, Martin Lynch, Cynthia Majovsky, Catherine Potter, Eric Andrews, Ronald Wean.

Oboe: Rebecca Smith, Rita Orr, Roger McKinney.

Alto clarinet: Joy Drass, Cynthia Stone, Linda Jones.

Bass clarinet: Janette Frederick, Linda Hafner.

Bassoon: Pamela Potter.

Alto saxophone: Joanne Zufall, Pamela Davis, Beth Behner, Diane Franklin, Nick Madved, Glen Prox, Robert Davey, Nadine Donko.

Tenor saxophone: Thomas Gilmore, Michael Komsa, Bonnie Oblinger.

Baritone saxophone: Raymond Knight.

Cornet and trumpet: James Grinta, Norbert Holdash, Thomas Anderson, Kevin Cera, Joan Oblinger, Robert Whetson, Warren Wilmoth, Paul Larsen, Robert Parilla, Paul Dahman, Fred Muccio, Joseph Svarny, Edward Bernard, Linda Andrews.

French horn: Richard Goist, Sarah Glines, Kay Leonhart, James Hurst, Janet Keffer, Holly Jones, Marsha Hafner, Bradley Bickel, Robert Goist.

Flag line: Joy Drass, Cynthia Stone, Janette Frederick, Joyce Roth, Patricia Harkabus, Holly Jones.

Baritone horn: Sue Larsen, Erna Jones, Sheryl Timko.

Trombone: Robert Williams, Kenneth Davis, Joyce Roth, David Wedekind, Mitchel Sullivan, Glenn Franklin, Neil Thomas, Randy Wean.

Bass horn: Jeffrey Harris, George Brdek, Ronald Smith, David Terry, Eric Hamilton.

Percussion: James Gault, Ronald Prokop, Thomas Dankovich, Fred Morris, James Cunningham, Bruce Cooper, Ronald Deiger, Timothy Reigelman, Joseph Costarella, Joseph Malvasia.

The biography of the director, Donald W. Hurrelbrink, is most impressive. His leadership and dedication to the band for the past 41 years is greatly represented in their record of achievement.

The biography follows:

When you see the Warren Junior Military Band march by, and hear "Stars and Stripes Forever" or "America" you get a lump in your throat and increased pride in your country and your young people. In the background, letting the boys and girls take the glory, is the man who has been director of the organization 41 years since 1930.

Hurrelbrink, "Mr. Music" was born in Toledo, a son of William and Emma Fork Hurrelbrink. He attended the Toledo schools, and started his musical career playing the violin and French Horn at the age of 12, was a member of the band and orchestra in high school. He began his advanced musical education at Dana's Musical Institute of Warren where he studied Violin and French Horn with Charles Lowry, Ross Hickernall and Lynn Dana.

From there he attended the Cincinnati Conservatory of Music, where he studied French Horn with Max Hess, first horn of the Cincinnati Symphony.

With a bachelor's and master's degree, he took additional work with Wendell Hoss, first horn player with the Cleveland Symphony Orchestra. For a year he traveled on the famous Redpath circuit.

Tired of travel, in 1930, he joined the public school music system of Trumbull County, serving 10 years at Mineral Ridge, where he became famous for the quality of his work. For the past 20 years he has been director of music at the Austintown Fitch High School.

He has a musical family. His wife, Gertrude, who passed away in 1968, was a pianist. She was a dedicated band member, who will always be lovingly remembered by all the Parents and Band Members for her devotion to the band. His daughters, Mrs. Donna Pate, and Janne Hurrelbrink, who is her father's "girl Friday" played flute, piccolo and bassoon.

He is a member of the AEA, NEA, NEOTA, OEA, Warren Musicians Union and All-American Judges Association. Membership in this All-American Judges Association is only by written examination and is rated a high honor among musicians.

He lives at 1115 Perkinswood Ave., Warren. Now and then he has a few hours to himself when he's likely to be listening to music that his Band might play, studying something of benefit to his boys and girls in the Fitch Band and the Warren Junior Military Band, for music is his life.

The Warren Jr. Military Band has achieved many honors thus far—and I can say with confidence—it is only the beginning.

THE BIG ONE THAT FINALLY GOT  
AWAY

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. BEGICH. Mr. Speaker, two young Alaskans recently got the ride of their

lives on board a whale they estimated to be 50- to 60-foot long. Bob and Dave Williams, teenage brothers from Kodiak, started out for a brief journey on their 25-foot skiff and ended up being lifted into the air and taken for a swift ride across the surface by the huge mammal.

In the true Alaskan spirit of outdoorsmanship and adventure, these boys rode out the crisis and returned to tell their story.

The Kodiak Mirror, one of Alaskan finest newspapers, published a story recounting the details of this existing adventure. I am certain that my colleagues in the House of Representatives will find their story most interesting:

#### KODIAK BOYS RIDE ATOP 60-FOOT WHALE

Whale of a tale!—Two Kodiak boys can tell you of a tale about the big fish that got away from them last weekend—and how glad they were that it did! Few boys in the world, if any at all in fact, can claim to have rode the back of a monstrous great whale—but 16-year-old Bob Williams and his younger brother, 14-year-old Dave, returned to town Friday afternoon safe and sound—though still a bit shakey and shook—after a huge whale surfaced under their 25-foot skiff and took the goggle-eyed, terrified brothers who were clinging desperately to the skiff which was tilted at about a 45 degree angle, on a quick trip up into the air and racing along the surface of the sea atop the behemoth—a whale they estimated to be between 50 and 60 feet long. Understandably they do not recall too clearly or coherently the sequence of the events following—excepting they recall that they were bumped on the side by another whale hard enough to knock the younger boy to his knees in the bottom of the skiff—and that the skiff, powered by a 50hp outboard, was finally facing the opposite direction. And they wasted no time in speeding in great haste out of the turbulent whale-agitated area! The boys, who had been out checking their commercial halibut fishing gear in the Chiniak Bay entrance to Woody Island Channel, say that had they been in a smaller boat, it would have surely overturned several times while they were in the midst of the group of huge whales. The two sturdy, handsome lads are, for their age and like many Kodiak boys, relatively experienced boatmen, having fished with their father for salmon in the Cook Inlet area for at least four years. While they freely admit they were terrified at their experience with the whales Friday, the boys are knowledgeable enough about the sea and about whales to understand that it was a most unusual occurrence and quite unlikely to happen ever again—at least to them. Their years of fishing with their father and mother, Mr. and Mrs. Rex Williams, have engrained them with a sensible and healthy appreciation for the vagaries of the ocean. The boys said they had noticed the pod of whales circling around Chiniak Bay area for a number of days. They noted that they were not the killer whales, which, rightly or wrongly, still send chills up any fisherman's back if they ever come very close to their craft—especially if they happen to be in a skiff! Like any skookum, healthy, adventurous-minded boys, Bob and Dave are sorta glad they had this thrilling and awesome experience—but they would be just as glad if it never ever happened again as long as they live! We sort of envy them really—who in the world can top a conversation beginning, "Now back in '71 when me and my brother rode the back of a 60-foot long whale out in the open ocean..."

### CONCERN FOR OUR RETURNING VIETNAM VETERANS

HON. W. C. (DAN) DANIEL  
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DANIEL of Virginia. Mr. Speaker, on July 18, John L. Gayle, of Richmond, Va., was elected department commander of the American Legion at its convention held in Norfolk. The preponderance of Commander Gayle's remarks upon accepting this honor reflects his concern for the returning GI from the Vietnam war. He emphasized the importance of job opportunities for these men. Indeed, Mr. Speaker, those who fight our country's wars are entitled to the same rung on the economic ladder that they would have attained had they not gone off to war.

Commander Gayle suggested that one of the problems facing our returning veterans is the image which has been created for them by the national and international press. These men have been cast in the role of murderers, sadists and dope addicts by that segment of the press. And what is the result? It has made it more difficult for them to readjust to civilian life. When the veteran seeks a job, he is looked upon with suspicion. As one veteran said just last week:

The big play now is that every veteran is either a war monger, a dope addict, or an alcoholic. They (the employers) look at you and seem to be thinking "Does he have a grenade in his pocket, or a needle, or a bottle of pills?"

This is a most unfortunate situation that these men find themselves in, and they deserve better; they deserve the assistance of all Americans.

I cannot help but be reminded time and again, of Rudyard Kipling's lines:

For it's Tommy this, an' Tommy that, an' "Chuck him out, the brute!"  
But it's "Savior of 'is country" when the guns begin to shoot

It was another time and another war, but sadly the sentiments expressed remain.

Hopefully, Mr. Speaker, the Members will take the time to read the remarks of Commander Gayle, which I respectfully request be inserted in the RECORD:

#### REMARKS BY COMMANDER GAYLE

Commander Powell, Fellow Legionnaires, I stand before you with a sense of deep humility and pride—humility in the wake of those great Legionnaires who have stood here before me; pride in the reflection that our organization represents patriotism, and dedication to God and Country in the highest form. Called upon to undertake the duties of commander of the American Legion, Department of Virginia, I want to use a moment to express to the Legionnaires assembled here, my grateful thanks for the position you have bestowed upon me; to tell you that I approach the coming year with a sincere consciousness that the task is above my talents without the continued support and backing of every one of you.

Your zeal, wisdom, guidance and support

are an absolute necessity for a successful year for the Department of Virginia.

In this day of personal happiness, I have one deep regret. The man who brought me into the Legion, my most loyal supporter and friend of forty-eight years, who enjoyed thinking of this day even more than I, is not here today. My Dad, a Legionnaire for fifty-one years, died April 9th.

We look back for inspiration, to our history and traditions for meaning, to the goodness and support of friends for guidance. But never must we let the failures of yesterday discourage us from the goals of today and tomorrow. Nor should we permit regrets to take the place of dreams.

Dreams do not become reality unless there is a plan and the necessary labor to implement them. The dreams for the coming year are becoming plans and with our work will be the goals for the coming year of 1971-1972.

We must apply new energies and thoughts to carry out existing youth programs on Americanism, the Oratorical contest, Junior Baseball and other excellent programs supported by the Legion in the past. We must continue our hospital visitation work, and especially our efforts to obtain a new Veterans' Administration Hospital in Richmond, at the present McGuire site.

The Prisoner of War program deserves our continued support—and I pray that this year there will be success.

Our new program must be directed to the returning veteran of today. The American Legion was organized to help the returning veteran of World War I. These veterans then helped the returning veteran of World War II and in turn the Korean Veterans were given aid. Our foremost obligation for the coming year is to extend our hands, minds and hearts to the returning Viet Nam Veterans.

When most of us returned home from service, we returned to a country that had shared our service with us, the then vocal majority had hoped and prayed for victory—the civilian population had contributed to the war effort by long hours of work, rationing and volunteer work. But today the vast majority of the population is unaffected by the warfare in Viet Nam. The Veteran today returns to uncertainty—seldom a hero's welcome, often pity or indifference. Because of the news media's treatment of the Viet Nam struggle perhaps a suspicion as to violence, cruelty or drug abuse in his immediate background.

Some 99 44/100 per cent of these veterans should be welcomed home as heroes. Many have risked their lives under conditions far worse than any we have ever known. They offered their lives without the knowledge their countrymen were supporting them at home. They have indeed occupied a unique position in our history.

Individual Posts, and the Districts must organize welcome home committees. The Posts must organize to reach each returning veteran, to make sure he knows the benefits to which he is entitled. Your Department Commander will write to each such veteran extending the Legion's hand on the state level, but the individual posts must be the effective tool to reach out.

Above all—these returning veterans are entitled to a place in society, a place to work, a job opportunity. Thousands of young men are leaving the service each month and they are entitled to work. You will be called upon to set up local task forces in your communities to put the new veterans in contact with potential employers, to make the new veteran and employers aware of the state aids, to make potential employers aware of the federal assistance available for training purposes. The result of this program will be:

To make the public and especially employers aware of the urgent need of returning veterans for adequate employment.

To provide the means to bring the job hunting veteran directly in contact with potential employers.

To steer, advise and assist veterans who lack needed skills or education to a training program that will prepare them for a satisfying job.

Verbal tribute does not really help these veterans. They need money and jobs. Providing them now is likely to be far less costly than paying the cost of our indifference later.

The Legion's motto this year is again, "Reach Out—Reach Out '72". Let each of us reach out with a little more enthusiasm, dedication and effort to have a great year. When you leave today I ask that you carry with you the thoughts expressed in this quotation from a great American.

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations". Abraham Lincoln.

#### AN EARLY START FOR CHILDREN WITH HEARING LOSS

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MAZZOLI. Mr. Speaker, James R. Martin, executive director of Kentucky Parents of Children with Communication disorders, has brought to my attention a fine program of the Kentucky Easter Seal Society for Crippled Children and Adults to help children with hearing impairments.

The program, begun early this year with funds from the Easter Seal Society and the WHAS Crusade for Children, helps very young children with hearing impairments adjust to the world around them with the use of hearing aids. With the help of Mrs. Nancy Chill, audiologist in the program, parents are shown how to make sure their children have every chance to develop their abilities in spite of their hearing handicap.

Mr. Speaker, this program, the demonstration program of home training for parents of preschool children with hearing impairments is the result of dedicated effort on the part of many people in the community to help those with communication disorders live happy, productive, and normal lives. For this they deserve our thanks and recognition.

I would like to insert in the RECORD at this point the text of a recent article by Sally Bly in the Louisville Times about this program:

#### CHILD WITH HEARING LOSS NEEDS EARLY TREATMENT

(By Sally Bly)

Sounds . . . the swoosh of water running in the sink, the ping of water sprayed against a hubcap. . . Sounds that are so commonplace most persons tune them out.

But for some families, every sound brings a response.

When 18-month-old Christopher Thompson bangs on the tray of his high chair, his mother's hands fly to her ears—"Ooooh, I heard that."

When Maurice Raymer gets ready to wash the car, he makes a big production of tearing the rag in half for his son Danny, 2½.

"Do you hear that, Danny?"

Danny and Christopher have severe hearing losses.

Each was diagnosed when he was about a year old and each now wears stereo hearing aids strapped to his chest. It is hoped that by getting hearing aids while they are young, the children won't miss out on the important language development stage.

Their parents are learning to help the youngsters focus on sounds, to discriminate differences in sounds, through a program of the Kentucky Easter Seal Society for Crippled Children and Adults, Inc.

The program, which has the cumbersome title of Demonstration Program of Home Training of Parents of Preschool Children with Hearing Impairments, involves comprehensive testing and home visits by an audiologist every other week. The audiologist, Mrs. Nancy Chill, has been making the home visits since January when the program was started with a \$7,800 grant from the WHAS Crusade for Children and \$11,760 from the Easter Seal Society.

A child is lent hearing aids until tests determine whether he has more residual hearing in one ear than the other and whether there are particular ranges of sounds he hears more acutely than others. Tests usually are conducted on children as young as 8 months, but can be done earlier.

When he first puts on the hearing aid the child has the "listening age" of a newborn infant. He's missed his mother's cooing, the splashing of his bath water, the jingle or rattle of toys.

But these things aren't always easily apparent. For example, one reason Mrs. Thompson didn't suspect anything was that he always turned around when she entered his room. Apparently he was reacting to visual signals or, perhaps, the vibrations on the floor.

"Now we notice things that we didn't realize until we found out; for example, he was slow to smile," Mrs. Thompson said.

Now, "Christopher does respond to speech, Mrs. Chill said. "Whether what he hears is distorted or not, we don't know."

When Mrs. Chill visits the seven families in the program, she observes them going through a routine task to see how they can better help the child. The important thing is to put a word to everything they do.

"He's got quite a bit of catching up to do," Mrs. Chill told Mrs. Thompson. Christopher missed "a whole year of hearing and understanding" that a child of normal hearing would have, she said.

On a recent visit, Mrs. Thompson and Christopher polished his shoes and had lunch. Keeping Christopher close to her, so her mouth would be close to his hearing aid, she drew his attention to every action, opening and closing a door several times, running water in the sink, letting him feel it was wet, all the time talking a blue streak.

#### BROTHER HELPS INFANT

Christopher's 4-year-old brother, Tommy, seems to understand that Christopher needs extra help with words, Mrs. Thompson said. When they play together, Tommy will say, "See the ball, Christopher? Do you want the ball, Christopher? Throw the ball, Christopher."

A child has to hear and understand a word 60 times before he will use it spontaneously, Mrs. Chill said, so repetition is vital, as is keeping the child's attention on the sound or word.

Mrs. Chill leaves "homework" with the parents between visits, instructing them to

work on particular sounds and to keep charts of sounds the child has made and sounds he's responded to.

"The biggest job is to make him aware of sounds," Mrs. Chill said to Mrs. Thompson. "I would have been more animated when you responded to sounds—"Ooooh, I heard that," she mimicked, rolling her eyes. "Exaggerated faces and funny voices get children's attention quicker."

"Several times while you were polishing his shoes the dog barked and he looked up, but you didn't call attention to it. And imitate us," Mrs. Thompson finished the sentence. . . . because that makes him want to imitate us," Mrs. Thompson finished the sentence.

Mrs. Thompson reported that Christopher sometimes seems to notice music on the record player but sometimes seems to tune it out. "Keep working on it," Mrs. Chill said. "Play fast and slow music. We want him to hear music and rhythm because that's how we talk."

After visiting the Thompsons, Mrs. Chill went to see Mr. and Mrs. Maurice Raymer and Danny, who that day was to wash the car with his father.

"We include the fathers as much as possible," Mrs. Chill said. "This is also a good example that a working mother doesn't hinder the child's progress. It's the quality of time a mother spends with the child more than the quantity. Mrs. Raymer's one of my best talkers."

The Raymers' pediatrician recommended having Danny's hearing tested when he was about a year old, suspecting there could be problems because Mrs. Raymer had had rubella early in pregnancy.

(Rubella is the apparent cause of the hearing impairment in three of the seven children she's working with, Mrs. Chill said.)

One specialist told the Raymers that Danny was too young to start working with on hearing, but they weren't satisfied with that and went to the Easter Seal Society for help. Before the new program began they worked with a therapist at the Easter Seal building, but "we had trouble keeping Danny's attention," Mrs. Raymer said. "He's more interested and attentive where he's relaxed."

Danny's vocabulary now consists of 16 words, and "I believe he's understanding more (words)," but he's not saying them, Mrs. Raymer said.

With gestures, Danny asked for something to drink. "What do you want, Danny? Do you want milk?"

"Be careful about testing him," Mrs. Chill warned. "He may associate 'milk' with that white stuff he drinks, but understanding questions like what, where, who—that's way up the scale of language. He may not even understand the question."

Like the Thompsons, the Raymers have learned to use every occasion as a teaching aid, whether it's a boat show or a tiny garden plot—"I must have dug up that little patch of ground 15 times," Raymer said.

Washing the car gave all kinds of new opportunities for words and sounds—the water hitting the car, the "squish" of wringing out a rag. Raymer wiped the car, "round and round, round and round," and Danny imitated him "'ound and 'ound."

There's a temptation to treat the hearing-impaired child as someone special—he does need special help, but "he's a child first, a hearing-impaired child second," Mrs. Chill said. As he grows he must learn that he is not the ruler of the house. He must also learn that his impairment is not a handicap to be ashamed of.

Mr. and Mrs. James R. Martin, whose 4-year-old son, Jimmy, is older than Christopher and Danny, have learned that it's hard to protect the child.

"When you take Jimmy out any place,

someone will say, 'Oh, the poor thing,' Martin said. "That happened in a supermarket once and the woman said, in front of Jimmy, 'Is he deaf?' I just said to Jimmy, 'Show her your hearing aid,' and he did."

"The normal reaction of people is to stop talking to the child because he's deaf," Mrs. Martin said.

Jimmy was also a victim of rubella and his mother was alert to all the problems rubella can cause, but "hearing was one thing I knew wasn't wrong with him, because he could hear some sounds," like a door closing or a hand clap. But the normal range of speech was inaudible to Jimmy. He was a year old when they discovered he was deaf.

At the time, there was no help here for such a child, so the Martins, including their two older children, traveled to Nashville, Tenn., to the Bill Wilkerson Hearing and Speech Center, to learn how to help Jimmy learn to speak. For a year and a half, the Martins went to Nashville every week for three days. Now they go only three times a year.

Jimmy is now attending a preschool where he is the only child with hearing aids. Tests show that his comprehension of language is in the normal range for children with normal hearing, but Mrs. Martin thinks he might be a little behind in speech.

"But if we'd waited until he was 4, he'd be four years behind," she said.

The Martins were instrumental in forming the Kentucky Parents of Children with Communication Disorders, which now has 300 members. Martin is executive director.

During the last Kentucky Legislature the KPCCD successfully lobbied for bills to set up a task force on exceptional children and to change the ages at which children are eligible for state-funded programs to include those from birth to 21.

The KPCCD also tries to focus attention on early testing and treatment for hearing problems.

"It's a hidden handicap," Mrs. Martin said. "Pediatricians should be more aware of how easily and how early testing can be done."

Martin said they had talked to many parents who were upset because hearing loss had not been discovered early or who, when they complained to a physician about the child's not talking at the proper age, were told such things as, "He's just stubborn."

But with early help a child could overcome the lag. Jimmy will attend regular schools with hearing children—except, "I think we've developed another exceptionality," Martin said happily. "We think he's gifted."

#### SOVIET BOOSTS MILITARY AID TO CRUSH SUDANESE REBELS

**HON. RICHARD H. ICHORD**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ICHORD. Mr. Speaker, for those who cling to the belief that the Soviet Union is moderating and mellowing in its eagerness for world revolution, a report from the Baltimore Sunpapers' correspondent in Africa should be unsettling, to say the least.

Correspondent Russell Warren Howe—in the Baltimore Sun for Tuesday, July 6, 1971—writes from Addis Ababa, Ethiopia, that the Soviets have expanded their military advisory groups in the Sudan and an all-out effort to "crush the black secessionist movement in the south of that Arab country."

For much longer than the Nigerian civil war, the fighting in the Sudan—according to the United Nations—amounted to virtual genocide as the Arab Government in Khartoum seeks to destroy the rebellious black tribes in the southern part of the country. It is as much a holy war as it is a political struggle since the Arabs are Mohammedans and the blacks are either Christian or pagan and the Arabs want to foist Islam on the southern tribes.

Now we are advised by the Sunpapers that the Soviets are actively engaged in helping the Khartoum regime. It should be recalled that the Kremlin greatly assisted the Nigerian Government in putting down the Biafran revolt so that today Moscow has a strong voice in the decisionmaking in Nigeria's capital of Lagos. Who are the imperialists?

I now would like to insert in the RECORD the latest account regarding the Sudan and Soviet involvement:

#### SOVIET BOOSTS MILITARY AID TO CRUSH SUDANESE REBELS

(By Russell Warren Howe)

Addis Ababa, Ethiopia—The Soviet Union has expanded its military advisory groups in the Sudan in an all-out effort to crush the black secessionist movement in the south of that Arab country, usually well-informed sources say.

Under two key Soviet defense advisers, Youry Moukhine and Pavel Poliakov, over 100 Russian intelligence staff members and about 1,000 field "advisers," including gunship pilots, reportedly have been brought into the Sudanese forces.

#### END TO AID ASKED

At the same time, Gen. Gaafar al-Numairy, leader of the country's military government, is making a special effort to get neighboring countries to drop even moral support for the Anya-Nya—the secessionist movement.

Agreement with Ethiopia was reached earlier this year. Now General al-Numairy is bidding for similar assurances from General Idi Amin Dada and General Joseph-Desire Mobutu, his counterparts in Uganda and the Congo.

The southern secessionists object to racial and religious discrimination by the country's ruling Arab, Muslim people of the north.

Officially, blacks number a third of the 13 million population, but most Khartoum embassies now put the figure at nearer half—despite a United Nations High Commission for Refugees estimate of 500,000 was casualties.

#### REPRESSIVE REACTION

The secession movement grew in the mid-Sixties when Khartoum reacted by forced Islamization, adult circumcision and Arabization of the English-speaking, Catholicized South. But now repression is counterbalanced by offers of some regional autonomy under the watchful eye of the Arab-officered Army.

The Army slowly is being expanded to about 50,000 men and given more sophisticated weapons, including Russian SAM-2 ground-to-air missiles, bought with the country's main export, long-staple cotton.

General al-Numairy's desire for diplomatic and military peace with his Christian neighbors-states reflects his problem of trying to win a civil war against Christians with Russian help while also trying to destroy the Sudanese communist movement.

He has banned several Marxist groups—including, theoretically, the Communist Party. Meanwhile, the Russians are building a naval harbor at Port Sudan that American specialists speculate will be the main Soviet naval base in the Indian Ocean area.

But diplomatic travelers from Khartoum also theorize that the growing Chinese presence in the Sudanese capital may indicate that General al-Numairy hopes to counterbalance Moscow by encouraging Peking.

The general's announced intention is to regiment the country's political activities into a single "socialist union," modeled on Egypt's ruling Arab Socialist Union. But popular dissent forced him to keep Sudan outside the nominal federation of Egypt, Libya and Syria.

The Sudanese Communists want a "national front" government of former parties, which they would hope to dominate.

#### NEW STRATEGY TO HALT DRUGS ON CAMPUS

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. BINGHAM. Mr. Speaker, one of the most distressing developments during the past years has been the proliferation of drugs on educational campuses across the country. A new strategy to cut down drug trafficking and use at schools is being devised by the Bronx Community College in the Bronx, N.Y. As described in the statement which follows, the BCC has organized a student-faculty drug patrol—members of the college community who stand watch to drive pushers off the campus grounds and pressure their fellow students to "kick the habit." The pressure has resulted in an estimated 90 percent decrease in drug use over about a 2-month period. Complementing peer influence is careful surveillance of involved students and a special program of counseling. Files of recalcitrant students are evaluated by a student-faculty committee to determine if any disciplinary process is necessary. Bronx Community College President James A. Colston is pleased with the progress of the program, and praised the "crucial and highly responsible role" of the students in this effort.

The college is seeking a Federal grant to continue and expand their action to curb drugs on campus. In the past, I have supported efforts to curb drug use among the youth of America and foster community understanding of the problem. I believe very strongly, the Federal Government should provide the assistance needed for progressive programs in this critical area.

The news item of antidrug strategy from Bronx Community College follows:  
NEW ANTI-DRUG STRATEGY AT BRONX COMMUNITY COLLEGE: GOOD EARLY RESULTS AND HOPE FOR THE FUTURE

A new anti-drug strategy at Bronx Community College has yielded such positive results during the just-concluded spring semester that the college administration is guardedly optimistic for the first time in three years that the on-campus drug problem may be finally minimized when regular classes resume in September.

Dr. James A. Colston, president of The City University unit, outlined the following successful strategy:

1. Reduce the drug problem to manage-

able proportions by a firm administration ultimatum to drug users and pushers;

2. Encourage students to take a leading role in formulating an anti-drug program;

3. Wait for heavy student involvement to generate effective peer group pressure against the drug culture;

4. Isolate the hard-core student users and sellers so that the college's resources can deal with their problems; and

5. Institute a special student-faculty enforcement and judicial mechanism to deal fairly and sternly with drug offenses on campus.

"Basic to our approach," Dr. Colston said, "has been the philosophy that the needs of individual students are best served by the resources available within and through the college community. But it's useless to help a student find his way out of the drug mess, if you are going to return him to a permissive drug environment that starts the vicious cycle all over again."

"Our first step was to eliminate the college as a safe 'haven' for drug activity," Dr. Colston continued. "We simply made it clear that since the college could not cope with massive law breaking, we would have to ask for outside enforcement help."

Faced with this threat and beefed-up security at all doors to college buildings, the non-student users and pushers retreated from the campus. According to the president, "this achieved the desired effect of isolating the hard core student drug users and sellers. Peer group pressure becomes much more effective under these circumstances."

"The next step was to create a student-faculty program of surveillance and a method for reporting drug activity," the president said. "At the end of the enforcement process the student is judged and offered a number of alternatives. The penalties for recalcitrant students or second offenders have to be tough if the strategy is to work."

"Our ultimate goal as educators," Dr. Colston concluded, "is to modify the student's behavior on campus so that it will not disrupt the educational process and to help him achieve the resolve to change his life style along more productive and personally rewarding lines."

#### POLICE ACTION THREATENED

The drug issue boiled to a head at the college three months ago on February 24 when President Colston summoned the college community to an emergency mass meeting. In declaring an all-out war on drugs, the president told a somber assembly that unless action were taken to decrease drug traffic within 12 days, there would be "no other recourse but to call in and sanction the use of law enforcement agencies to deal with the crucial drug problem by whatever means necessary to make this college community live up to and maintain its basic educational purpose."

The presidential mandate gave rise to an informal student-faculty coalition which proposed an action program calling for a student-run Drug Patrol for surveillance and gathering evidence and a Campus Committee on Drug Abuse with disciplinary powers. President Colston accepted and sanctioned the plan.

#### DRUG USE DOWN 90 PERCENT

Prof. Joseph Riley of the Chemistry Department, who has been working with the Drug Patrol, estimates that use of drugs on the campus has decreased 90 percent in the nine weeks since the anti-drug campaign began. This estimate is based on an informal survey by Prof. Riley of faculty and students active in the anti-drug campaign, and of others in a position to observe daily college areas known for heavy drug use.

Charles Minort, one of the student leaders of the Drug Patrol, explained some of the beliefs and procedures of the group: "What we try to do to the users is apply peer-pres-

sure," he said. "Most kids who use drugs are extremely insecure, and they do it in order to be accepted by their peers. But if their peers express disapproval and make them socially uncomfortable, they won't be so anxious to turn on."

Mr. Minort explained that another problem of the student drug users is that they lack direction. "We'd like to try to excite their interest in their studies and in stimulating extracurricular activities," he said.

#### PUSHERS HARASSED

Asked how, since the Drug Patrol has no police powers, they handle the pushers, Minort answered emphatically, "We harass them right off the campus. We know who they are, so we never let them out of our sight. We frustrate them. If a guy reaches into his pocket for some stuff to sell, one of us is right there to laugh in his face and say 'hi.'"

Mr. Minort feels that when pushers are exposed to the constant pressure and embarrassment of the Drug Patrol, their selling power is effectively curtailed. "They don't stop selling drugs, but at least they don't sell them on the BCC campus because we've laughed them right into the streets," he said.

If the Drug Patrol has created a campus atmosphere less congenial to the use of drugs, it has not been totally effective in dealing with sales, though reducing them dramatically. A student member of the patrol who prefers to remain anonymous said that "we've driven more than half the pushers into the streets where they are now a police problem. A sale is harder to spot than use, but we have some other plans that will get all the pushers off the campus."

#### STUDENTS SEEK \$50,000 GRANT

These other plans are partly revealed in a proposal developed by the Drug Patrol students and submitted jointly with the college administration to the U.S. Department of Health, Education and Welfare asking for a \$50,000 grant to fund a sweeping anti-drug program on the campus. The proposal would establish facilities for urine analysis of students to detect drug usage and would permit purchase of cameras to be used by the patrol in gathering evidence in drug cases. In addition to the usual counseling and referral activities, the students want a compulsory drug education program for all faculty, staff and administrators.

The administration has given the Drug Patrol an office and a "hot line" phone on the fifth floor of the Main Building at 120 East 184 Street. Although they will not divulge the exact size of their group for strategic reasons, estimates are that between 50 and 80 students participate plus some faculty.

The members of the patrol are publicity shy. They have turned down requests from CBS-TV and three other television news departments that wanted to film the patrol in action. They fear that the glare of the TV lamps will damage their credibility with the students and impugn their motives. In addition, patrol members who operate openly are sometimes threatened by pushers.

#### ANTI-DRUG METHODS

The methods of the anti-drug campaign are largely dictated by the desire to avoid the use of police on campus. According to Prof. Riley, "The students feel that when police come on campus, it is usually the user and not the pusher who gets arrested. The professional hoodlum knows how to get out of the way when the heat is on."

Consequently, the Drug Patrol determined from the outset to protect the identity of the suspected student user-seller. The college administration cooperated by expanding its security force and instituting I.D. checks at all doors to keep the non-student users and pushers off the campus.

The Drug Patrol's task isn't made easier by the fact that the BCC central campus con-

sists of seven buildings spread over a six square block urban area, plus a Nursing Center located several miles away in the Bronx Municipal Hospital complex. All centers of the BCC campus are constantly patrolled by groups of two or three members, who are on the lookout for signs of drug traffic or illegal use.

When members of the Drug Patrol witness a "buy" or a student using drugs, the students involved are kept under special surveillance for a long period of time before any action is taken. A confidential file on the student is set up, and any further evidence of his involvement with drugs is gradually added to it. The Drug Patrol always makes certain it has several witnesses to individual cases of drug traffic or use.

#### IDENTITY PROTECTED

When the personal file contains enough evidence, the students approached and referred to a counselor from the Office of Student Personnel. If the student refuses to enter a program of therapy or otherwise take corrective action, his file is marked with a special code number and referred to special drug panels. These panels consist of two faculty and two students serving as subcommittees of the Campus Committee on Drug Abuse.

When the numbered file is received by the panel, the identity of the student is not known. The file contains all the pertinent information as to the student's involvement with drugs, and the extent of his willingness to take corrective measures.

The panel then meets to consider the evidence and a specific action is recommended to the full Campus Committee, which consists of 10 students and 10 faculty. So far three such hearings have taken place, resulting in one student's suspension. The suspended student later consented to enter a program of therapy and will probably be readmitted to the college. A number of files are awaiting examination and action in September.

Because the Drug Patrol and the Campus Committee feel strongly that student drug users need help and not punishment, every effort is made to protect not only the identity, but also the freedom, of the students involved. The philosophy behind the anti-drug campaign is that drug abuse is a symptom of a broader socio-psychological problem, and that psychotherapy is a more effective cure than incarceration.

#### A CHANGED CAMPUS

"When I first came to BCC last fall," Prof. Riley reported, "I was in the men's room and vaguely noticed some students congregated in a corner. It took a couple of minutes for me to realize that one of them was shooting up and the others were attempting to conceal this from me. I left to find another faculty member. When we returned, the students had disappeared, of course, leaving me feeling amazed at the open use of drugs on campus."

Prof. Riley explained that a few months ago one could hardly enter a stairwell or a lavatory without at least smelling grass, and, "You could practically get high from the fumes on the fifth floor."

But now, according to him and many others, all this has changed. The Drug Patrol and the Campus Committee have succeeded in greatly reducing the visible signs of the on-campus drug problem at BCC.

President Colston has expressed his appreciation of the progress which has been made to alleviate the drug problem on the campus: "I must emphatically state that the students have played a crucial and highly responsible role in this effort, and it is my hope that with the continued cooperation of all BCC personnel, including faculty, staff, and administration, further significant progress can be made."

July 22, 1971

QUALIFICATION OF EDUCATIONAL PERSONNEL

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. HOGAN. Mr. Speaker, while I was away on official business with the Post Office and Civil Service Committee on which I serve, this body passed H.R. 8407, to authorize the District of Columbia to enter into the interstate agreement on qualification of educational personnel.

Had I been present I would have voted for that legislation as I am a sponsor of an identical bill, H.R. 8485. I applaud the action of my colleagues in approving this measure by a vote of 324 to 4 and I urge the Senate District of Columbia Committee to act on the companion measure which is presently pending before a subcommittee of that body.

Mr. Speaker, I believe the inherent value of the District of Columbia becoming a signatory to the interstate agreement on the qualification of educational personnel can be judged from the fact that today 28 States, including my own State of Maryland and our neighboring State of Virginia, have joined in this pact. The first states entered into this agreement in 1968 after a nationwide search was initiated in 1966 with a view toward developing a national plan of teacher certification.

Certification and licensing of teachers already licensed or certified in other jurisdictions has always been a time-consuming, complicated, and cumbersome process both for the teacher and the certification officer. The reevaluation of teacher records which have been evaluated already by competent authorities in other jurisdictions with similar standards is wasteful of the administrator's and teacher's time, energies, and skills.

This bill is patterned directly from the interstate agreement which was first enacted in 1968 and is legally similar to many other enabling statutes allowing interstate agreements in other fields of State government responsibility. Yet, this legislation includes safeguards to insure that it will not produce interstate acceptance of substandard educational personnel. Section 1 of article 3 of the agreement states:

A designated State official may enter into a contract pursuant to this article only with States in which he finds that there are programs of education, certification standards, or other acceptable qualifications that assure preparation or qualification of education personnel on a basis sufficiently comparable, even though not identical, to that prevailing in his own State.

As a former member of the House District of Columbia Committee, Mr. Speaker, I am acutely aware of the tremendous problems which face the dedicated teachers in the District of Columbia school system. During hearings last year on a salary increase for District of Columbia teachers, many of whom are my constituents in suburban Maryland, I was appalled to learn how extensive are the problems with which these teachers must cope. Overcrowded and archaic buildings, lack of money, scarcity of

EXTENSIONS OF REMARKS

26871

books and teaching materials, physical violence against teachers and students alike, and increasing percentages of student absences—all of these factors make it exceedingly difficult for the District of Columbia school board either to retain their experienced teachers or to attract a high caliber of new teachers into the system.

For these reasons, I am very pleased that this body has paved the way for the District of Columbia to become a signatory to this agreement which will facilitate the recruiting of new teachers. I urge our colleagues in the other body to take like action.

NIXON'S RACIAL GAINS COUNTERED BY AGNEW

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. RIEGLE. Mr. Speaker, a recent editorial from the Flint Journal offers an excellent commentary on the most recent set of unfortunate remarks by Vice President AGNEW. I insert the editorial for the benefit of my colleagues:

[From the Flint Journal, July 20, 1971]

NIXON'S RACIAL GAINS COUNTERED BY AGNEW

Bishop Stephen G. Spottswood, chairman of the board of directors of the NAACP, recently expressed a view that must have heartened those in the Nixon administration concerned with building relationships with the nation's 23 million black citizens.

Addressing his organization's convention, Spottswood conceded that in the year following his denunciation of the administration as "anti-Negro," President Nixon had "announced policies in certain phases of the civil rights issue which have earned cautious and limited approval among black Americans."

In view of the depths to which relations between the Nixon administration and blacks had plunged, such a concession was significant indeed.

It did not, of course, suggest that perhaps President Nixon—if he answered the challenges Spottswood laid out for him—could count on a large number of black votes next year. But it did suggest a growing awareness that the administration, after all, had not abandoned—politically or governmentally—such a significant segment of the American citizenry.

The Spottswood statement, it appeared at the time, might be a foundation upon which important new links of communication could be established between the White House and civil rights leaders.

Such speculation was before Vice President Spiro T. Agnew—who may not have even been aware of the NAACP chairman's address—injecting himself into the American racial picture with all of the delicacy of an enraged bull.

Agnew took time from his globe trotting to collectively label civil rights leaders as querulous complainers and to charge that most of the black leadership in America "could learn much" from the strong-man leaders of black African nations he is visiting.

His chief models of "moderateness" and "understanding" are President Jomo Kenyatta of Kenya, Congolese President Joseph D. Mobutu and Ethiopian Emperor Haile Selassie.

It was a remarkable performance by the vice president, reflecting an abysmal lack of knowledge of Africa, past and present, and a distressing lack of insight into the sub-

stance and meaning of the American civil rights movement.

Agnew's basic error was in attempting to draw parallels where, if they exist at all, they are so tenuous as to be almost meaningless. He ignored the fact that the African leaders have long since achieved their basic goal, independence from foreign domination, and are essentially running their own shows. On the other hand, American civil rights leaders still find their primary goal of complete equality elusive and their battle unwon—justifying complaints that offend Agnew.

The leaders that are Agnew's models of moderation and understanding are hard-nosed authoritarians, Kenyatta perhaps less than Mobutu and Selassie. The Ethiopian emperor's merest whim is law. Mobutu, upset by recent student unrest, casually drafted hundreds of protesters for two years of army service. Is this the kind of leadership Agnew covets for blacks in a free society?

Agnew is guilty of ignoring the past in his frantic search for present-day relevance. Kenyatta, today, is a respected and enlightened leader of an emerging nation who can be judged favorably—in terms of the present. But the vice president seemingly overlooked the fact that the British convicted Kenyatta and imprisoned him for anti-white terrorist activity through the dreaded Mau Mau society.

Thus, it can be held legitimately that Agnew insulted American leaders who deplore violence by holding them up to comparison with one who, even if he was not personally part of Mau Mau terrorism, has blood on his hands indirectly—long dried, but visible in the perspective of history.

If, as some might argue, there was no other way of freeing Kenya from the heavy yoke of imperialism, that is all the more reason for Agnew to refrain from drawing foolish parallels.

To top everything, Agnew acknowledged that there are some black leaders in America exempt from his heavy-handed criticism. But he flatly refused to name them, which puts every last one under a cloud in the eyes of those white Americans who might be tempted to accept the vice president's deplorable assessment as gospel.

Frequently it has been speculated that Agnew, when he unleashes a diatribe at the news media or at university administrators, is really saying what President Nixon would like to say but cannot for fear of harming the fragile image of the presidency.

We cannot say this hasn't been the case in some instances, but in view of recent White House efforts to put some bridges over the chasm between it and black Americans—which have had at least limited success, judging from the Spottswood statement—we cannot accept this as even a remote possibility in the case of Agnew's remarks belittling civil rights leaders.

The vice president has done an injustice to responsible leaders of this movement, and he has, in effect, chopped holes in the bottom of an important administration boat just as it was beginning to float.

Unfortunately, it will take a long time to undo the damage caused by his gratuitous remarks.

FREE TRADE—THE REAL ISSUE IS FAIR TRADE: DANIEL GOSSELIN'S PERCEPTIVE COMMENTARY

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. CLEVELAND. Mr. Speaker, many of our domestic manufacturers have been affected most adversely by the massive influx of imported goods into our markets. I have long been a strong advocate

of legislation to promote fairer trade for American industry. I maintain that the issue facing us today is not of free trade, but, rather, one of fair trade.

The ability of domestic production to compete with foreign goods has been diminished by the numerous rules and restrictions in our trade system. Among those industries which have been hit the hardest by unfair competition from imports, I am especially concerned with the textile, shoe, electronics, and miniature ball bearings industries. I believe that we need legislation to protect these industries from the excesses of unfair foreign competition, enabling them to carry on fair trade in their chosen markets. I once again urge my colleagues to join me in support of legislation toward this end.

To those who would brand such proposals as "protectionism," I must argue that they are intended to insure parity rather than preferential treatment for domestic manufacturers. The defense of a domestic industry from unfair trade practices is vital if we are to ensure the existence of fair trade. Continuing to permit imports to enter our markets under existing unfair conditions can only lead to the perpetuation of these conditions. We must give our industries an even chance to compete.

Perhaps my colleagues have been unable to enact trade legislation because of the conflicting testimony by experts in the field. Such testimony may well have caused many of my colleagues to become skeptical about any new information on the subject which reaches them. I represent a district where the problem of import competition is of vital importance; I can assure my colleagues that I have witnessed the adverse effects of foreign goods firsthand. The testimony which I have received from my constituents serves to support my own impressions.

The following letter appeared in *Mascoma Week*, one of the fine small newspapers in my district which cover my constituency at the grass roots level. This letter was written by my friend and constituent, Daniel A. Gosselin, of Enfield, N.H. In his eloquent remarks on the import problem, Mr. Gosselin reveals the clarity and honesty of thought for which I have long admired him. I commend this excellent letter to the attention of my colleagues:

LETTER TO THE EDITOR

To the Editor:

May I suggest that your political cartoon in the January 6, 1971 edition is a timely and accurate warning to America of the complex economic issues involving free trade. The figure pictured in the truck cab is relevant and a fair generalization of our problem.

It would make a difference if only New England mills were being driven out of business by companies located in other parts of the United States. This was the situation twenty years ago but now all textile mills of the United States are being severely hurt by foreign competition that is impossible to meet. America's economic greatness was founded upon its industrialization and not its ability to compete. America faced significant foreign competition only after 1945 and only after the U.S. spent billions of dollars building modern, well equipped factories in Europe and Japan, training personnel to run them and leaving the door open for the importation of any and all foreign products.

At the request of the U.S. Government in 1946 the mill in Enfield had a young man

from Japan spend several months learning about textile dyeing. At the completion of his training in Enfield he was to spend more time in other plants of the U.S. before returning to Japan to supervise a Textile Dyeing operation.

America has the highest standard of living in the world and, directly related to this, is the fact that we also have the highest unit cost of producing in the world. The disparity in textile wages between the U.S. and Japan today is much greater than ten years ago, even though the wages in both countries have increased significantly during that time. Therefore, because of high labor costs, we are in a much less desirable competitive position today with foreign markets than we were ten years ago. We can compete with anyone in the world in the areas of good business practices and advanced industrial technology, but our labor costs put us out of competition.

The mill in Enfield is old, and its equipment is not all modern. However, the largest textile company in the world, Burlington Industries, is concerned with foreign imports. Burlington's 1970 Annual Report indicates net sales of \$1.8 Billion, net earnings of \$71 Million and yet President Ely Callaway states the following in his report. "The growth of imports of textiles and apparel from Japan and other countries of the Orient continues to be a problem."

The U.S. Textile industry is not alone in its suffering from foreign imports. Mr. Iacocca of Ford Motor Co. commented in an August, 1970, issue of the *New York Times* that the Ford Pinto was being introduced to compete against small foreign imported automobiles. The initial selling price in September, 1970, was to be approximately \$2000.00. However, a new labor contract in the fall would probably drive the cost of his \$2000.00 car to \$3000.00 in five years time. It is also interesting to note that in order to avoid high labor costs of producing the Pinto, the initial production was planned to obtain the engines in West Germany, the transmissions in England, and the first assembly plant in Vancouver, British Columbia.

The mill in Enfield has pumped over a million dollars a year of wages into the Upper Valley. This may now end. Some would call this "economic progress and higher living standards for all people participating in free enterprise." I would prefer to refer to it as an economic tragedy, just the beginning of a serious industrial decline that will bring America to her knees, unless the need to protect American jobs—really the need to protect America—is soon realized by those who should have seen it sooner.

Respectfully yours,

DANIEL A. GOSSELIN,  
Enfield, N.H.

#### GIVING CREDIT WHERE DUE

### HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. HUNT. Mr. Speaker, on July 15, I inserted in the Extension of Remarks for the CONGRESSIONAL RECORD an article entitled "They Once Viewed 'Leaks' Differently" which dealt with the double standard applied by the *New York Times* and the *Washington Post* in connection with their insistence upon the publication of the Pentagon Papers, a position 180 degrees out of phase with their attacks upon Senator Joseph McCarthy in the 1950's who had urged Fed-

eral employees to "leak" certain information to his committee.

My remarks attributed this information to the Background and Opinion Column of the July 2, Philadelphia Inquirer, and I inadvertently omitted credit to the Republican National Committee's official publication "Monday" whose earlier publication of this information was the basis for the Inquirer's column. I did not intend to deprive "Monday" and its editor, John Lofton, of this due credit and I offer this explanation accordingly.

#### STATION KPIX EDITORIALIZES ON CRLA CONTROVERSY

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. WALDIE. Mr. Speaker, I offer for the perusal of my colleagues an editorial comment from television station KPIX in San Francisco on the recent controversy involving Governor Reagan and the CRLA.

I agree with the views expressed, but would go one step further—the Governor not only should "take a new, hard look at his Poverty Program staff," but at the conclusion of that "look" he should dismiss the former John Birch Society organizer whom he appointed as director of the State OEO, Mr. Lewis Uhler, whose lack of judgment and understanding led the Governor into this sad fiasco of repressive action against the rural poor of California.

The editorial follows:

C.R.L.A. DECISION

(By William E. Osterhaus, KPIX General Manager)

Mr. Lewis K. Uhler, State Director of the Poverty Program, has been in a long and sometimes bitter fight with the California Rural Legal Assistance Foundation. The CRLA was formed to provide legal help to low income people under the poverty program.

Governor Reagan's Poverty Chief charged that the CRLA was wasting taxpayers' money and failing to provide the promised services to the poor. In the process, Mr. Uhler compiled a 283-page report intended to document these allegations.

On the basis of Mr. Uhler's work, the Governor vetoed this year's funding for the CRLA. At that point the struggle jumped into the headlines as CRLA attorneys denied the charges made against them.

In an effort to solve the problem, the Nixon administration appointed a panel of three judges to come to California and investigate the charges. They came, read the documents, held hearings, and made their report to Washington. Last week the results of that report were released.

In part the Commission said that the Uhler document "unfairly and irresponsibly subjected many able, energetic, idealistic and dedicated CRLA attorneys to totally unjustified attacks on their professional integrity and competence." At the same time, it was announced that CRLA would receive its full funding of \$2.7 million.

The Governor apparently feels that the outcome is satisfactory. We believe, however, that the irresponsible charges made against the CRLA attorneys should not be forgotten. If nothing else, we at KPIX hope that this episode will move the Governor to take a new, hard look at his Poverty Program staff.

## THE ENERGY CRISIS

## HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. PRICE of Texas. Mr. Speaker, on July 13 I introduced the Domestic Exploration Tax Act of 1971—H.R. 9759. At that time I indicated I would have further comments on the subject of incentives to increase domestic production of oil and natural gas.

The National Petroleum Council recently gave the Government a look at what the future domestic petroleum picture is likely to be under present programs and policies, and it was a bleak picture.

However, the industry also presented its views on what might be accomplished if adequate economic incentives for exploration and development are provided.

To quote a noted oil columnist, Clyde La Motte:

In substance, the NPC said the government has a choice of two roads ahead regarding the nation's energy supply.

The present road, it said, leads to increasing dependence on foreign supplies. Imports of petroleum liquids would increase more than fourfold by 1985, reaching a level of 14.8 million barrels a day that year, or 57 per cent of domestic oil demand. And that's assuming the foreign supplies would be available.

The natural gas outlook is even darker. Without supply limitations, potential gas demand would just about double between 1970 and 1985, reaching 38.9 trillion cubic feet a year, while the domestic supply was remaining static or even losing a little ground.

Even with gas from the Alaskan North Slope, synthetic gas from coal and naphtha, imports of natural gas, liquefied natural gas and liquefied petroleum gas from Canada, 1985 supplies would total only about 21.49 trillion feet. (Gas supplies from the "lower 48" states would drop from 21.8 trillion feet in 1970 to 13 trillion in 1985.)

Under these circumstances, dependency on imports would rise from 4 per cent of supply in 1970 to 28 per cent in 1985, again assuming the availability of foreign supplies.

Turning to what might be the situation if adequate economic incentives were made available, the NPC said the nation's supply could be increased substantially. That is, the potential domestic energy resources are at hand if sufficient effort is made to develop them.

"The satisfaction of the nearly doubled energy requirements of 1985 will require enormous additions of new facilities, which will not easily be forthcoming under existing political, social and economic conditions," NPC said.

It suggested that in view of the indicated availability of substantial domestic reserves, a critical review of gas regulations and other obstacles to expand exploratory efforts "is clearly in order and urgently needed."

In addition, Mr. Speaker, the Independent Natural Gas Association of America—INGAA—has published a very informative booklet entitled, "The Facts about Natural Gas and the Energy Crisis."

This booklet also states the necessity of incentives for exploring for, drilling, producing, and transporting natural gas:

Regulatory policies of the Federal Government, which have kept the price of natural gas at an artificially low level for years and

also hampered expansion of the industry, have acted to discourage exploration and development of new natural gas reserves. As a result, the nation now is suffering the first pains of gas deficiency.

The gas industry is deeply concerned about the potential shortage of gas which already has resulted in too many transmission and distribution companies being forced to turn down additional service because they cannot contract for or be certain of sufficient supplies.

For three years the nation has been producing and marketing more natural gas than has been added to reserves. If this trend is not reversed, scarcity of natural gas will continue to mount. This, however, can and must be avoided. There are still large reserves of gas underground onshore and offshore in the United States.

Incentive means giving those who find and produce new reserves a chance to recover the tremendous cost of exploration and development.

Exploring and drilling gas wells is expensive business. The current replacement cost of one rig which can drill to a depth below 20,000 feet is \$1.6 million. Just to rent such a rig and its accompanying supply and services costs more than \$5,000 a day. And to operate an offshore platform the rental and other attendant costs can be as high as \$15,000 a day.

Since 1959 there has been a 38% drop in total drilling, from 47,600 to 29,460 wells. Exploratory drilling—this is the kind that turns up new reserves—is down 43%, from 13,200 in 1959 to 7,700 in 1970. Gas well completions over the same period have declined more than 25%—from 4,900 to 3,800 wells.

Coupled with this exploratory decline has been a drop in returns per unit of effort expended in looking for oil and gas. For whatever the reason, the fact is that a foot of exploratory hole finds less gas and oil today than it found prior to 1950.

The seriousness of the problem is evident in a simple comparison of new reserve and production figures.

In 1946, 4.9 trillion cubic feet of gas were marketed, yet 17.6 trillion cubic feet were added to reserves. In other words, 25 years ago, 3.6 trillion cubic feet of gas were added to reserves for each trillion cubic feet marketed.

Net production rose to 10.0 trillion cubic feet in 1955; to 15.3 trillion cubic feet in 1964, and to 22 trillion cubic feet in 1970.

In 1968, for the first time in history, the nation marketed more gas than it found in new reserves. In this year 19.4 trillion cubic feet were sold, while only 13.5 trillion cubic feet were added to reserves. A deficit of almost six trillion cubic feet.

In 1969, 8.4 trillion cubic feet were added while 20.6 trillion cubic feet were used, for a deficit of 12.2 trillion cubic feet.

The trend continued for the third year in 1970. The industry marketed 22 trillion cubic feet of gas for an all time high. But it added only 11.7 trillion cubic feet to reserve in the lower 48 states for another deficit of more than 10 trillion cubic feet. Thus, since 1967 the nation has used 28 trillion cubic feet more gas than we have added in new reserve in the lower 48 states.

The Potential Gas Committee, an independent industry committee, working under the supervision of the Potential Gas Agency and the Colorado School of Mines, has estimated the potential gas supply—this is in addition to the present 259.8 trillion cubic feet of proven reserves in the lower 48 states—to be 1,178 trillion cubic feet. This figure is broken down into three categories—probable, possible, and speculative. The probable category is estimated at 257 trillion cubic feet; the possible category is estimated at 387 trillion cubic feet; the speculative category is estimated at 534 trillion cubic feet, including some 327 trillion cubic feet of speculative Alaskan gas.

The probable category covers the exten-

sions of known fields, the possible category includes estimates in structures not yet drilled but which are located in known producing basins, and the speculative category includes new basins where sedimentary rocks occur but which have no prior productive history.

The U.S. Geological Survey is slightly more optimistic. It says that there is potentially available in the United States 2,100 trillion cubic feet under current technology.

There have been a number of significant Federal actions which indicate that the government understands the gravity and urgency of the gas supply problem. The Federal Power Commission has a nationwide investigation underway to determine whether modification of wellhead prices for producers is required. This may well result in higher producer prices which will help encourage exploration and development.

An extremely important action to stimulate the search for natural gas (and oil) was taken by the Department of the Interior on December 15, 1970, in authorizing a general lease sale of one-half million acres offshore Louisiana. This is an area in the Gulf of Mexico which promises to have significant natural gas reserves. Another sale is planned for late 1971.

Although the nation is faced with a serious natural gas supply problem, it is a problem that can be met and solved in the coming years.

There must be a maximum effort toward increased use of all of our possible supplemental gas sources—LNG, coal gasification, nuclear stimulation, Alaskan gas and imports from Canada.

Natural gas undoubtedly will cost more, but in the final analysis it will be a saving for the American consumer. Even with increased prices to cover the cost of new exploration and the development of supplemental supplies of gas, natural gas will remain a bargain compared to other energy sources.

At this point in the RECORD, Mr. Speaker, I would like to insert a Dallas Morning News story from July 18, 1971, in which the president of the American Petroleum Institute, our former colleague, Frank Ikard, discusses the need for additional exploration of domestic petroleum reserves.

WASHINGTON.—The president of the American Petroleum Institute said here that during his recent visit to oil fields in Western Siberia, "I was impressed and somewhat shaken by the deep dedication of the Russians to the cause of petroleum self-sufficiency."

Testifying before a House subcommittee on special small business problems Frank N. Ikard added:

"Russian officials, oil administrators and oil workers are almost fanatical about the necessity of having a strong internal petroleum industry."

He said that perhaps the Russians "still think of those desperate days of World War II when the U.S. had to supply them with material and equipment to build four complete new refineries, plus other producing and refining equipment plus vast amounts of petroleum products."

Ikard toured the Siberian fields with a 22-member delegation of officials of the U.S. petroleum industry following the World Petroleum Congress in Moscow. It was the first time a U.S. delegation had been permitted to view the Siberian fields.

In his testimony, Ikard urged the U.S. to "give the highest priority to encouraging exploration for new domestic petroleum reserves" because the ready availability of foreign oil will be "clouded with uncertainty in the years ahead."

Ikard stressed that "there is a mistaken tendency to think of the (U.S.) petroleum industry as a monolithic enterprise, but I

can assure you that such an impression is at complete variance with reality.

"An outstanding quality of the petroleum industry is the intensity of competition that prevails through all its ranks and branches."

Ikard pointed out that there are "more than 40,000 individual firms engaged in one or more branches of the domestic petroleum industry."

"The producing branch alone," he added, "consists of some 10,000 companies engaged in the exploration for and production of crude oil or natural gas. Significantly the largest producer accounts for less than 8 per cent of total production."

"In the refining branch . . . there are 131 companies operating 262 refineries" and "as far as refining competition is concerned a few statistics tell the story—the largest refiner accounts for less than 10 per cent of the nation's total refining capacity. The next two in rank have about 8 per cent each."

In the marketing branch, Ikard noted that there are "some 15,000 independent wholesalers besides the integrated major companies" and "the company that leads in gasoline sales has only a shade over 8 per cent of the total market."

"Finally," Ikard declared, "it is important to note this fact—and the growing difficulty of finding oil and gas reserves." Ikard said more attention will be paid to the development of synthetic fuels.

"There is no doubt," Ikard said, "that we are on the threshold of a new era in the petroleum industry. Some companies have already become involved in developing improved technology for the extraction of oil from shale."

"Others are experimenting with the conversion of coal to liquid petroleum and gas. Still others have made substantial investments in Canadian tar sand development."

He noted that the U.S. Bureau of Mines has predicted that synthetic fuels may be replacing as much as 23 per cent of natural gas in the energy market and 20 per cent of conventional oil by the year 2000.

"In view of this," Ikard added, "there is certainly nothing sinister in any oil company taking an interest in providing a synthetic equivalent of petroleum energy."

"This is nothing more nor less than a business decision based on a particular company's fiscal and economic situation and its appraisal of what the future holds."

Mr. Speaker, I again urge my colleagues from all sections of this great Nation to become better informed on the energy crisis. I believe that the outcome of such a study by each individual Member of this body will be overwhelming approval of incentives which will lead to greater exploration for petroleum.

As I stated in introducing H.R. 9759:

It is in the interest of the public generally, the oil industry, and the many thousands of men and women who earn their livelihood in the Nation's petroleum company that I urge my colleagues to adopt this legislation.

#### THE VETERANS DRUG TREATMENT BILL

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. BIAGGI. Mr. Speaker, the veterans drug treatment bill, which passed the House unanimously, would authorize the Veterans' Administration to treat servicemen, veterans, and ex-servicemen

suffering from drug abuse or drug dependency regardless of discharge status. However, I would caution the Pentagon not to use such a bill as an excuse for not quickly changing the status of veterans discharged under less than honorable conditions because of drug abuse to one under honorable conditions.

The Department of Defense has an obligation to realign past policies with its present one in this area. In the past addicts in the services were generally given discharges that prevented them from receiving veterans benefits.

In a situation such as Vietnam, it is very easy for a young, confused soldier to become dependent on drugs. In World War II, he might have become an alcoholic, but today the name of the game is drugs.

Now the armed services are discharging these boys under conditions that will permit them to receive veterans benefits. The stigma of a dishonorable discharge for his weakness while in service is no longer there to haunt a veteran for the rest of his life.

Unfortunately, though, there are many who up until just recently were discharged under less than honorable conditions because of drug abuse. They are unable to get treatment, unable to get work and unable to build a new life. All this, because they had the misfortune to be in a combat situation and become dependent on drugs.

This bill, passed by the House, would permit their treatment in veterans' hospitals, but administrative action to change their discharge status to ones under honorable conditions will do far more for these veterans and is certainly the morally correct thing to do.

#### A SALUTE TO THE N.Y. STATE AMERICAN LEGION COMMANDER

### HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. HASTINGS. Mr. Speaker, I should like today to offer a well-deserved salute to the new commander of the New York State American Legion, chosen recently at the organization's 53d annual convention in Rochester, N.Y.

I do so with special personal pride since the new commander, Robert W. Garlinger, comes from Lakewood, N.Y., in my 38th Congressional District; and I have long been aware of the enthusiasm and tireless energies which he has brought to the causes of the American Legion during his many years of proud membership.

His heart has always been with this organization, whose programs in the past have produced and reinforced so much that is needed to keep for America the qualities that have made this country great.

Commander Garlinger emerged from World War II as a first sergeant in the Army Engineer Corps and the record of his service to the American Legion and to his community reads like a classic

honor roll of the completely dedicated man.

He has been post, county, and district commander of the American Legion, serving in each capacity with great distinction. In addition, despite his responsibilities as assistant postmaster of the Jamestown Post Office, he has found time to be a "doer" in many community activities.

He is president of the Southwestern Central School Board, past president of the Lakewood Kiwanis Club, president of the National Association of Postal Supervisors, and division chairman of the Jamestown Area United Fund Appeal.

I might add that this is the second time in recent years that the American Legion from New York State has seen fit to choose its commander from Legionnaires in my district. Arnold E. Swanson, of Frewsbury, N.Y., who, incidentally, served as Commander Garlinger's campaign chairman, occupied the post a few years ago.

I know that Commander Garlinger will perform his new duties with the distinction that has marked his past performances and I join with his home post, the Lakewood Memorial Post 1286, and his many friends, in wishing him every success.

#### THE WRONG WAY TO FIGHT CANCER

### HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ROGERS. Mr. Speaker, the fight against cancer has been waged for several decades now and the Wall Street Journal has chronicled some of the major advances and disappointments along the way in a story by Mr. Jerry E. Bishop.

In the article, the point was made as to the wisdom of the institute system within the National Institutes of Health. And the article points out the potential danger if one of these important Institutes—be it either cancer or heart—were to be taken out.

I think this is a very serious matter which the Congress will discuss in the not too distant future and would ask my colleagues to review the article as an informative background on NIH.

Mr. Bishop quotes prominent and respected men of medicine as to the forecast for curing cancer and points to the fine work now being done by the National Cancer Institute.

I would like to insert this article in the RECORD now for the interest of my colleagues:

#### THE WRONG WAY TO FIGHT CANCER

(By Jerry E. Bishop)

"If I recall correctly, in 1949 a promise was made to Congress with the brave words, 'Give us the money and within 10 years we will give you a penicillin for cancer.' After about \$2 billion, there has been some splendid basic research but no cure."

The recollection is that of Dr. Irvine H. Page, a Cleveland cardiologist of considerable repute in both medical research and the art of raising funds for medical research. For the last several weeks, in his capacity as

editor of the magazine *Modern Medicine*, Dr. Page has been expressing deep skepticism about the wisdom of the new Conquest of Cancer Agency, or CCA.

The agency, of course, is the one that was approved by the Senate the other day and that will soon be debated in the House. It would be an independent federal bureau, modeled after the National Aeronautics and Space Administration, with a budget eventually to reach \$1 billion a year. The idea is to muster the nation's medical research resources against cancer with the same fervor that the space agency devoted to the moon landing—and, presumably, with the same degree of success.

#### A NEW P. T. BARNUMISM?

But to Dr. Page and to at least one other of the nation's more prestigious medical editors, Dr. Franz J. Ingelfinger of the *New England Journal of Medicine*, the congressional rush to set up the CCA may well prove to be a kind of P. T. Barnumism that has come to characterize much of the way funds for medical research are garnered from the taxpayer.

The opinions of two editors whose audiences are almost entirely physicians aren't likely to have much impact on Congress. In addition the CCA, the result of a compromise between competing plans offered by Sen. Kennedy and the administration, has President Nixon's backing. It zipped through the Senate by a vote of 79-1, the single and somewhat courageous nay vote coming from Sen. Gaylord Nelson, the Wisconsin Democrat. And it is likely to pass the House; as Dr. Page says, "For a politician to be against cancer research would be suicidal, since it has been made a public issue."

Drs. Page and Ingelfinger, it should be quickly noted, don't oppose increased funds for cancer research. Both argue strongly that far more money should be spent for cancer research and for medical research in general.

But they do raise some intriguing and basic questions about the salesmanship involved in obtaining federal medical research funds.

Until now, much of the federal money for basic and general medical research has been channeled through the several National Institutes of Health, or NIH, a part of the Department of Health, Education and Welfare. In their embryonic stages a couple of decades ago, there were some stirrings over the naming of the individual institutes. To some medical researchers, who were quite naive in the ways of Washington, it seemed quite logical to name each of the institutes on the basis of the research it would support: a National Institute of Pathology, a National Institute of Microbiology, a National Institute of Biochemistry and Genetics, and so forth. This, of course, is the way the big university-based research centers that would be receiving the money are organized.

But shrewd counsel prevailed. It might be too easy for a Congressman to reject appropriations for microbiology, but the same legislator might be extremely reluctant to vote against funds for cancer research. Hence, among the institutes are the National Cancer Institute, the National Heart and Lung Institute and the National Institute of Allergy and Infectious Diseases.

The tactic proved effective. An increasingly powerful lobby, organized by New York philanthropist Mary Lasker and encompassing the heads of the appropriations subcommittees, consistently enraged whatever administration was in the White House by pushing higher funds for the NIH than the budget makers asked for. And the legislators did, indeed, find it difficult to vote against sharp increases for research on cancer, heart disease and mental health, regardless of their loyalty to the administration.

With more research money available, any

qualms the medical scientists might have had quickly melted away. Indeed, over the years, the NIH had won praise from researchers for the way it dispenses funds.

Some quirks have developed, though. Congress votes funds for each specific institute, thus the money is earmarked for specific diseases. As a result, part of the art of "grantsmanship" is for the researcher to decide which disease area has the most money available and to angle at least his grant application accordingly. A geneticist, whose research isn't directly applicable to the cure of any single disease, must go through semantic gymnastics to describe his project as cancer research, or birth-defect research, or whatever.

It isn't unusual for a single researcher to have grants from more than one institute. At the same time, several of the institutions are each supporting research in the same fields, such as virology, or basic research into the body's immunity system. The research on immunity is equally important to heart transplants, allergies, cancer, encephalitis and malaria.

More important, though, are the promises that must be made to Congress and the taxpayer to obtain the grant money. Researchers heavily involved with, say, the National Cancer Institute must promise that significant gains will be made against cancer with each new appropriation. The 1949 promises of a "penicillin for cancer" was made by scientists seeking funds for a crash program to find drugs that would cure cancer. No such "magic bullet" was ever found, and none is likely to be. The program did uncover an amazing and useful amount of information about the strange metabolism of malignant cells but, of course, malignant-cell metabolism isn't as salable a name.

Researchers allied with other disease areas have made similar dramatic promises. There was, for instance, the widely heralded, but now almost-forgotten, crash program to develop an artificial heart.

Much of the rivalry and competitiveness among the disease-oriented institutes is held in check by the overall administration of the NIH, which, among other procedures, uses a number of advisory committees of scientists to review and allocate grant applications to the right institute.

#### PRESIDENTIAL APPOINTEES

The Conquest of Cancer Agency technically would be part of the overall NIH organization, in fact, but almost totally independent. Its board of directors and officers would be appointed by and report directly to the President. And, presumably, like all other federal agencies, it would maintain its own congressional lobbying effort.

To Dr. Page this means "creation of teams, committees, authorities and all the paraphernalia of bureaucracy. The usual channels of peer review will be by-passed, thus ensuring that the lion's share of all new research funds will be pre-empted for this field."

The result, he adds, is that "Cancer research will be separated from its broad base in science in its all-out effort to get 'greatest visibility.' If I know scientists, this will create the most disagreeable and often disastrous competitiveness, envy and publicity-seeking we have ever witnessed, and that is saying much. The great mass of mediocre research workers—and that seemingly inexhaustible supply of minor bureaucrats who exhibit an extraordinary chemotactic response to a dollar—will quickly join 'the team.'"

Other groups are likely to start competing agencies. Scientists involved in cardiovascular research have already warned that if the cancer agency is created they will seek to set up an independent agency for heart disease, since they can rightly claim that heart disease kills more than twice as many Americans as cancer. Similar arguments can be

made for an independent arthritis agency, that disease being the greatest cause of crippling and disability in the country.

"The inhuman aspect of the scene," says Dr. Ingelfinger, "derives from the implication that creation of an organizational hierarchy—call it an authority, an independent agency or what you will—supported by a big enough budget will bring about a cure for cancer in a few years."

This is highly unlikely to happen. Cancer, scientists explain, is a vague term for what appears to be dozens, if not hundreds, of diseases, some caused by viruses, others by chemicals and still others by as yet unknown processes. Cancer of the liver, for instance, is probably a quite different disease than, say, a brain tumor or lung cancer.

As a result, it is unlikely that there will be any single "cure." Already, in fact, there are cancer cures. For instance, surgery can cure 60% of breast cancer patients (over 80% if the tumor is caught in its early stages). Most cases of Hodgkins disease can be cured by radiation. There are indications that a vaccine may someday prevent childhood leukemia. The simple process of eliminating smoking would drastically reduce lung cancer deaths.

#### CAUTION VERSUS EASY LOGIC

Indeed, the special Senate commission of scientists and laymen whose report and recommendations is the basis for the CCA carefully and with some elaborateness cautioned that science couldn't possibly promise to eliminate cancer in a single stroke, and certainly not on a timetable.

But, says Dr. Ingelfinger, "the impact of such disclaimers is totally lost in the easy logic of 'If we can fly to the moon. . .'"

"Any trend that reverses the recent unfortunate de-emphasis in Washington on medical research warrants hearty reinforcement," Dr. Ingelfinger adds. "Far greater sums should be allotted to medical research in general and cancer research in particular." But, he argues, too little thought has been given to the proposed Conquest of Cancer Agency. Instead, it is being rushed through Congress by a combination of a powerful medical research lobby and "the short-term needs of politics. . ."

Similarly, Dr. Page argues for increased funds for medical research, including cancer research, but through existing agencies such as the National Cancer Institute and the National Science Foundation. As for cancer, he says, "The cancer problem will have many solutions because there are many kinds of cancer, but the way of preventing and curing them will not be found by laymen or politicians no matter how pure their motives."

As for "crash programs" in cancer or any other field of medical research. Dr. Page notes that "nine mothers gestating a month each don't produce a baby."

#### MAN'S INHUMANITY TO MAN— HOW LONG?

#### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 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?

THEY CANNOT HAVE IT BOTH  
WAYS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, July 22, 1971

Mr. SIKES. Mr. Speaker, my attention has been called to a very fine and responsible statement from the San Francisco Examiner on the current CBS controversy. As Mr. Charles L. Gould, the publisher, so well states, many journalists defend the publication of Government secrets with the argument of the "people's right to know." In the case of CBS, they deny the people's right to know. As Mr. Gould says, they cannot have it both ways.

I am pleased to submit this sound editorial for reprinting in the RECORD:

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 Bernarr 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.

EXTENSIONS OF REMARKS

UNTRUTHS FROM GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, July 22, 1971

Mr. EDWARDS of California. Mr. Speaker, Rowland Evans and Robert Novak have been two of the most realistic reporters on the situation in Greece as it has evolved since the junta took over. Once again, in their article in today's Washington Post, they have pointed up the hypocrisy of the United States' policy in Greece. I commend their efforts to change this policy and that their article be made a part of the RECORD so that all the Members may read it:

UNTRUTHS FROM GREECE

(By Rowland Evans and Robert Novak)

ATHENS.—The callous disregard of the Nixon administration to a secret appeal by the two top leaders of the political parties that ran democratic Greece before 1967 provides shocking new evidence of the dictatorship's power to influence Washington.

The appeal took the form of a long, analytical letter to Secretary of State William P. Rogers on April 12 this year. It was signed by Panayotis Kanellopoulos, the last prime minister before Greece was plunged into dictatorship by the colonels' coup d'etat, and George Mavros, the leader of the Center Union, the largest (now illegal) political party in Greece.

Kanellopoulos signed the agreement with the U.S. making available Greek Mediterranean ports for missile-firing nuclear submarines. Mavros has held the defense portfolio in several governments. Kanellopoulos is strongly conservative; Mavros a moderate. Both are highly cultured, sophisticated politicians, both strongly tied by conviction and association to the United States.

Their letter, the gist of which was made available to us by a third party, flatly repudiates Rogers' glib assertion in his March foreign policy report that "some progress" had been made in the restoration of "civil liberties."

American policy toward Greece, marked by the full resumption of military aid last year, is being based on half-truths and erroneous impressions, not facts, they said. Thus, the claim of "some progress" in civil liberties is exactly opposite to the true state of affairs here in the fifth year of the dictatorship.

The letter proceeds to a pointed attack on the matter of civil liberties:

Citizens can be and are sent on the whim of the military, for trial by extraordinary military tribunals, denied legal advice and held for months without legal recourse.

Authorities with no connection whatsoever with the issuing of passports can and do cancel the departure of any citizen at the last minute.

So much "progress" has been made in freedom of the press that statements made by Kanellopoulos and Mavros cannot be printed in the newspapers, and the people get their news from foreign radio stations, as they did during the Nazi occupation.

The threat of arbitrary prosecutions and arrests hovers over all citizens at all times.

Taking issue with the rationale of President Nixon's decision to resume full arms shipments in the name of NATO and U.S. security interests, they told Rogers that this support for a regime kept in power by its own force of arms is an inadmissible intervention against the will of the Greek people.

The use of that language was intentionally ironic. A cardinal principle of the Nixon

July 22, 1971

administration in handling the latter-day Greek tyranny is to explain its cooperation with the dictatorship on grounds of non-interference. Thus, in his testimony in Congress on July 13, Deputy Assistant Secretary of State Roger Davies primly stated that "we have carefully avoided any direct interference in the domestic politics of Greece."

To Kanellopoulos and Mavros, however, the arms resumption not only perverts and undermines the central purpose of NATO, which they told Rogers was formed for the defense of the very ideals smashed by the colonels. It also has persuaded many Greeks that the real motivation of resuming military aid was to place the U.S. squarely behind the colonels, help them consolidate their hold on the country, and make Greece safe for NATO.

Whether that judgment is accurate or not misses the point. What is significant is that the two foremost ex-parliamentary leaders now in Greece believe it to be so. For four years the colonels have managed to survive a barely perceptible form of wrist-slapping by responsible U.S. officials while such irresponsible officials as Secretary of Commerce Maurice Stans have come here to praise them.

Thus, if the people of Greece, a country where coffee-house politics is a national pastime, ever rise up against the dictatorship for their loss of civil liberties, their support will come from the Soviet Union and their victims may include the U.S. That, at least, was the message contained in the letter of Kanellopoulos and Mavros—a letter which, incidentally, Rogers never bothered to answer.

GENTLEMEN AND LADIES, START  
YOUR COASTING

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, July 22, 1971

Mr. ROUSH. Mr. Speaker, this past Saturday I had the privilege of acting as the official starter of the Fort Wayne Soap Box Derby.

There were 109 entrants competing for a first-place prize of a \$500 bond and the right to go on to the All-American Soap Box Derby held in Akron, Ohio, on August 14. The grand prize will be a \$7,500 college scholarship.

These young people were divided into two classes according to age. Eleven- and 12-year-olds were placed in class B and 13-, 14-, and 15-year-olds comprised class A.

The winners of each class must race against one another in order to determine the champion. It is my pleasure to announce to the House that 12-year-old Jeff Gulley was the overall winner of the 1971 Fort Wayne Soap Box Derby.

This competition is a most worthy venture. It is a very real challenge to the ingenuity and resourcefulness of these young people and it is also an enterprise which lends itself to enthusiastic participation on their part.

This year, there were 109 participants—three of whom were girls. But most important is the fact that each contestant must deal with the labor, competition, and ultimate win or loss on his own terms. There is a fine lesson to be learned from such an endeavor.

I applaud the efforts of the sponsors, officials, participants—spectators and racers alike—and last but not least this year's champion, Jeff Gully.

#### CHINA AND AMERICA

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MICHEL. Mr. Speaker, as might have been expected, the President's announcement that he will be visiting Red China some time before next May has resulted in a virtual tidal wave of speculation by all of the various types of news media. I noted with particular interest an editorial appearing in Monday's edition of the Peoria Journal Star entitled "China and America" commending the President and I insert it in the RECORD at this point:

#### CHINA AND AMERICA

(By C. L. Dancey)

It must be admitted that Nixon's announcement, made jointly with Peking, reminds us of something the "Pentagon paper" exploiters neglected to mention in their reconstruction of history that puts a little gentler light on the Kennedy and Johnson decisions.

In 1950-51 China had smashed a million men into our soldiers across the border in Korea and then gobbled up Tibet piece-by-piece ending in the later '50's with outright genocide there.

China had mounted air attacks on Formosa and massive shelling of Quemoy and Matsu with forces massed for an assault by the end of that decade even as the Communists "re-organized" bloodily North Vietnam and began to speak harshly in Hanoi about taking over the South (where clandestine activities on a smaller scale had been going on for some time.)

Kennedy was confronted with what seemed like a world-wide offensive with Khrushchev loudly threatening to cut off Berlin and demand its capitulation, move nuclear-tipped missiles into Cuba, stir up the Middle East, plus an attempt to personally insult and brow-beat Kennedy rudely in a "summit conference."

It was in the face of such multiple challenges that Kennedy and later Johnson had to weigh the world-wide price of "giving up" on Vietnam.

China's spirit was further attested to in the middle 60's by its attack into India and its unprecedented assaults into the embassies of every foreign power in Peking while Chinese diplomats abroad actually sallied out of their embassies with baseball bats to attack people in the streets of foreign capitals.

With these things going on simultaneously, and the first deliberate major attacks on Americans in South Vietnam coinciding with North Korea's attack and capture of the Pueblo, it was impossible to regard the events in South Vietnam as "private" and separate from the attitudes and actions going on world-wide.

And, indeed, there had to be an influence, association, and relationship with the militancy involved in each place.

There might be a sane argument about the degree of that influence, but there is nothing sensible about pretending that the situation in Indochina existed in a vacuum.

Times have changed. That is a fact.

President Nixon has contributed, apparently, substantially to that change.

He also seemed to "smell" the climate better and understand how it works better than his critics.

For example, when he launched the Cambodian sweep, there was a lot of hysteria about "war with China" in which even the New York Times editorialists joined. Yet, the immediate reaction on the very heels of all this fuss was in fact the "ping pong" visit. Just the opposite!

It suggests that the logic used by those particular critics regarding Asian foreign relations is sadly out of whack—based on some false premises—stuffed with misunderstanding.

The tone in China has changed, significantly, and there are reasons for this. There is no doubt that one reason is the suspicion, fear and continuing hostility between China and the Soviet Union.

Russia is a whole lot closer to China than we are with thousands of miles of common border and most of the territory on it under dispute. Nobody knows the Communist Russians better than the Communist Chinese, and because of that they distrust, suspect and fear the Russians more than they do us. Likewise, vice versa.

It is a commentary on the Communist systems that neither thinks the other's signature is worth the paper it is written on, and both suspect the other of relying chiefly on the use of force.

In the crunch, both have more faith in the U.S. than in each other—and Nixon encouraged this to some degree in each.

Nixon's China visit is part of the "diplomatic offensive" and it does not exist in a vacuum unrelated to Vietnam, either.

Summit diplomacy is a tricky, dangerous game to play.

However, the truth is it is our turn in that tricky, dangerous game, like it or not, whether we play an active role or supinely watch the fall of the cards.

Nixon has elected to be an active player and try to influence the game to our maximum benefit.

It's our best shot.

"Drop outs" from the game whose chips remain on the table have a long record as losers.

We have to try. We have to do our best. We have to give ourselves the best chances of coming out winners.

The stakes are: Peace.

#### CONCERNED LOCKHEED EMPLOYEES

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

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. GOLDWATER. Mr. Speaker, I recently received a letter with an attached petition from the "Concerned Lockheed Employees." A total of 1,584 Lockheed employees had signed the petition and sent it to me. Many more than this number have written me personal letters, called, signed petitions, or visited me here in Washington. Many of these deeply concerned people have no connection with Lockheed at all.

I do feel, however, that the letter I received with the petition reflects the feelings of many people, and for this reason I would like to share it with my colleagues:

BURBANK, CALIF., June 4, 1971.

DEAR SIR: In a few weeks you will be asked to vote for or against the guarantee for a

loan for Lockheed Aircraft Corporation. Your vote is of the utmost importance to us, for it affects our lives directly. It will mean the difference between receiving a weekly paycheck or a weekly unemployment check. It will mean the difference between realizing the hopes, aspirations, and plans we have made; or having to begin life again with the attendant problems of lost retirement seniority, savings plans, health plans, insurance plans, and other fringe benefits for which we have worked long and hard. We will have to start over in a period of depression with high unemployment.

Each of us has assiduously followed the statements made by all sides in propagandizing for and against the guarantee for the loan. We can no longer remain silent. We must be heard, and we must counteract misconceptions that are being presented against the guarantee and against us.

1. The statement has been made that persons laid off at Lockheed have only to travel thirty miles to be employed by Douglas Aircraft.

This is a misconception. The Douglas plane has been designed, and it will be a matter of a few months before they, no doubt, will begin reducing their engineering and administrative staff.

2. The effect on the economy by the demise of Lockheed will be insignificant.

This misconception is two edged. First, there could be a serious effect on the local economy as a result of layoff and reduced business. Second, the effect on the national economy of losing the number one contractor to the Department of Defense could be significant from the standpoint of loss of capability and the loss of tax revenue.

We are concerned about both aspects of this problem, but we want you to consider the simple economics of the effect on the local areas.

The figure released as to the number of persons who would be involved in a layoff in case of bankruptcy of Lockheed and the loss of the L-1011 program is 30,000. These people would be eligible, and would, no doubt because of the general economic climate, begin to draw unemployment compensation. The total weekly drain on state treasuries for this could be as much as \$1-950,000.

If we assume that in the employment market today this group would draw the full unemployment benefit for twenty-six weeks, the total exposure for state unemployment could be as high as \$50,700,000. This amount is in addition to the amount being paid today.

Both the Federal, state, and local governmental units could lose revenue for the period that the individuals are out of work. Assuming a tax rate for all taxes of 20%, the exposure for one half year to the three levels of government could be as high as \$26,000,000. This calculation is based on a weekly payroll for the 30,000 of \$5,000,000. The total cost to government in the unemployment benefits that could be paid, and the tax revenue which could be lost could be \$76,700,000. This is in addition to losses already realized from the present unemployment situation.

Some of the side effects which might occur are loss of homes, which would affect lending institutions; reduction of purchases in retail stores; delaying of medical and dental care, or receiving such benefits from state plans; and a curtailment of spending for services.

This potential loss is approximately 30% of the amount requested to be guaranteed.

3. The government is making a loan to Lockheed.

This is a misconception. The request is for the government to give a guarantee to Lockheed's bankers that if, for any reason the company failed, the banks would not be out the amount they had loaned to Lockheed.

4. This type loan would set a precedent

and would not be good for the free enterprise system.

This is a misconception. We can point to cases in which the government itself, or through government created agencies, has made direct loans or loan guarantees to private companies to bolster them in an emergency.

The 1947 loan of \$26.6 million to Glenn L. Martin Company for commercial aircraft program.

The 1967 loan of \$75 million to Douglas Aircraft to finance the DC-8 and DC-9 commercial programs.

The U.S. Export-Import Bank loans for purchase by foreign buyers of U.S. equipment: \$600 million for Boeing 747 aircraft; \$190 million for Douglas DC-10 aircraft; \$3.5 million for Lockheed L-1011 aircraft.

Loan guarantees for the Penn Central Railroad; for the FHA housing program; for school loans; and for farm loans.

Let the record speak for itself.

The most serious aspect of this problem is the degradation of the individual. The innocent Lockheed employee who is caught in the political crossfire being generated among members of the Congress, Lockheed competitors, and Lockheed management. We, the individuals, will be the ones who will not be able to continue living as we are living. We are the ones who will have to begin again. We are placed in this situation only because we are employees of Lockheed.

We urge you to consider our plight; the effect your actions will have on the local, state, and Federal government; and then vote in support of the loan guarantee. This will show that the Congress of the United States considers the dignity of its citizens and their welfare are most important to the maintenance of the American system.

Yours respectfully,

CONCERNED LOCKHEED EMPLOYEES.

### CAPTIVE NATIONS WEEK

#### HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. HANLEY. Mr. Speaker, I want to take this opportunity to join with my colleagues in commemorating the 12th anniversary of the Captive Nations Week resolution passed in July 1959. I feel sharply the anguish which fills the minds of the people dominated within the Captive Nations.

Less than 3 weeks ago our flag—the American flag—was raised and honored in respect of our freedom. We must continue to remember those people who are not free to choose the flag under which they will live. We need to give more encouragement and hope than ever to those people subjected to the most cruel torture of mankind—the tragedy of not being free.

Our support of these victims must not exist only this week but all year long. The captive people of Albania, Poland, Hungary, Rumania, Bulgaria, Estonia, Latvia, Lithuania, the Ukraine, East Germany, Czechoslovakia and all other oppressed nations must know that we are always behind them. We must give them the confidence which they need in order to continue under the existing systems until they are free to choose under what flag they wish to live.

In this great age of prosperity and

happiness we must think of our brothers who are dominated and enslaved by those whose power is illegal as well as immoral. As I have noted in the past, a man's mind and spirit remain free so long as he has hope and so long as he believes. Is it right that these enslaved people must fight alone? We must help the oppressed victims by giving them reason to believe that as long as their spirit is free they will soon obtain the freedom of body.

May God help them to survive.

### BAN HANDGUNS

#### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MIKVA. Mr. Speaker, there is no question that the gun lobby is one of the most powerful in the country. Its propaganda machine and the financial support that the lobby commands are awesome. But, despite all of this, there are signs that people are beginning to see through the gun lobby's self-serving arguments. They have seen enough murder and mayhem, enough assassinations, enough strong-arm robberies, to realize that there must be legislation to control handguns in this country.

The United States is the only industrialized country on earth that permits gun sales. There is one handgun for every seven Americans. These are not sporting weapons; their only purpose is intimidating, harming, or destroying human life. And there can be no doubt that the criminal has but one favorite weapon—the handgun.

I think most of the people in the United States understand that. It is time their elected representatives in Congress understood that, too. A Washington, D.C., television station—WMAL-TV—recently broadcast an editorial entitled "Ban Handguns." The editorial points out the great percentage of policemen who have been killed with handguns and it urges the administration to support efforts to get the handguns off the streets. The transcript of the editorial follows:

#### BAN HANDGUNS

The most effective means of protecting police against armed attack would be control of handguns. These easily concealed weapons were responsible for nearly three-fourths of all the policemen killed on duty recently. No other civilized society would permit the flood of handguns that eliminates the policeman's advantage of a weapon.

Congress agreed three years ago to halt the importation of cheap, foreign-made weapons. Instead, these crude killers are being assembled in this country in large numbers. They're called "Saturday-night Specials" because they so frequently turn a small-time stickup or a domestic quarrel into murder.

This station has long favored stiff mandatory sentences for crimes committed with a gun. The time has come now to ban the sale of cheap handguns, which have nothing to do with sport. These concealed weapons are being used for crime . . . and to kill the police defenders against crime. The Administration should support efforts to ban the handgun.

### TENNESSEE PRESS SOUNDS NOTE OF CAUTIOUS OPTIMISM OVER PRESIDENT'S CHINA TRIP

#### HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. EVINS of Tennessee. Mr. Speaker, leading newspapers in Tennessee have expressed hope and cautious optimism that President Nixon's planned trip to China—his "Journey for Peace"—will result in a meaningful improvement of relations between the United States and Red China.

The Nashville Tennessean, the Nashville Banner, and the Knoxville News-Sentinel, three great newspapers, editorialized that the apparent thaw in the frigid atmosphere between the two nations should be viewed with caution.

Because of the interest of my colleagues and the American people in this most important subject, I place editorials from these three leading newspapers in my State in the RECORD:

[From the Knoxville News-Sentinel]

NIXON'S "JOURNEY FOR PEACE"

There is only one plausible way to react to President Nixon's proposed trip to Red China: To cross fingers and wait and see.

It is a momentous beginning toward Nixon's goal: "Peace not for just our generation but for future generations."

But it is only a beginning toward amicable relations between China and the United States. That objective, in itself, must include more amicable relations with all of Southeast Asia, including a peaceable coexistence, at least, between Red China and the Chinese Nationalist government on Taiwan. "Any nation," said the President, "can be our friend without being any other nation's enemy."

It would be possible, of course, for us to ease our relations with Red China without that country suddenly becoming wholly peaceful—an arm's length recognition, similar to that which prevails between the United States and the Soviet Union.

But before there can be altogether friendly relations between the two peoples there necessarily must be some decided changes in Red China's attitudes; in her North Vietnam policy as related to South Vietnam, for instance.

This and many other differences which have grown up between the two countries in the past 25 years indicate the measure of the problems which must be confronted and smoothed to make President Nixon's visit to China the "Journey of Peace" he hopes for.

There are many other questions: The effect of this bombshell on relations between the United States and the Soviet Union, which has been uneasy, to say the least, about Red China; the effect on the arms limitation talks now going on in Helsinki; the effect on this country's friendship with Nationalist China.

Noting all the complexities however, does not detract from the spectacular stroke of diplomacy which has brought about the invitation from Chou En-lai, whose government we have never recognized.

It undoubtedly is a most historic diplomatic move, even though it is a long time until next May, and many things can happen to change the whole prospect. (President Eisenhower's proposed journey to Soviet Russia was upset by the U2 incident; his long-planned trip to Japan was cancelled by student riots.)

A generation of hostility between Red China and the United States cannot be erased quickly or easily—especially with the same men in power in Red China.

But the hostility never will be erased until an effort is made. Nixon has begun that effort and the Chinese, whatever their motives, seem eager to pursue it.

And always, as often has been said, it is better to talk than to fight. An effort which leads to any reduction of tensions, to even a partial understanding between nations, is a net gain in a world all too beset by tension and conflict.

[From the Nashville Tennessean]

MR. NIXON'S CHINA TRIP RAISES CAUTIOUS HOPES

One of President Nixon's foreign policy objectives has been that of trying to normalize relations with Communist China, and he has now moved a large step in that direction by announcing he will visit the mainland and confer with Premier Chou En-lai.

The implications of such a visit are rather enormous. A change, if it could be brought about, could lead eventually to a new pattern of global power relationships.

The visit is scheduled for sometime before next May. And Mr. Nixon knows, as President Eisenhower learned in 1960, that impending summitry can be destroyed by events. Mr. Eisenhower's great "peace initiative" of that year included plans for a Big Four summit conference in Paris and an Eisenhower visit to Moscow.

But before anything happened, the Russians downed a U2 spy plane deep inside Russia and both the summit parley and the journey to Moscow went down the drain.

Even so, the mere announcement of Mr. Nixon's proposed journey has set off powerful currents and undercurrents in the world, the results of which can only be assessed later. The first expected protest came from Taipei, which regards such a visit as anathema.

But the mere announcement set up ripples in Moscow, which has eyed with deep suspicion any moves toward rapprochement between Peking and Washington, and in Hanoi, which will not lose any time in trying to find out what Peking has in mind.

What possible effect the announced trip could have on the Paris peace talks is only speculative insofar as Hanoi is concerned. But at home, Mr. Nixon may have undercut his war critics somewhat by suggesting they not upset his "peace initiative" by being too critical.

Domestically, Mr. Nixon's decision will have a mixed bag of political effects. He has doubtless angered the ultra-conservative wing of his party which regards Red China with bitter hostility, but others in the country which have long viewed U.S. policy toward Communist China as irrational will take a hopeful view.

On the practical side, a visit to Peking by an American chief executive is not likely to dissipate two decades of icy hostility between the countries overnight. The first spring thaw doesn't necessarily mean that winter is over, and it is highly likely that new freezes will mark the search for friendlier relationships—one of which is the issue of the future of Nationalist China.

But it is both ironic and significant that a Republican president, once the most aggressive of cold warriors and now the leader of a party which spilled a lot of political blood over who "lost China" has made the large step in the direction of reconciliation.

Less than a decade ago such overtures as the administration has now made would have sent "shock waves" through the Congress and the electorate.

The fact that is not the case now may hold some hope of a more peaceful configuration of big power relationships. It must

be a cautious hope, obviously, for it could be dashed overnight.

[From the Nashville Banner]

A JOURNEY FOR PEACE

America reacts with mixed emotions to the dramatic announcement of President Nixon last night—that by invitation he will visit Communist China early next year; but neither the emotions nor the reactions, pro or con, void the shared hope that it can be, as he expressed it, "a journey for peace."

It demonstrates his willingness, frequently stated, to go anywhere that such a possibility of accomplishment invites—and at whatever personal travail and risk.

The President is not proposing herewith to reverse the policy course of two decades; but simply to explore the possibility of adjustment within the limits of reality and security, and to test the reasoned possibility that communication can help.

That is the extent of the premise presented last night. It had no overtones of bland assumption, nor policy commitments in areas that would be totally contingent on developments. It was simply that the Chief Executive would make an unprecedented journey of state on the equally unprecedented invitation of Peking.

That was major news, indeed, released simultaneously by both governments involved; and while a substantial majority in this country have, like The Nashville Banner, opposed concessions to Red China that would have been in the nature of blind and craven appeasement, it is significant that majority sentiment today is indicated for the President's suggestion of a door reopened to this limited extent.

Manifestly, though unstated, there are multiple factors involved—including, certainly, the possibility that an enforceable agreement there could militate for peace not only in Vietnam but throughout Indochina.

The President also is aware that a thaw in that area could be advantageous and influential in balance-of-power considerations keenly weighed by the Soviet Union and of importance in amelioration of regional issues in Europe and the Middle East.

Statecraft is an operation of complex factors, and of few simple answers. It requires convictions and judgment along with courage, initiative and integrity. Without default on principle, it entails realization of the necessity of modification, sometimes, or reorientation, to fit the format of change in facts and circumstances. Such a course is one always to pursue with caution.

President Nixon has not proposed to carry the nation onto a more hazardous path than it has been pursuing. But to take a tentative step, hopefully, toward solution of what has appeared insoluble.

Some are bitterly contesting that—professing shock and outrage. To these, particularly, were assurances addressed in his own announcement. In anticipation of such protest, he sought to clarify and emphasize that, "Our action in seeking a new relationship with the People's Republic of China will not be at the expense of our old friends."

Note the amplification: The mission of his journey "is not directed against any other nation. We seek friendly relations with all nations. Any nation can be our friend without being any other nation's enemy."

Courage and candor and judgment are indispensable ingredients of the statesmanship that is, in turn, indispensable to the security of a nation. By every right-thinking American it is earnestly hoped that all three again will be demonstrated in the prospective developments spectacularly outlined last night. Reasoning caution is the fourth essential, the necessity for it hardly needing further emphasis.

THE 19TH ANNIVERSARY OF THE ESTABLISHMENT OF THE COMMONWEALTH OF PUERTO RICO

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ANNUNZIO. Mr. Speaker, July is a significant month for our fellow citizens of Puerto Rico. Nineteen years ago on July 25, 1952, Puerto Rico was formally established as a Commonwealth.

On that day a constitution drafted by the people of Puerto Rico went into effect. This constitution meant not only that the Governor, senators, and representatives would be elected by popular vote but it also meant that the people of Puerto Rico would now be able to exercise genuine self-government, which is the essence of a democratic form of self-government.

For nearly two decades that document has symbolized a unique relationship between the United States and the Commonwealth—a relationship freely entered into by the people of Puerto Rico and ourselves.

Puerto Rico's future now looks bright, but it was not always so. Sometime before the end of World War II, Luis Muñoz Marín, a one-time proponent of Puerto Rican independence, realized that Puerto Rico's destiny lay in combining American democracy with Puerto Rican self-help. He and a number of his supporters agreed that the island's salvation called for a tremendous expansion in its economy from one based solely on sugar production to one which would include a diversity of industrial products. Thus was born Operation Bootstrap.

This program was a self-help economic effort by Puerto Ricans. It promoted industrial growth by giving tax exemptions for various periods of time to new industries. The extraordinary economic gains, made since the initiation of Operation Bootstrap, are a tribute not only to their constitutional government but to the energies of the Puerto Rican people as well.

Puerto Rico now ranks among the top 20 industrial areas of the world. Per capita annual income has increased from \$280 in 1950 to \$1,500 in 1970 and it is expected to reach \$2,000 by 1975. From 1950 to 1970 investment grew and the gross national product increased from \$755 million to more than \$4.6 billion.

Puerto Rico is now beginning a new economic program which will accomplish twice what Operation Bootstrap accomplished in half the time. It is hoped that this \$4 billion program will serve to further aid the economic growth of Puerto Rico by creating more employment and extending present tax exemptions.

It is obvious that the people of Puerto Rico have demonstrated their ability to make tremendous strides as a self-governing body. However, with all that is new in Puerto Rico—a new political structure, a new economy, new construction and industrialization, new emphasis on education, and new floods of tourists—

the Puerto Rican people have not lost their traditional Spanish-oriented culture.

We in America have benefited immensely from the contributions that the people of Puerto Rico have made to the advancement of Western culture and civilization. As the Congressman for the Seventh Congressional District of Illinois, where many persons who have come from Puerto Rico reside, it gives me great pleasure to join in observance of the 19th anniversary of Puerto Rican Constitution Day.

I would like to take this opportunity to commend our distinguished colleague, Hon. JORGE L. CORDOVA, Resident Commissioner of the Commonwealth of Puerto Rico, as well as Hon. HERMAN BADILLO, who is the first native-born Puerto Rican to be elected a voting Member of Congress. Their dedication and effective representation have earned the respect and admiration of their colleagues in the Congress as well as the gratitude of the Puerto Rican people. On this occasion, I also want to congratulate Gov. Luis A. Ferre, of Puerto Rico, whose astute leadership has helped to enhance the stature of the Commonwealth of Puerto Rico in the world community.

To the people of Puerto Rico and to those of Puerto Rican descent residing in my own Seventh Illinois Congressional District, I extend on this special occasion my greetings and best wishes for continuing growth and prosperity.

#### FREEDOM'S PRICE FOR NIXON'S COURTSHIP OF RED CHINA

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. RARICK. Mr. Speaker, we Americans now learn from Eastern European diplomats who claim privileged knowledge of secret Washington-Peiping correspondence, the price for Red China appeasement. President Nixon has reportedly implied a willingness to agree to Peiping's assertion of control over Free Nationalist China—Taiwan—Formosa.

The same report points out that the President, in a personal letter to Nationalist Chinese President Chiang Kai-shek, assured him of America's intent to continue to honor our defense treaty agreement with that nation.

The price is neither the advancement of peace nor the recognition of basic human rights and liberties for the people of China.

From a Peiping news release we learn that Red Premier Chou En-lai has made it quite clear that Red China is not prepared to change its position on Taiwan in order to promote a rapprochement with the United States and that Washington would have to acknowledge Peiping as the sole legitimate government of the Chinese people if Washington wants to establish diplomatic relations with Red China.

Since the President did not trust the opinion of the Congress prior to sending

his alter ego, Mr. Kissinger, to Peiping, or before making his momentous announcement to visit Red China, I feel it is mandatory that the Members of this body reassert the initiative over U.S. foreign policy before one-man secret diplomacy again alters this Nation's course with foreign entangling commitments.

We can all recall the speech of General of the Armies, Douglas MacArthur, to a joint session of Congress on April 19, 1951:

There are some who for varying reasons would appease Red China. They are blind to history's clear lesson. For history teaches with unmistakable emphasis that appeasement but begets new and bloodier war. It points to no single instance where the end has justified that mean—where appeasement has led to more than a sham peace. Like blackmail, it lays the basis for new and successively greater demands, until as in blackmail, violence becomes the only other alternative.

I have strongly recommended in the past as a matter of military urgency that under no circumstances must Formosa (Taiwan) fall under Communist control. Such an eventuality would at once threaten the freedom of the Philippines and the loss of Japan, and might well force our western frontier back to the coasts of California, Oregon, and Washington.

I insert my letter to the President on this matter and pertinent newsclippings at this point.

HOUSE OF REPRESENTATIVES,  
Washington, D.C., July 22, 1971.

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

DEAR MR. PRESIDENT: I was greatly shocked by your announcement that you had approved on your own initiative of your advisor, Henry Kissinger, going to Peiping, China and secretly conferring with representatives of the Communist Party in that country. I was further aghast at the announcement of your intent, as President of this nation, and without any consideration of the Congress or other advisors, to personally dignify the regime of Red China by visiting that country and discussing with its leaders matters which can have a vital effect on the security and individual liberties of every American citizen as well as the Constitutional stability of our nation.

Additionally, your personal diplomacy can only result in the loss of leadership expected by our free nations and compel them to either stand against the world or to realign themselves by considering the U.S. in the pro-Communist bloc.

I consider your action, to say the least, a serious threat to our country and people and appeal to you in behalf of my constituents not to make the proposed visit to Red China. If you feel committed to discussing international matters with the regime of Red China, at least do so in a neutral country.

With sincere best wishes.

Sincerely,

JOHN R. RARICK,  
Member of Congress.

[From the Washington Evening Star,  
July 21, 1971]

#### ASSURANCES TO PEKING REPORTED (By Thomas B. Ross)

President Nixon made a general commitment to China to end the Vietnam war quickly, admit Peking to the United Nations and settle the Taiwan question, according to Eastern European diplomats.

The diplomats, who claim knowledge of secret Washington-Peking correspondence

through Communist intermediaries over the past year, said Nixon's assurances were not specific. However, they said, they have been completely convincing to the Chinese leadership.

The diplomats also said there was no direct link between Nixon's general assurances and his invitation to visit Peking.

"NO AGREEMENTS . . ."

Sen. Gordon Allott, R-Colo., chairman of the Senate GOP Policy Committee, said Nixon told the GOP congressional leadership at a meeting yesterday that he made "no agreements or concessions of any type" to secure the invitation.

The diplomats said Nixon's messages implied a willingness to acquiesce in Peking's long-run assertion of control over Taiwan.

The White House yesterday confirmed that the President sent a personal letter to Nationalist Chinese President Chiang Kai-shek assuring him the United States will continue to honor its defense treaty arrangements with Taiwan.

#### IMPLICATION NOTED

The implication seemed to be that Nixon will permit events to take their own course after the 83-year-old Chiang passes from the scene and that Peking is confident of eventual political victory following the U.S. military withdrawal from Asia.

On the question of Red Chinese membership in the U.N., the administration currently is studying a recommendation that it back action to provide for representation of both Peking and Taipei.

[From the Evening Star, July 21, 1971]

#### CHOU INSISTS ON VIETNAM PULLOUT

PEKING.—Premier Chou en-Lai says that normalization of relations between China and the United States could not affect the solidarity between Peking and Communist forces in Indochina, and that the total withdrawal of American troops was for China a matter of the greatest urgency.

In his first statement made public, since President Nixon's announcement last Thursday that he would visit Peking, Chou said: "We believe that the first question that must be settled is that of Indochina, and in settling it we will be acting not only in the interests of the Indochinese people but also of the American people."

The prime minister made the statement Monday in a three-hour interview with a group of American university students visiting China. It was reported by the Agence France-Presse.

#### STRESSES EVACUATION

He continued: "The thing which in our view is most called for, whether in the United States or abroad, is the withdrawal by the United States of their troops from Vietnam, and the evacuation of troops of other countries that followed the United States in Indochina."

"It can be said that this demand for evacuation is even stronger than the call for the restoration of relations between the Chinese and American people."

The extracts from Chou's statement were given to the press by a spokesman of the American group.

Chou, the spokesman said, added that the Chinese position was clear and it was that American troops must be evacuated "not only from Vietnam but from all Indochina, and not only troops but all personnel and military installations."

Chou is reported to have said: "We believe that this problem, for the American people today is the most outstanding . . . the American people do not want to sacrifice lives in a dirty war."

Chou reportedly reaffirmed his "total support" for the seven-point Viet Cong proposals for a negotiated solution made public in Paris July 1.

Three other problems brought up by Chou En-lai as constituting difficulties in the normalization of relations with the United States were Taiwan, "Japanese militarism" and South Korea.

#### HIGHLIGHTS NOTED

Concerning Taiwan, the premier listed people's China's claims in six points:

If diplomatic relations were to be established with Peking, the United States must recognize the People's Republic of China as the only legal government of the Chinese people.

Taiwan is a Chinese province and Peking will tolerate no interference in this internal affair.

The reason given that this problem cannot be solved—because of existing international agreements—is "absurd."

Peking is opposed to any "Two Chinas" policy, a China and a Taiwan or any similar formula.

Peking is opposed to the so-called "movement for the independence of Taiwan," which, according to Chou, was originated by elements in such foreign countries as the United States and Japan, and which is supported by the Japanese government.

The United States must withdraw its troops from Taiwan and the Taiwan Strait. The security treaty between Taipei and Washington is "illegal", Chou said, adding: "That is our position and we will stand by our position. Our position will not change."

Chou's address was tape recorded by his 15 guests of the "Universities Committee Concerned With Asia," which has some 5,000 members in the United States and other countries.

[From the Washington Daily News,  
July 17, 1971]

**BASIS FOR AGREEMENT SET UP BY KISSINGER—  
UNITED STATES, CHINA RECOGNIZE WHAT IS  
POSSIBLE**

(By R. H. Shackford)

President Nixon's advance man to Peking, Dr. Henry Kissinger, already has laid the basis for agreements to be made when the presidential visit occurs, probably early next year.

Dr. Kissinger and Chinese Premier Chou En-lai had 20 hours of talk during which they apparently covered all of the major problems between the two countries.

Both sides understand there are some major and, at the moment, intractable differences between Peking and Washington. But they also agree that a start should be made in whittling away at these differences after 21 years of total isolation from each other.

This was the gist of a briefing on Dr. Kissinger's secret mission to Peking given at the California White House by the official who was totally informed about the three months of preparation and about what happened once Dr. Kissinger got to Peking.

The administration plans to maintain as much secrecy as possible on plans for the Nixon trip—especially on the substance of the issues to be discussed and ratified. It succeeded beyond its own expectations in maintaining total secrecy on Dr. Kissinger's mission to Peking. That was accomplished by extraordinary precautions:

Only three men in the government—Mr. Nixon, Dr. Kissinger and Secretary of State William Rogers—knew all of the details of the plans for Dr. Kissinger to go to Peking.

Three other senior members of Dr. Kissinger's staff who accompanied him to Peking—John Holdridge, Winston Lord and Richard Smyser—knew the general framework but only some of the details of the plan.

The planning by Mr. Nixon and Dr. Kissinger was done in the Lincoln bedroom of the White House instead of in either of the President's two offices. They were fearful of leaving papers around that might tip off other White House staff members.

CXVII—1691—Part 20

The plans and the positions on countless subjects Dr. Kissinger was to take were kept in a big black book. That book has the highest "top secret" classification.

Planning for the trip started in early April thru an intermediary who is believed to be Romanian President Nicolae Ceausescu. The White House refuses to say thru whom the exchanges with Peking were made. But Mr. Nixon visited Mr. Ceausescu in August, 1969; Mr. Ceausescu visited Mr. Nixon in October, 1970. But the key visit—and the one during which the Kissinger visit to Peking probably was nailed down—was Mr. Ceausescu's trip to China during the first week of last June.

#### PEKING TRIP STUNS CHINA WATCHERS

HONG KONG, July 17.—No one was caught farther off base by President Nixon's plans to visit Peking than his own U.S. State Department China experts here.

Their latest background paper, issued only three weeks ago, stated that accommodation between Washington and Peking "is expected to come in a steady, deliberate trickle of events, not a sudden spate of newsmaking developments."

The President's announcement of his acceptance of Premier Chou En-lai's invitation hints that more has happened behind the scenes than is visible.

U.S. consulate officials here were "under orders to make no comment whatsoever," but the general feeling is that President Nixon would not be making the trip if some sort of understanding on the controversy about seating Red China in the United Nations has not already been reached.

Ironically, announcement of the pending trip came out the same day as British intelligence officials issued a report titled "China prepares for tourists."

It notes three recent tours by foreign diplomats to places, such as the forbidden city, which have been closed to foreigners since the cultural revolution, and it speculates that communist China will begin actively to promote tourism—possibly even by Americans—by the end of this year.

[From the Christian Science Monitor, July  
22, 1971]

**CHOU'S PRIORITIES—INDO-CHINA EXIT FIRST**  
(By John Burns)

PEKING.—Premier Chou En-lai has made it emphatically clear that Communist China's interest in normalization of relations with the United States will not be pursued at the cost of China's allies in Indo-China.

In a 3½-hour encounter with a group of American students on Monday night, the Premier declared that a complete withdrawal of U.S. forces from Indo-China must take priority over the search for improved Sino-American relations.

Speaking in the general context of his invitation to President Nixon to visit Peking, Premier Chou said the "greatest cry" of public opinion, both in the U.S. and elsewhere, is for the U.S. administration to withdraw its forces from Indo-China.

"ISN'T THIS SO?"

"It might also be said that this demand is even stronger than the demand to restore the relations between the Chinese and American peoples, because the people of the United States do not want to sacrifice the lives of the American people in this dirty war. Isn't this so?" the Premier said.

"Therefore, we believe the question to be solved first should be the question of Indo-China and by doing so we will be satisfying not only the interests of the Indo-Chinese people but also the people of the United States," he added.

In his remarks on the war, Mr. Chou made it clear that the demand for U.S. withdrawal went beyond Vietnam to "all of Indo-China"—Vietnam, Laos, and Cambodia.

Moreover it covered "not only troops, but all military forces and all military installations."

In so defining the demand the Premier appeared to go beyond the seven-point peace proposal made at the Paris peace conference on July 1 by negotiators for the National Liberation Front. A key aspect of the NLF proposals was that they specified a U.S. withdrawal only from Vietnam.

However, Mr. Chou made it clear that China stands by the support it has voiced through its official press for the NLF proposals. The proposals were "the only way to solve the problem" and enjoyed "our complete support," he said.

Earlier he cited the war in Indo-China as one of four "obstructions" standing in the way of a normalization of Sino-American relations. He gave the others as the United States commitment to Taiwan, the situation in Korea, and the revival of Japanese militarism.

#### CONDITIONS NOT HINTED

However, there was no hint in anything the Premier said of any conditions set by the Chinese for the Nixon visit. Nor was there any comment on the timing of the visit.

The Premier's failure to mention any preconditions dampened speculation among observers here that the President may have offered the Chinese assurances on outstanding problems between the two countries—among them Indo-China, Taiwan and the contest for China's seat in the United Nations—through Henry A. Kissinger, the presidential emissary who met with Mr. Chou in Peking July 9 to 11.

The Kissinger visit was not mentioned by either side during the scholars' meeting with the Premier.

#### GROUP CHECKS NOTES

The Premier's remarks were conveyed to correspondents in Peking by spokesmen for the friendship delegation of the Committee of Concerned Asia Scholars, a 15-member group that has been touring China for nearly four weeks.

Before meeting with the correspondents the group checked their notes against a taped transcript of their conversation with Mr. Chou. In addition, they won clearance from the Chinese Foreign Ministry for the wider circulation of his remarks.

On the subject of Taiwan, Mr. Chou said nothing new, but he indicated that China is not prepared to alter its position in order to promote a rapprochement with the United States. The essence of that position was that the People's Republic of China is the sole legitimate government of the Chinese people and if Washington wanted to establish diplomatic relations with Peking it would have to acknowledge the fact.

Nor would China accept any compromise solution that involved the recognition of an independent Taiwan. The island was an integral part of China and had been for over a thousand years. So to speak of the status of Taiwan as "unsettled" was "absurd."

Peking remained unalterably opposed to any of the so-called compromises that have been suggested on the Taiwan question—the two-China policy, the one-China, one-Taiwan policy "or any similar policy."

Moreover, the position is that Peking would never accept a United Nations seat if the international body attempted a compromise that would hand China's seat to Peking while retaining Taiwan as a member. "If such a situation continues in the United Nations, we will not go there."

#### FOREIGN MANIPULATION

Mr. Chou suggested that the Taiwan independence movement—a movement at odds with the government of Generalissimo Chiang Kai-shek, which matches Peking's claim to be China's sole legitimate government—is manipulated by foreign forces based in the United States.

He cited the case of the movement's nominal leader, Peng Min-ming, who, he said, is living in the United States. It is believed Mr. Peng is teaching at the University of Michigan.

After Indo-China and Taiwan, Mr. Chou spoke of the two other "obstructions" to improved Sino-American relations: Korea and Japan.

As far as Korea is concerned there are two main problems: the fact that there is still no peace treaty but only a cease-fire under the terms of the original armistice, agreement, and the continuing presence of United States forces in South Korea.

The scholars said Mr. Chou gave the impression of being "seriously concerned" by the prospect of resurgent Japanese military might. It was a problem he regarded as immediate and not far off in the future, they said.

#### CITIZEN OF THE YEAR AWARD

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. WOLFF. Mr. Speaker, the Community Chest of Port Washington is an organization that has been involved in a great number of worthwhile community services providing medical and legal care and a variety of other forms of assistance for residents of the Port Washington area in my district in New York. Recently, the Community Chest presented its first Citizen of the Year Award to Harold E. Mertz, a longtime resident of Port Washington and an active leader in the affairs of his community.

Mertz, who founded a business firm in New York, was the original creator of an endowment fund for the Community Chest for the benefit of the young people of the Port Washington area. In addition to this and his many other philanthropic efforts in his community, Mertz recently donated an entire building which formerly housed his business offices. The building is now known as the Community Development Center and will maintain a variety of agencies to provide area residents with coordinated medical and psychiatric care, legal assistance, a child day care center, employment assistance, job training, and a low-cost loan bureau.

At the award ceremony which took place at the Community Development Center office, the citation for Harold Mertz included the quotation from the Latin, "If you seek a monument look about you." The citation explained that Mertz's monument was not only the building he donated to the Community Chest, but all his generous efforts to improve the social conditions of his community.

Mr. Speaker, I feel that the constructive and exceedingly generous philanthropic actions of Harold E. Mertz in his home of Port Washington are worthy of recognition by my colleagues in Congress and the people of this Nation. He is an example to all people who have a strong desire to effect social change in their communities and who have made genuine efforts to accomplish that goal.

#### A NATIONAL ENERGY POLICY

### HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. McCLURE. Mr. Speaker, the Nixon administration is the first administration in the Nation's history to develop an energy policy. Not only is that a milestone in itself, the very fact that such a policy statement was issued has encouraged others interested in the problem of energy resources to contribute their thoughts on the matter.

Last week, the House Republican Task Force on Energy and Resources heard from Carl E. Bagge, president of the National Coal Association. As a former Commissioner of the Federal Power Commission, Mr. Bagge is a respected authority in the energy field, and his statements bear more than passing scrutiny, especially as they are contained in the association's own national energy program.

For example, Mr. Bagge opens the statement by noting that a national energy policy must be consistent with national security, environmental protection, economic growth, and full employment. It should be sufficiently long term so that affected industries know where they are headed, and yet flexible enough to allow for technological improvements.

I think the case he makes in behalf of national security is particularly worthwhile, and I commend this report to all of those interested in the energy problem:

#### A NATIONAL ENERGY POLICY BY THE NATIONAL COAL ASSOCIATION

For the past ten years the coal industry has stood alone among the fuel producing and fuel consuming industries in advocating a national energy policy. While a few members of Congress have shown interest in this idea for some time, only recently has broad support developed in Congress and among federal agencies for a coordinated energy policy.

Several energy studies are now underway. The purpose of this statement is to set forth current coal industry views on the various aspects that may be raised.

A national energy policy should provide the guidelines to attain predetermined objectives. These objectives must be consistent with national security, environmental protection, economic growth and full employment. The policy must be sufficiently long-term so that affected industries can make prudent investment decisions, and still flexible enough to react to technological improvements, major changes in demand, and new health and welfare requirements.

The policy should state short-term goals, covering perhaps the period from now until 1980. Long-term goals would extend to the end of this century and beyond. Of course there should be no discernible break between short-term and long-term plans.

The policy must recognize that energy is the most basic component of the national economy. All fuel resources should be treated impartially and objectively, each providing its share of total energy demand at the lowest cost possible—not only in dollars per unit of energy, but also in impact on the environment. Representatives of the energy producing industries should be consulted both in the formulation of energy policy and in its execution.

Specifically, the coal industry suggests consideration of the following factors in the establishment of a national energy policy:

#### 1. Primary Reliance on Domestic Fuel Resources.

The United States must make whatever commitment is necessary to maintain primary reliance on domestic sources of energy. There are three reasons for this:

(a) The United States will lose its freedom to act in its own best interests if its energy "lifeline" becomes subject to the vagaries of unstable or unfriendly foreign governments, especially if the bulk of the energy supplies of the future come from the Eastern Hemisphere.

(b) Energy-fuel cost represents such a large total dollar item in the United States (already almost \$20 billion a year, and projected to more than double within the next 20 years) that the nation's economy will be jeopardized if imports are permitted to become a drain on our balance of payments.

(c) Unlimited imports of foreign fuels will adversely affect the incentive of domestic industry to develop indigenous fuel resources. The capital required for an increased effort in the speculative search for domestic oil and gas, and to an even greater extent for the large outlays required for production of synthetic fuels from coal and oil shale, will be invested only if Congress adopts a firm and permanent policy of encouraging such investments rather than placing substantial reliance upon unlimited energy imports.

The most appropriate and effective method of stimulating investment in domestic energy resources is to limit (expressed perhaps as a percentage of total energy consumption) the amount of energy permitted to come from foreign sources. The allocation of permissible energy imports should be set by Congress but a federal energy agency could have discretionary power to make temporary and limited revisions where required by unforeseen demands.

#### 2. Coordination of Government Decision-Making.

At present, decisions affecting energy supply and demand are made by a host of government agencies and Congressional committees.

Policies established under this fragmented machinery are often ambiguous or conflicting and, as a result, self-defeating. Some mechanism must be established whereby the over-all energy objectives and policies of the nation can be harmonized. To this end, we recommend:

(a) All of the various agencies of the government which have a major effect on energy supply should be combined into one federal energy agency. We believe President Nixon's recent proposal to establish a Department of Natural Resources is a major step in this direction, and we endorse that proposal.

(b) Congress should coordinate energy policy by combining the various Congressional committees now dealing with segments of energy policy into one Joint Committee on Energy. There are 14 different Congressional committees currently dealing with this subject.

A single committee could be fashioned after the existing Joint Committee on Atomic Energy. Alternatively, Congress might establish a House committee on energy and a Senate committee on energy, with the senior members of both combining as a Joint Committee on Energy—following the precedent of the Ways and Means Committee, the Finance Committee and the Joint Committee on Internal Revenue Taxation.

#### 3. Federal Funds for Fuel Research.

There is no question that the nation's long-range energy needs—after the next 75 to 100 years—will have to be supplemented from an energy source other than the hydrocarbon fuels (coal, oil and gas). Since it is in the national interest to develop such a new energy source, it is reasonable that

federal funds be used for the required research. However, a more important immediate need is to utilize more effectively the energy sources we now have and that we must rely upon for the foreseeable future.

Currently more than 95 per cent of our energy demands, are met by the use of coal, oil and gas. Hydro (about 4 per cent) and atomic (less than one per cent) supply the remainder. Only 21 per cent of the energy produced from our hydrocarbon fuels is used to make electricity; 79 per cent is consumed directly in gas or liquid form to heat our homes, power our automobiles, etc. Many of these uses of hydrocarbon fuels cannot be supplanted by atomic power generation, a fact that must be kept constantly in mind in our commitment to energy research.

While it is important to the public welfare to develop atomic power, the almost exclusive commitment of federal research funds for this purpose is shortsighted. In fact, overemphasis on atomic power research in recent years has been a deterrent to proper energy supply planning. Several years ago many electric utilities, under government pressure, began ordering atomic instead of coal power plants to meet projected coal producers to defer opening new mines coal-hauling equipment. As we now know, atomic power plants failed to come on line as predicted. As a result, the electric power industry found itself with insufficient capacity to meet the demands and had to turn to coal in the emergency. The predictable result was a shortage of coal availability and of power-producing capability.

While it is only one factor, the lack of a realistic policy on federal spending on energy the current crisis. It is imperative that we now reconsider federal funding of energy research and make this an integral part of the national energy policy.

We do not advocate discontinuing atomic energy research. The public interest requires that a safe and reliable "breeder" reactor be developed to meet long-range electric energy needs. But it is also important that this be so programmed that a breeder reactor is available before we exhaust our limited supplies of low-cost uranium on inefficient light water plants. It will be impossible to produce low-cost power with the breeder system of the future if it must be started with extremely high-cost uranium.

However, of more immediate importance—from the standpoint of near-term needs of the nation—is the development of technology to utilize our extensive high-sulfur coal reserves for the production of electricity and for industrial steam purposes. Unless this is done, there is simply no way to avoid a serious and lasting energy and power shortage. Even with a "crash" research program to overcome our technological deficiencies in pollution control, it may be necessary to defer additional restrictions on emissions of fossil fuel pollutants for two or three years.

In 1970, federal funds became available to share in the cost of building full-scale demonstration plants utilizing several methods of removing sulfur oxides from power plant stack gases. This was a giant step forward, but more rapid gains would be possible if more funds were available. Clean air and adequate power can be provided if sulfur-removal systems can be built with assurance that they will operate satisfactorily and within a cost range acceptable to the public. Before that can be achieved, the electric utilities must have experience with full-scale plants using the most promising sulfur control devices. Federal assistance in this program should be substantially increased.

There should be an expanded effort on advanced methods of producing electricity from coal—including such concepts as the combined cycle (coal gasification at the power plant and use of both gas turbines and steam turbines) magnetohydrodynamics, etc. Such

new methods give promise of producing more electricity from less fuel, and with a minimum of insult to the environment. For the public benefit, a substantial research effort to advance these methods should be undertaken immediately.

As indicated earlier, the United States operates on what might be called a "hydrocarbon economy." Some 80 per cent of these hydrocarbon fuels are consumed in gaseous or liquid form and it is expected that this demand will continue for many years to come. Faced with the fact that the reserves of oil and gas are rapidly dwindling, it behooves us to develop technology to convert coal to the more desirable liquid and gaseous forms. Until recently the potential and the need of such conversion have been largely ignored. Federal funding of research in the national energy policy should recognize this deficiency and correct it.

The research effort required to fully develop the technology for the more effective use of our fuel resources—coal, oil, gas and uranium—will be a costly one. The financing of such an effort must also be a part of the national energy policy. It is our belief that since the ultimate user of energy—whether it be in the form of electricity, gas or gasoline—is the beneficiary of improved technology, the user should help defray the cost.

#### 4. Realistic Goals in Control of Environmental Pollution.

In the effective use of domestic fuel resources to meet our energy needs, many environmental control problems must be overcome. Industry cannot be expected to exert a major effort to meet those requirements if the rules are constantly changing. For example, in 1966 the Department of Health, Education and Welfare published sulfur oxide criteria indicating that the sulfur limit in fuels should be 1.0 per cent. However, at HEW's urging, a number of communities adopted substantially lower requirements. More recently, some federal agencies have advocated sulfur content of fuel at 0.1 per cent or less.

Industry, at a tremendous cost in research and development funds, has been pursuing research which would achieve the 1.0 per cent sulfur level in fuels, and is understandably disturbed at this latest development. Since there is no known technological means for meeting a 0.1 per cent restriction on sulfur content, there is a danger that industry will, in despair, give up all effort to achieve what might be realistically attainable goals.

There is a need to set reasonable goals for the near-future, and more stringent goals for the more distant future. Imposing requirements not technologically feasible for the immediate future serves only to discourage efforts to meet reasonable goals.

This applies also to other environmental problems related to the use of coal to meet our energy needs. For example, some well-meaning conservationists have advocated the banning of surface mining of coal. Any such approach is simply unrealistic, not only because over 35 per cent of the coal is mined in this manner, but also because it reflects a lack of knowledge of what is possible through proven reclamation techniques.

Climatic and topographical differences among the states, as well as differences in land use objectives, require flexibility in land reclamation. State authorities are most familiar with their particular areas and are best qualified to set specific requirements and regulations. The federal government, however, can provide leadership in research, training of personnel and coordination of state programs.

Environmental protection must be a part of a national energy policy. Guidelines should be provided not only for the subjects discussed in this statement, but also for atomic radiation, water pollution, plant sit-

ing, etc. Environmental protection is essential—but so is the supply of energy fuel. A sound energy policy will enable us to enjoy both.

#### 5. Coal Exports.

Coal exports are an integral part of the nation's energy economy. About ten per cent of annual coal production for some years has gone to foreign markets. Most of this consists of high-quality coking coals which are used by steel producers in Japan, Western Europe and South America. Canada also has historically depended upon American coal to meet part of its fuel requirements for steam generating plants and steel production.

Many new mines, creating new jobs and otherwise contributing to the domestic economy, have been developed solely for the purpose of providing coal for export under long-term contracts. Some of these contracts run for as long as 15 years. The sanctity of these contracts must be respected if we are to retain our integrity in international markets. As Dr. McCracken, Chairman of the President's Council of Economic Advisers has said, the coal export market cannot be regained once lost; overseas consumers would lose faith in the U.S. coal industry and turn to other sources to meet their requirements.

Coal exports not only benefit the domestic coal industry and those employed by it, but they contribute substantially to a more favorable balance of trade for our nation. Most of the coal which is exported overseas is produced in the Appalachian area, where improvement of economic conditions is of national concern.

#### 6. Control of Energy Prices Should Be Left to Competitive Forces.

With the laudable objective of providing consumers a premium fuel at a bargain price, the government has maintained a tight lid on the price of natural gas at the wellhead. We have reached the point where that policy is outmoded; supplies of natural gas adequate to meet demand are no longer available at any price. Government controls over wellhead price should be removed, at least with respect to future discoveries, to stimulate the risk of capital necessary to find additional supplies and to restore normal competitive forces. If this is done, and at the same time conversion of other hydrocarbons to gas is encouraged, the production of synthetic gas from coal and oil shale will act as a competitive limiting factor on the price of natural gas.

With respect to energy supply from domestic sources, we believe the forces of free competition will best serve the public. Substitution of price and/or wage controls in the energy industry, or in any segment of it, may result in a temporary reduction in cost to the consumer, but (as has already happened in the case of natural gas) such artificial controls will inevitably result in energy shortage. Energy is so essential to the economic well-being of the nation that an adequate supply is far more beneficial than temporary, artificially low prices accompanied by scarcity.

#### 7. Equipment to Transport Coal.

An adequate supply of coal in the future depends upon an adequate fleet of open-top hopper cars and locomotives to move it. About 70 per cent of total coal production is shipped by rail; the remainder is transported by water or truck.

The financial and other difficulties of many of the carriers have resulted in a serious shortage of hopper cars. While we do not profess to have the answer to the hopper car shortage, we do want to emphasize the importance of finding an answer to this problem. A national energy policy should assure an adequate hopper car supply.

Existing law provides a five-year tax write-off for railroad rolling stock owned by or leased to the railroads, but not for equip-

ment owned by shippers and consumers. We suggest it would stimulate the purchase of hopper cars by coal shippers and consumers if the five-year write-off privilege were extended to them.

#### 8. Improved Tax Incentives.

The investment necessary to make domestic energy available in the quantity and in the form required by the public interest will be undertaken only to the extent that incentives (probable profit after taxes) are sufficient to attract the capital required. In the case of coal, the risks are greater than at any time in the past (partially because of more burdensome government regulation, partially because of the efforts of the industry to meet the demand for a clean environment, partially because of the threat of government-financed competition from atomic power, and partially because of the uncertainties surrounding government policy on imports of energy.) These increased risks mean that capital will be invested in coal ventures only if the incentives are increased.

The Congress, in the 1969 Tax Reform Act, imposed the mislabeled "minimum" tax which has the effect of reducing the benefits of the percentage depletion allowance about 10 per cent, for all minerals. This increased tax burden should be repealed; if it is continued, it will result in a substantially higher price of energy to the consumer.

In addition, we believe the following actions affecting the production and use of coal should be taken:

(a) Coal's depletion allowance should be increased. Coal's allowance is 10 per cent, while all other energy minerals (oil, gas and uranium) are allowed 22 per cent.

(b) The valuation point (for depletion purposes) in the case of coal used to produce synthetic fuels should be advanced to that point in the processing equivalent to gas and oil at the wellhead. This was done with respect to synthetic fuel from oil shale, in the 1969 Act. It should be done also with respect to synthetic fuel from coal, because it will provide additional incentive for capital investment.

(c) Five-year amortization for tax purposes should be allowed for the total cost of pollution abatement facilities added to new plants (present law restricts this treatment to abatement facilities which are added to old plants, and even then restricts the write-off to less than total cost). Such action would encourage energy consumers to construct facilities for the use of fossil fuels without insult to the environment.

(d) Five-year amortization for tax purposes should also be allowed with respect to facilities constructed to convert polluting fuels into clean fuels—such as a plant to convert coal to gas, or to a low-sulfur solid fuel.

In summary, the coal industry strongly favors the development of a comprehensive national energy and environmental policy. We recommend that the policy place primary reliance on domestic sources of energy, that it provide for elimination of the ambiguities and conflicts so prevalent today, that it call for a more equitable distribution of federal funds for fuel research, and that it establish realistic goals for the control of environmental pollution.

The coal industry firmly believes that energy prices should be determined by free competition among the domestic sources of supply. The industry deserves more equitable treatment in taxation; an adequate supply of coal hopper cars must be assured.

Energy is the foundation upon which our present high standard of living is based. It is now clear that we must adopt a coordinated energy policy if that foundation is to be preserved.

## HOUSING LEGISLATION FOR THE DISTRICT OF COLUMBIA

### HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES  
Thursday, July 22, 1971

Mr. FAUNTROY. Mr. Speaker, I am today introducing a bill submitted by the District of Columbia government that would facilitate construction of housing and successful completion of urban development programs in the District. The bill would modify several provisions in existing law that inhibit the ability of the District government and the Redevelopment Land Agency to provide decent, safe, and sanitary housing for the thousands of District residents who must endure substandard housing conditions. I have included below a title-by-title analysis of the bill, as well as the District government's letter of transmittal.

#### TITLE-BY-TITLE ANALYSIS

Title I of the bill will permit the Commissioner of the District of Columbia to enter into agreements derived from the competitive bid process or by negotiation with private developers or contractors for the construction of buildings for the combined use by the Government of the District of Columbia and a private entity on land owned by the District of Columbia. Title to the land shall remain with the District of Columbia.

The Government of the District of Columbia is currently unable to enter into any such agreements on land that it now owns.

Title II would permit the District of Columbia to sell to a nonprofit housing corporation excess land that it owns for the purpose of constructing low and moderate income housing at a price to be determined by the Commissioner for the District based upon the intended use of the land. This determined price may at times be less than that which could be commanded by a bid or negotiated process based upon the most economic use of the land.

At present, the District of Columbia is required to sell its land at a price based on the highest and best use for which the land could be used.

Title III provides specific authority to the District of Columbia to accept gifts, donations, bequests, and grants. The same authority is also provided to the Redevelopment Land Agency. As an inducement, the Revenue Act of 1947 is also amended to allow a person to deduct from his gross income the value of gifts he may make to the District. This provision will more closely conform District law to the Federal Internal Revenue Code which authorizes deductions for contributions made for an exclusively public purpose.

At present, there is no specific authority for the city to accept gifts nor is there any authority for the RLA to accept gifts.

Title IV permits the District of Columbia to waive all or part of special assessments levied by the city for improve-

ments against abutting property for curbs, gutters, sidewalks, water and sewer lines. The costs of such improvements can be set off as a noncash grant-in-aid under title I of the Housing Act of 1949, as amended. If, however, the special assessment is necessary for the current construction of the improvement, the amount must be deducted to ascertain the amount of the noncash grant-in-aid under title I of the act of 1949. This will permit the building of certain low- and moderate-income housing projects to proceed at a lower cost than would otherwise be if these assessments were made. Additionally, the authority to waive will provide the District with flexibility in providing its share of renewal costs.

Title V authorizes the City Council to close all or any part of a public way within an urban renewal plan when they find that the RLA has acquired title to all or a major part of the property that abuts. Where there remains unacquired property, the RLA is required to obtain the written consent of those owners abutting the property.

Title VI shortens the time and lessens the expense of closing any street, road, highway, or alley or any part thereof by eliminating the second of two 14-day newspaper advertisements. Under the provisions of this title, it will be possible to close a public way in less than 4 months.

Title VII authorizes the Commissioner of the District of Columbia to transfer for and on behalf of the United States certain described land which was used by the railroads. All railroad lands in the District of Columbia are owned by the United States and all transfers of such land are done for the United States by the District of Columbia. In this case, title will be transferred to the RLA.

The City Council has indicated its support for these measures and the White House Office of Budget and Management has indicated that there is not objection to this legislative package.

A draft bill submitted to the Speaker follows:

THE DISTRICT OF COLUMBIA,  
Washington, D.C., May 20, 1971.

The Honorable The SPEAKER,  
U.S. House of Representatives,  
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioner of the District of Columbia has the honor to submit herewith a draft bill "To authorize the Government of the District of Columbia to engage in certain activities designed to effect community development," to be cited as the "District of Columbia Community Development Act".

Title I is intended to make it possible for the District to take advantage of various plans for the efficient and economic use of District-owned land which may be proposed by private developers. It authorizes the Commissioner to enter into agreements for the construction by private developers, on real property owned by the Government of the District of Columbia, of buildings for combined District and private uses.

The Commissioner is also authorized by this title to impose appropriate conditions on these combined uses of District property, including approval of building plans, assess-

ment and taxation of the privately-owned portions of the building as real property, and forfeiture of these privately-owned portions of the building to the District upon substantial failure of the developer to meet his obligations.

Title II would authorize the District Government to sell excess land to nonprofit corporations for construction thereon of housing for low- or moderate-income families, at a price determined on the use of the land for such a purpose, rather than at a fair market value based on the highest and best use which can be made of the land.

The Commissioner believes that social considerations of land use may, in certain circumstances, outweigh obtaining the best possible price for the sale of such land. Accordingly, title II introduces into existing law the flexibility needed to take appropriate action whenever the land in question would be better used to meet the particular needs of the District, with respect to providing housing for low- and moderate-income families. The key provision of title II for the achievement of this goal permits the sale of excess land at the fair market value based on the use of the land for housing for low-income or moderate-income families. While this might result in a lower sales price for the land, such a price should be balanced against the social needs of the particular neighborhood and of the whole community. If, on balance, the need of the District for housing for low- and moderate-income families outweighs the need to use the land for some other purpose, title II makes it possible for the District to make the land available for housing.

Title III is designed to provide specific authority for the District Government to accept gifts, and to grant similar power to the Redevelopment Land Agency. The Commissioner is of the opinion that a clear cut statutory provision in this area will encourage individuals, corporations, and foundations to bequeath, give, or grant money or property to the District and the RLA for community purposes.

As an inducement, and, indeed, as an equitable addition to the law, the Commissioner is also proposing in this title an amendment of title III of the District of Columbia Revenue Act of 1947 which would allow a person to deduct from his gross income subject to the District of Columbia income tax the value of gifts he may make to the District. This provision will more closely conform District law to the Federal Internal Revenue Code, section 170(c)(1) of which authorizes deductions of contributions made for exclusively public purposes to, among others, the District of Columbia.

Title IV gives the Commissioner the power to waive all or part of special assessments to be levied pursuant to the District of Columbia Code against abutting property for improvements to curbs, gutters, sidewalks and water and sewer lines in urban renewal areas. The cost of such improvements provided by the District in urban renewal areas can be applied towards the local share of the net project costs as a local non-cash grant-in-aid to the project under title I of the Housing Act of 1949, as amended.

However, if any part of the cost of such improvements provided by the locality is subject to, and financed by, special assessments levied against project land, the amount of the special assessments must be deducted from the cost of the improvements in computing the amount to be claimed as a non-cash grant-in-aid. Only that part of the cost of the improvement which is not financed by special assessments is eligible as a local non-cash grant-in-aid. Authority to waive the special assessments, required under the District of Columbia Code in urban

renewal areas will benefit the District in two respects.

This discretionary power will eliminate the possibility of increasing the cost of a particular urban renewal development, via special assessments, to a point where the success of the project may be jeopardized. This is essentially critical to the development of low- and moderate-income housing. Such special assessments may increase the costs of such projects to the point where they are infeasible.

Secondly, the authority to waive special assessments would provide the District with greater flexibility for providing its share of urban renewal project costs in the form and manner most advantageous to it.

Title V of the bill amends the Street Adjustment Act of the District of Columbia, approved Dec. 15, 1932 (47 Stat. 747; D.C. Code, title 7, chap. 4), by the addition of a section 11 authorizing the District of Columbia Council to order the closing of all or part of any public way within an urban renewal plan approved by the Council, without regard to the requirements of sections 2 and 4 of the Street Readjustment Act, whenever they find that the Redevelopment Land Agency has acquired title to all property abutting the public way or part thereof to be closed. The Council would also be authorized to take like action in cases in which it finds the Agency has acquired title to a major part of the property abutting the public way or part thereof to be closed, if the Agency has obtained and furnished to the Council the written consent to such closing of the owners of so much of the property remaining in private ownership as abuts the public way or part of a public way to be closed. The purpose of title V is to expedite urban renewal activities in the District of Columbia and reduce expenses to the District in connection therewith, without depriving owners of such property of notice concerning the proposed closing of a public way on which any such property abuts.

Title VI amends section 4 of the Street Readjustment Act (D.C. Code, sec. 7-404) so as to eliminate the second of two fourteen-day newspaper advertisements required under the Act. This amendment will make the Act less expensive and less cumbersome to administer, and make it possible to close a street in a shorter period of time than the four-month period required under existing law.

Title VII would authorize the Commissioner to transfer to the Redevelopment Land Agency certain property within the Southwest urban renewal area, bare legal title to which currently is held by the United States. In 1901, the "Union Station Acts" (31 Stat. 767 and 32 Stat. 909) closed to public use certain streets within the District, and granted the use of this land to two railroad companies and the railroad terminal company, subject to taxation by the District of Columbia.

The Redevelopment Land Agency, in implementing the plan for Southwest Urban Renewal Project Area C, had great need for property lying within the area controlled by the railroads, and the railroads subsequently sold to the Agency the fee simple title to those portions of the property owned by them in fee simple, as well as all right, title and interest in the United States-owned property vested in the railroads by the "Union Station Acts". The United States, nevertheless, retained bare legal title to the latter property.

Title VII, therefore, would transfer from the United States to the Redevelopment Land Agency, bare legal title to the three parcels described in such title VII, so that the Agency, as an integral part of the urban renewal plan for Southwest Urban Renewal

Project Area C, could sell or lease the land for private development.

The Commissioner strongly recommends the enactment of this draft bill as a necessary and desirable measure in improving the general efficiency and effectiveness of District community activity. The District of Columbia Council has expressed its support for this legislation.

The Office of Management and Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this legislation to the Congress.

Sincerely yours,

GRAHAM W. WATT,

Assistant to the Commissioner

(For: Walter E. Washington, Commissioner).

#### CAPTIVE NATIONS WEEK

### HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ROBISON of New York. Mr. Speaker, Captive Nations Week was first proclaimed in 1959 that the American people might be provided with a "suitable framework for showing their solidarity with their captive brethren in east and central Europe." There can be no question that such an observance is as timely this year as ever. While we continue to acclaim our own liberties, personal rights, and freedoms of the most basic nature are denied to those citizens of the captive nations.

Over the past months we have witnessed the upheavals and increasing discontent in Poland, and we have become increasingly aware of the plight of Russian Jews. It seems that over the past 13 years little progress has been made in providing permanent solutions for the problems faced by those living in the Soviet satellite nations, although their struggle clearly continues.

While past statements of moral support have served a beneficial function, I believe that this year Captive Nations Week should be regarded as a time to focus on new ways of easing tensions between the countries of the free world and those behind the Iron Curtain. More specifically, now is an appropriate time for increased discussion of the future role of NATO, of the possibilities for mutual and strategically equitable troop reductions in Europe, and of more flexible trade agreements. For it may well be that expanding American influence on the captive nations in these and similar ways will encourage liberalization within these countries, and that the peoples of these states will gradually regain their valued liberties.

The overriding goal of American foreign policy must continue to be the establishment of an atmosphere of peace in a world in which the people of every nation have the right of self-determination in structuring their governments and personal lives. Captive Nations Week serves once again as a reminder of this important objective.

H.R. 9935—REVENUE SHARING FOR  
POLICEMEN AND FIREMEN

## HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. RARICK. Mr. Speaker, certainly all of the Members of the House are fully aware of the importance of maintaining independent, locally controlled law enforcement units and fire departments capable of meeting the demands of these trying times when it seems to be fashionable to riot in the streets to "demonstrate" against imagined repressions or to point out the "faults" of our establishment.

To this end, I have introduced a bill, H.R. 9935, "to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 of compensation paid to law enforcement officers and firemen in any taxable year shall not be subject to the Federal income tax." To be eligible for the benefits of this act, these law enforcement officers and firemen must be actively engaged on a full-time basis in the execution and/or administration of their work for at least 6 months of the taxable year.

I am certain that implementation of this measure will prove to be an invaluable tool in the recruiting and maintaining of independent, locally controlled law enforcement units and fire departments that are staffed by highly capable, trained men, dedicated to their profession and to the society which they serve.

This form of revenue sharing will benefit every aspect of our society. Unlike the LEAA—whose primary thrust is to condition the people of this country to demand more and more centralized Federal control to protect them by massive grants of Federal funds under the control of Federal agencies—my bill will keep the money where it belongs. My bill makes it impossible for the money not to reach the front lines where it is needed. The money would never leave the hands of the policemen and firemen. Exotic programs to sell Federal security from crime would not be necessary.

Under my plan, we would have safe streets and better fire prevention without any additional cost to the taxpayer and without the political temptations that accompany revenue sharing under the LEAA—which is designed to force the people to seek relief through more and more Federal control.

I urge my colleagues to join me in support of the men who make our lives safe and protect our property from total loss.

I insert news articles from the Washington Post of July 21 and 22, 1971, and the Evening Star of July 22, 1971, that indicate the real thrust and threat from revenue sharing under LEAA and a copy of my bill, H.R. 9935—that, if passed, would get the money to the men who are where the action is, where it is so desperately needed:

[From the Washington Post, July 21, 1971]  
LEAA CASE HURTS TAX SHARING: ABUSE OF  
U.S. FUNDS DISCLOSED  
(By Ken W. Clawson)

High Alabama officials dealt a blow to the concept of no-string grants to the states yesterday by detailing the waste of thousands of dollars in federal law enforcement funds.

Attorney General Bill Baxley and State Auditor Melba Till Allen urged national reforms in the \$700 million Law Enforcement Assistance Administration, so the federal government would have more control over how states spend the funds.

They testified before a House subcommittee investigating LEAA operations.

A Montgomery, Ala., newspaper publisher, Harold Martin, said at least \$700,000 in crime-fighting funds have been improperly or illegally spent in Alabama since the revenue-sharing approach started in fiscal 1969. Alabama has received a total of nearly \$6 million in LEAA funds.

Baxley and Mrs. Allen said waste is occurring "not so much because of dishonesty" but because the mores of state politics are allowed to prevail in the absence of federal standards, close auditing, and strict guidelines.

"As the Alabama Law Enforcement Planning Agency began its operations, it became apparent that what had appeared to be a law enforcement officer's dream for badly needed help was becoming merely a politician's dream for the biggest pork barrel of them all," Baxley told the Government Operations subcommittee headed by Rep. John S. Monagan (D-Conn.).

Mrs. Allen termed waste of LEAA funds in her state "heartbreaking," and cited a "frightening" example of how members of Alabama's news media obtained LEAA funds.

In Montgomery on June 16, 1970, she said, a group called Criminal Justice Systems, Inc., was paid \$91,570 by the state to prepare Alabama's 1971 application to LEAA for crime-fighting funds. Not till later the same day, in another Alabama city, was the group actually incorporated, she said.

The principals of CJS were identified by Mrs. Allen as Wendell Harris, a newscaster for a Newhouse television station, WAPI-TV, Birmingham; his father, and Tom Lankford, editor of the Huntsville, Ala., News, part of the Newhouse chain, which also owns the Huntsville Times and the Mobile Press-Register.

The agreement was signed by then Gov. Albert Brewer and by L. Kenneth Moore, then the Alabama Law Enforcement Planning Agency Director.

Earlier, Mrs. Allen said, Brewer and Moore signed another agreement with a Harris-owned company to produce a 15-minute law enforcement film for \$15,400.

Baxley and Mrs. Allen said the media employees kept their jobs while compiling the state plan, with Lankford and Harris paying themselves \$60,000 in salary from the \$91,570 state grant.

Included in their proposal was federal funding for a black-garbed, night-riding police unit—which LEAA knocked out of the plan after a flurry of newspaper reports in the state.

Baxley filed suit to recover excess funds paid to the media moonlighters, but he testified yesterday that he did not believe he would be successful.

Harris and Lankford are still employed by Newhouse. A Newhouse spokesman in Washington said the men had engaged in "an unintentional and innocent conflict of interest."

Baxley and Mrs. Allen also testified that: A Montgomery law firm, which Gov. Brewer joined after losing his political race, received

\$13,268 of a \$16,500 grant to prepare and distribute a guide book for county sheriffs.

A \$200,000 grant for a police cadet program was spent to educate the sons of prominent Alabama political and police officials at state universities. Among the beneficiaries were the son of the Director of Public Safety, a Wallace bodyguard, and sons of at least half a dozen high police officials.

LEAA officials, meanwhile, released a statement saying that auditors have completed a field investigation in Alabama and that a final report is being prepared.

The statement said the U.S. attorney in Alabama and the FBI are also investigating possible irregularities in the use of federal funds in the state.

L. Kenneth Moore, target of criticism for his tenure as LEAA director in Alabama, said in a telephone interview from Birmingham that he had talked with the FBI twice in recent months.

He said he was not invited to the Monagan committee but would appear if asked.

[From the Washington Post, July 22, 1971]

## FLORIDA LEAA IRREGULARITIES ARE AIDED

(By Ken W. Clawson)

Late in 1969, the Law Enforcement Assistance Administration in Washington learned of increased fiscal irregularities in the spending of federal crime-fighting funds in Florida.

It took the federal agency 15 months to audit the state program and confirm its original suspicions that the program, under former Gov. Claude Kirk, was a free-wheeling operation in which little attention was paid to federal, or even state, regulations.

In testimony yesterday before a House subcommittee investigating LEAA operations, Florida Gov. Reubin Askew called for a more intensive LEAA auditing program even though he has restructured Florida's crime-fighting agency and is incorporating additional state safety safeguards over spending federal money.

LEAA's audit, made public last April, four months after Askew became governor, disallowed \$35,000 of federal funds that had already been spent during the Kirk administration. It uncovered an additional \$475,000 in irregularities involving spending in violation of LEAA or state regulations.

Florida received a total of more than \$7 million in federal planning and action grants during fiscal years 1969 and 1970.

Yesterday, Allan C. Hubanks, administrator of the state law enforcement assistance agency under Gov. Kirk, told the subcommittee that his hands were tied by Kirk's office on programs, that he wasn't fiscally responsible for federal funds and that Kirk never permitted his agency to grow beyond half of its authorized manpower.

In late 1969, Hubanks said he requested Florida be audited by LEAA because federal funds were being spent in a way Hubanks believed violated federal laws. "In my view . . . it is most unfortunate that there was a lapse of more than 15 months before that finding and other deficiencies in the contract were noted and released in the audit report."

Hubanks said he was informed by LEAA that there "were relatively few members of the audit and inspection staff during the first two years of this program."

Gov. Askew also said that "as an infant, LEAA did rather poorly." Askew said he understood that in creating LEAA three years ago, Congress was responding to a national urge to combat lawlessness. But he blamed Congress for believing that results could be achieved simply by pouring huge amounts of money into the war on crime.

Congress' initial effort, he said, was to

pour money into LEAA "... without management input to protect those dollars."

Askew said he supports LEAA in his state now, and praised the new LEAA administrator, Jerris Leonard, for helping him restructure the program and being the type of tough leader who can make the agency work properly.

While supporting LEAA's bloc grant approach and the revenue-sharing principle of no-strings federal grants, Askew said it was incumbent on states to assure Congress of spending the money or the concept would be short-lived.

[From the Washington Star, July 2, 1971]

#### GOVERNOR TELLS OF AID MISUSES

(By Richard Halloran)

Gov. Reubin Askew, D-Fla., and other officials have related a long story of mismanagement, improper use, waste, and politicking with funds the Federal Law Enforcement Assistance Administration granted their state.

Askew told House members that "gross mismanagement" from August 1968 to January 1971 resulted in misspending \$475,000 during the administration of then Gov. Claude R. Kirk, a Republican. LEAA granted Florida \$10.5 million during that period.

#### "GHOST" STAFF MEMBERS

Among the improper expenditures Askew listed were awards of sub-grants and contracts, payments of salaries and travel expenses to "ghost" staff members who actually worked in Kirk's office, and acquisition of night-viewing devices called "owl-eyes" for presentation to police departments just before an election.

Askew noted that the Nixon administration did not attempt to cover up the Florida situation and added, "I'm sure none will be tempted to turn this program's troubles into partisan, political advantage." Kirk could not be reached for comment.

Askew testified before a subcommittee of the House Government Operations Committee that is investigating state use of LEAA grants.

The subcommittee, headed by Rep. John S. Monagan, D-Conn., heard similar testimony Tuesday from officials of Alabama. Representatives from New York and Illinois are among those scheduled to testify later.

#### AGENCY CONFIRMS FIGURES

A spokesman for LEAA said the agency would have no comment on the extent of misused federal funds until Jerris Leonard, its head, testifies.

But the agency issued a statement that confirmed Askew's figures and noted that about \$35,000 in disallowed LEAA expenditures would have to be repaid by the state to the federal government.

The LEAA was established in the Justice Department in 1968 to provide financial, technical, and research assistance to state and local police departments, courts and correctional institutions.

#### H.R. 9935

A bill to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 of compensation paid to law enforcement officers and firemen in any taxable year shall not be subject to the Federal income tax

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 124 as section 125 and by inserting after section 123 the following new section:

"Sec. 124. \$5,000 EXCLUSION FOR LAW ENFORCEMENT OFFICERS AND FIREMEN.

"(a) EXCLUSION FROM GROSS INCOME.—Gross income does not include amounts received as compensation for service as a full-time law enforcement officer or full-time fireman in the employ of the United States, the District of Columbia, or a State or political subdivision thereof, to the extent that the aggregate of such amounts in the case of any one individual does not exceed \$5,000 in the taxable year.

"(b) DEFINITIONS.—For purposes of subsection (a)—

"(1) LAW ENFORCEMENT OFFICER.—The term 'law enforcement officer' means a person who, for a period of not less than 6 months during the taxable year, is actively engaged on a full-time basis in the administration and execution of activities necessary to the enforcement of the criminal laws of the United States, the District of Columbia, or a State or political subdivision thereof, but such terms shall not include any police cadet, balliff, judge, prosecutor, or any person whose duties relate primarily to the conduct of trials, or any person whose duties are primarily clerical in nature.

"(2) FIREMAN.—The term 'fireman' means a person who, for a period of not less than 6 months during the taxable year, is actively engaged on a full-time basis in the work of extinguishing fires or in the supervision of such work.

"(3) COMPENSATION.—The term 'compensation' includes salary, wages, and any other form of remuneration for service performed except pensions and retirement pay.

"(4) STATE.—The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands."

(b) The table of sections for such part III is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 124. \$5,000 exclusion for law enforcement officers and firemen.

"Sec. 125. Cross references to other Acts."

Sec. 2. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

#### CALIFORNIA'S ORCHARD'S FUTURE

#### HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. GUBSER. Mr. Speaker, for those who labor under the delusion that California's specialty agriculture is prosperous and who mouth the ridiculous fiction that the housewives will pay a few pennies more per can so that farmers can pay higher wages, I submit an article in the San Jose Mercury News entitled, "Area Orchards' Future Same as Fruit—Rotten."

The truth is that California farmers pay the highest agricultural wages in the world and provide the best working conditions. Yet even before their competitors are asked to come up to their standards, California farmers are the victims of labor organizers and politicians who go along for the publicity ride. The fact is that the fruit producers of California, with their tremendous investments, are going broke by the hundreds. I invite the attention of my colleagues to the article which follows:

#### AREA ORCHARDS' FUTURE SAME AS FRUIT—ROTTEN

(By Tom Harris)

The export of American technology is coming back to haunt California agriculture, particularly that part of it in the shrinking orchards of Santa Clara Valley.

The ugly picture of dark, ripe cherries rotting on overburdened limbs or of bright delicious apricots, pears or prunes wasting in the dust has become a too-common farm tragedy for valley agriculturalists.

Like every other problem of a society that grows increasingly complex by the day, this one has many parts, but two of them, according to a farm management specialist here, are central to the issue.

One, according to Ken Johnson, is the rapid loss of fruit exports from this country. The other is a combination of huge agribusiness corporations beginning to dominate the field and canneries feeling the pinch of rising production costs.

Johnson, who has managed farming operations on hundreds of acres throughout the valley for the past 20 years, points to the expanding foreign operations of American canneries as the prime cause of the shrinking export market.

"They have taken the best of our technology, the best of our farming knowledge and the best of our hard-won experience and exported it abroad to combine with cheap labor and transportation," says Johnson with a sharp edge of irritation in his voice.

Johnson maintains that the tonnage of crops bulldozed into the ground as waste the past few years has just about equalled the loss to the foreign market.

Compounding the problem, he says, is the huge acreage being brought into new fruit production by big corporations on the upper benchlands of the San Joaquin Valley, thanks to publicly financed new water from the State Water Project.

Another factor is that grocery firms will not stockpile canned products, forcing the canneries into expensive warehousing.

Bumper crops now, in combination with dwindling exports and increasing acreage into production, cause a massive bulge in supply that outstrips demand for three or four years. Two bumper crops in a row could spell disaster to most of the state's small independent growers, says Johnson.

He was just outlining the razor-thin operating margins most independents operate on when a phone call brought word that canneries prices for apricots had plummeted to \$31.50 a ton, down from the opening \$70.

So far this year, county growers have lost nearly 80 per cent of the cherry crop. The bulk of the loss was caused by a sudden June heat wave that virtually cooked the cherries right on the trees. To compound the problem, canneries were still trying to thin out a major surplus from 1970.

Prospects are no brighter for apricot growers, who were summoned to an emergency meeting in Tracy last week to plan strategy to combat the falling canneries prices. Even with low prices, almost 50,000 tons are expected to go unmarketed.

The low canneries price comes despite the recent \$3.1 million purchase of 1971 crop apricots by the federal government for school lunch programs.

Johnson predicts that as much as 35,000 tons of pears will also rot on the ground this year for lack of a market.

"How can we afford to be so wasteful?" asks Johnson. "I don't have all the answers, but for opens the government could start giving away food instead of money in its foreign aid program."

He also says assessors have to take a new look at their practices, complaining that a

suburban San Jose farmer lost much of his orchard when a freeway sliced through it and then was taxed \$35,000. His total crop income for the year was \$17,000. He sold out and a subdivision is now grading in the orchard's place.

Johnson is also frustrated by the fact that in the face of record unemployment, some crops are going unharvested because of a shortage of available workers.

**PATRIOTISM OF U.S. EMPLOYEES  
DURING WORLD WAR II INVASION  
RECOGNIZED**

**HON. SPARK M. MATSUNAGA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MATSUNAGA. Mr. Speaker, as we observe during this month the 195th anniversary of the birth of our Nation, it is appropriate that we should recognize those Americans who have performed extraordinary feats of patriotism. One such feat was performed by four Americans in World War II when the Japanese invaded the Philippines in 1942.

To save the American flag from desecration at the hands of the advancing enemy, these four brave Americans, who were then employees of the U.S. High Commissioner of the Philippines, hauled down the Stars and Stripes, burned it, and buried the ashes in a container not far away.

One of the four, Virginia Hewlett, is a longtime acquaintance of mine. She is married to my good friend Frank Hewlett, chairman of the Standing Committee of the U.S. Senate and House press gallery, and until recently, the Washington correspondent of the Honolulu Star-Bulletin.

After 29 years, the U.S. Government has finally recognized the love of country demonstrated by these four brave Americans by erecting a marker near the site of the incident.

An article describing the incident and the commemoration of it recently appeared in the Star-Bulletin. The article mentions also the dramatic story of the Hewlett reunion in 1945, when Frank Hewlett returned to Manila with General MacArthur's troops and personally freed his wife Virginia from a Japanese concentration camp in the Santo Tomas University.

It is with a sense of pride, and in the hope that it may inspire readers of the RECORD, that I offer the news article for inclusion in the RECORD:

PLAQUE TO RECALL MANILA WAR DEED  
(By Patrick J. Killen)

MANILA.—Four Americans pulled down and burned the Stars and Stripes flying over the U.S. High Commission grounds in Manila to keep it from being desecrated by invading Japanese troops.

The date was Jan. 2, 1942, when World War II in the Pacific was 25 days old and Gen. Douglas MacArthur had declared Manila "an open city."

Mrs. Frank Hewlett, whose husband was United Press's Manila correspondent at the time, first revealed the flag-burning in an article written for the Honolulu Star-Bulletin three years ago.

The U.S. Embassy, which now occupies the

former High Commission grounds, will pay tribute to the little known flag-burning episode on July 5.

Ambassador Henry A. Byroade will unveil a four-foot high stone marker and a bronze plaque as "a lasting tribute to the four Americans' unusual display of patriotism," according to the U.S. Embassy.

The plaque reads:

"Near this spot on January 2, 1942, to prevent its capture by the invading Japanese army, the flag of the United States of America was burned and the ashes buried by George Gray, Elsie Flahaven, Margaret Pierce and Virginia Hewlett, staff members of the U.S. high commissioner to the Philippines."

Mrs. Hewlett and the three others were members of the staff of U.S. High Commissioner Francis B. Sayre. They were left behind to burn records and ship documents to Corregidor Island when American and Filipino forces retreated to Bataan Peninsula.

Noticing that the flag was still flying from its pole near Manila Bay, the four burned it, along with three others found in the commission building, to prevent them from falling into enemy hands. The ashes, accompanied by a sworn statement, were buried in a canister on the commission grounds.

The four staff members were captured by the Japanese and spent three years in prison before their liberation in 1945.

Frank Hewlett, who withdrew to Bataan and later made it to Australia, covered the war for United Press and then returned with Gen. MacArthur to personally find and free his wife in one of the war's most touching incidents.

Hewlett is now Washington correspondent for the Honolulu Star-Bulletin and the Salt Lake Desert News. The Hewletts live in Arlington, Va.

**FRANCIS C. BROWN REFUTES NEGATIVE TESTIMONY ON VIETNAM**

**HON. JOHN E. HUNT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. HUNT. Mr. Speaker, I recently received a letter from a young serviceman, HM2 Francis C. Brown, USN, who was requesting assistance so that he might be afforded the opportunity to appear before the Committee on Foreign Relations in the other body. His purpose in wanting to testify was "to refute the irresponsible charges made by Mr. John Kerry of Vietnam Veterans Against the War, who testified before this same committee in May of this year". It might be noted that the committee convened hearings specially for the benefit of the anti-war demonstrators, and I also observed at the time that much of Lieutenant Kerry's prepared testimony had been worked up by professional speech writers.

Because the committee has declined to hear Mr. Brown's side of the Vietnam story, I feel compelled in the interests of fairness to insert the text of his letter in the RECORD at this point:

JULY 5, 1971.

The Hon. JOHN E. HUNT,  
U.S. House of Representatives  
Washington, D.C.

DEAR MR. HUNT: My purpose in writing is to solicit your assistance so that I might testify before the Senate Foreign Relations Committee concerning American involvement in Vietnam. I wish to refute the irresponsible charges made by Mr. John Kerry of Vietnam Veterans Against the War, who

testified before this same committee in May of this year.

After enlisting in the U.S. Navy three years ago, I volunteered for duty in Vietnam, and served in that country from May, 1969 to May, 1970. I am a medic in the Navy Hospital Corps and during my year in Vietnam I served in the capacity of public health advisor to the 60,000 people of Tri Ton District, Chau Doc Province, in the remote and then Vietcong controlled "Seven Mountains Region". During this time I never saw one war crime committed by allied forces. The Vietnamese people always received compensation for any property or livestock accidentally destroyed or damaged by allied forces. On the other hand, I can document numerous instances of murder, arson, kidnapping, and assassination by the North Vietnamese and the Vietcong.

Mr. John Kerry is both a liar and a black-guard for telling the Senate Foreign Relations Committee that the ARVN (Armed Forces of the Republic of Vietnam) often deserted their U.S. allies and left them to be killed for lack of support. I can document numerous instances of bravery and determination of the ARVN and of the heroic resistance of communism displayed by the Vietnamese people.

During my year in Vietnam I worked with Vietnamese public health personnel, Vietnamese Regional and Popular Forces, Kit Carson Scouts (former Vietcong who have defected to the allies), U.S. Navy Beach Jumpers, U.S. Army Special Forces, and the People's Self Defense Force (PSDF). I was very involved in the pacification program, and would welcome the opportunity to testify as to American involvement in Vietnam and of the tremendous sacrifices being made by American troops.

I am both honored and proud to be a member of the U.S. Navy and to have served my country to the best of my ability in South Vietnam. This September I will be returning to Vietnam to begin my second voluntary tour. At present I am home on 30 days leave, and if it would be possible for me to testify before the Senate Foreign Relations Committee, I will gladly pay all expenses from my own purse.

May I hear from you at your earliest convenience concerning this matter? Thank you.  
/s/ FRANCIS C. BROWN, HM2, USN.

Mr. Speaker, the "honor" which some have sought to attribute to those who have nothing good to say about Vietnam, or America for that matter, and who are the propagators of negativism is shallow by comparison with the pride, spirit, and purpose which Mr. Brown's letter reflects.

**STEADY AS YOU GO**

**HON. LESLIE C. ARENDS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ARENDS. Mr. Speaker, an article entitled "Steady As You Go" by Milton Friedman which appeared in the July 26 issue of Newsweek merits special attention. It is based on a speech delivered by George P. Shultz, Director of the Office of Management and Budget, and well summarizes the long-range economic objectives and policies of President Nixon.

When he took office he was confronted with runaway inflation. He determined to place our economy on a sound and stable basis. He determined upon a course

of action that required hard decisions which he recognized would be unpopular. He recognized that to achieve a stable economy on which the country could soundly progress there might be a mild recession and some unemployment. He also recognized that during this trying transitional period there would be all manner of pressure to have him change his course.

We, in the United States, are an impatient people. But if we will be patient and reject short-term gains we will realize the long-range objective of stability and economic growth that is soundly based. There is real evidence that President Nixon's policies are producing results. He is to be commended for having the vision and the courage to continue on the course he set when he first took office.

The Newsweek article follows:

#### STEADY AS YOU GO

(By Milton Friedman)

My title is taken from the title of an important but little-noticed talk made in Chicago some months ago by George P. Shultz, director of the Office of Management and Budget.

It is also an apt description of the policies that President Nixon has been following—not only in economic matters but also in Vietnam and other aspects of foreign and domestic policy. In every area, he has taken the long view, set long-range objectives and policies, and sought to steer a steady course.

This is a major achievement for which the President has not received the credit he deserves. Washington generates an atmosphere in which it takes great will power and moral courage to look very far ahead, to sacrifice transitory gains for long-term advantage. The horizon is at most two years—the period between Congressional elections—and generally much shorter—tomorrow's headlines.

#### A THREEFOLD POLICY . . .

The major defect in the economic policy of the prior Administration was the tendency to swing too far from one side to the other, to follow a go-stop policy as a result of trying to fine-tune the economy without the requisite knowledge, understanding, and tools. Impatience with steady but undramatic improvement in the economy in the early 1960s produced a series of highly expansionary measures (tax cuts, spending increases, rapid monetary growth) that started an accelerating inflation. The early stages of the inflation produced a sharp over-reaction by the Fed that caused a credit crunch in 1966 and a mini-recession in 1967. Over-reaction to that mini-recession set us off on the accelerating inflation of 1967 to 1969. Fine-tuning with a sledge hammer!

Mr. Nixon adopted a threefold policy to slow inflation without a severe economic decline: (1) moderate fiscal restraint, (2) moderate monetary restraint, (3) preservation and strengthening of free markets. The first and third elements required cooperation of Congress; the second, of the independent Federal Reserve.

His aim was not complete steadiness, but more severe restraint initially and, as the initial restraint slowed down inflation, an easing off to a path that could be continued indefinitely.

In the main, Mr. Nixon has stuck to this policy. The full-employment budget moved to a surplus initially and then to rough balance—too much spending for my taste, yet not the wild gyrations of earlier years. The most unsteady element has been monetary policy—the area least subject to control by the President. Yet even here, except for the recent monetary explosion, hopefully now

being corrected, policy has been steadier than in earlier years. There has been mild jaw-boning yet no extensive intervention into price and wage decisions.

#### . . . THAT HAS WORKED

And the threefold policy has worked. Inflation has slowed, although less than all desired and many expected. There was a recession—but it was one of the mildest in U.S. history. The recession is now over and the economy is again expanding. The expansion, like the recession, is moderate, but it is solid and widely based. Moreover, modernization is desirable so that continued tapering off of inflation can go along with reduced unemployment. As Mr. Shultz said, what we now need to complete the treatment is "time and the guts to take the time, not additional medicine."

Just when this policy is producing demonstrable results, there is increasing pressure on the President to alter course—to recommend lower taxes, higher spending, and even more rapid monetary growth, to establish a wage-price review board, or to freeze wages and prices. Unabashed by their own failure, the fine-tuning Kennedy-Johnson economists are in effect saying, "We produced an accelerating inflation, why shouldn't you?"

Mr. Nixon has not given in to the pressure. Instead, he has announced that he is sticking with his policies. Once again, he has shown the vision and the courage to pursue long-run stability rather than short-term gains.

Mr. Shultz ended his talk: "Those of you familiar with sailing know what a telltale is—a strip of cloth tied to a mast to show which way the wind is blowing.

"A captain has the choice of steering his ship by the telltale, following the prevailing winds, or to steer by the compass.

"In a democracy, you must keep your eye on the telltale, but you must set your course by the compass. That is exactly what the President of the United States is doing. The voice from the bridge says, 'Steady as you go.'"

#### DRUG ABUSE

### HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. FISH. Mr. Speaker, public attention is more and more directed to the epidemic proportions of drug abuse in our society. Almost daily we read of the efforts, official and private, to identify and cure drug addicts. Millions of dollars have been spent on counseling, treatment, and rehabilitation and prevention. There is wide acceptance of the necessity for governmental action.

In the CONGRESSIONAL RECORD of August 11, 1970, and August 14, 1970, I inserted for the information of my colleagues a review of the approach of concerned citizens of Dutchess County, N.Y. to the problems of drug abuse. This review explained the process of data collection and analysis that led to a fresh approach to the problem. Research disclosed that drug abuse is the manifestation of other problems of daily living and that learning to deal with these problems, and teaching the youngsters to cope with them, might eliminate some of the quest for drug dependency. Education, it was decided, is the key, and must involve the very young and adults in concert.

An examination of and participation in many existing programs led to the conclusion that a new approach to prevention was needed. From this emerged ADAPT—Action for Drug Abuse Prevention Training, founded by Raphael and Frances Marks for the training and education of the young and the old, the student, the parent and the teacher together. ADAPT starts with the proposition that counseling and rehabilitation of addicts does not reach the root cause of drug abuse.

Believing that ultimately it is the young who must find the answers, ADAPT concentrates on meeting the problem head on before it starts—at the elementary school level. There prevention can be taught in an atmosphere similar to family life, to an age group whose interest is greater and by people in whom the youngsters will believe.

The ADAPT consists of three elements which unite ultimately to form a basis for discussion on common ground between the youngster, the teacher and their parents:

A comprehensive program for young people in the fourth, fifth, and sixth grades;

A comprehensive ongoing program for teachers and administrators of this grade school youngster, clearly defining the role that they can play in the shaping of the minds of these young people;

An all-out effort to create a climate where youngsters will give serious thought to the purchase and use of stimulants quite some time before they are actually approached to buy them. This can only be done with an early and thorough education. Unrelated courses given now and again will not work.

Mr. Speaker, it is my pleasure at this time to advise the Congress of the experiences of the ADAPT program during the past year.

ADAPT's cofounders, Raphael and Frances Mark have been conducting seminars before community organizations, particularly PTA's and in May 1971, concluded an intense 8-week program in the fourth, fifth and sixth grade classes of seven elementary schools of the Arlington School District in Dutchess County, N.Y. ADAPT utilizes a team concept consisting of a coordinator, leader, ex-addict, law enforcement official, guidance counselor and school psychologist.

ADAPT's experience is by no means conclusive, but it does give strong indications that the program was successful in three areas.

First. Youngsters in elementary school are really familiar with the drug scene.

Second. Parents can cope with their youngster's knowledge and curiosity if they will help them intelligently instead of punishing or lecturing them.

Third. Teachers and school administrators are concerned about how to help prevent drug abuse in lower grades instead of waiting until junior and senior high school when youngsters' experimentation and abuse of substances is met only with punitive methods as a desperate stop-gap.

Let us examine these three areas separately.

First. Youngsters really know about

the drug scene. Adults and parents have been astonished time and time again with exactly how much fourth, fifth, and sixth graders do know about drugs and other abused substances. These youngsters, through their health education courses, through television, what they hear from older brothers and sisters and what they pick up in the street have a lot of terms and expressions whizzing around in their heads. They have at the tip of their tongues, and they use the following terms: Horse, Mary Jane, Pot, Joints, LSD, Trip, Highs, Lows, Ups, Downs, Barbs, Bennies, Goofballs, H, Big M. Mother, STP, Heads, Junkies, Holding, and more expressions which are the parlance of the drug abuser.

ADAPT has been able to tie these words together with the type of people who use these expressions. Because of their "street knowledge," the ADAPT team is able to explain just what which words mean. Thus credibility is established with the youngsters by the ADAPT team's understanding of the language the youngsters have heard their peers and older youngsters use.

By making it clear that the ADAPT team is neither shocked nor dismayed by the youngsters' vocabulary, and further by explaining many of the terms that the youngsters are trying out for their shock value, the ADAPT team strengthens its position as counselor and friend rather than visitors and lecturers from the outside world. The effect of this rapport is rapidly felt. Youngsters in the classrooms quickly allow the parents and the teachers who are present in the room to fade into oblivion and relax as they get to know the ADAPT team. They will ask intimate questions of the ex-addict and probe the law enforcement official with questions that at first they would not ask. The second time that the ADAPT team visits the classrooms they are greeted enthusiastically and confronted with questions the youngsters have written down which have been thought up during the time that the team has been conducting seminars at other schools.

The conclusion reached is that by getting youngsters to openly think about the drug scene and its ramifications and to talk openly with their parents and older brothers and sisters—as their questions would indicate—a start has been made to thwart the biggest asset the drug abuse scene has working for it—the clandestine quality of the entire subculture. At a nearly age, ADAPT removes the mystique from the vocabulary. ADAPT classroom sessions, documented with tapes, clearly indicate some measure of success in this area.

Second. Parents can cope with their youngsters knowledge and curiosity if they will help them intelligently instead of punishing or lecturing them. As a result of parental attendance in the classroom setting and their learning exactly how much their youngsters do know, greater communication results between parent and youngsters on a more knowledgeable level. The parents, in addition to the classroom situation, have also been exposed to a meeting of their own where exactly what they can do regarding the

drug abuse scene is discussed frankly, specifics are cited and suggestions made regarding how and when to talk to youngsters and what to do about problems generated in the group dynamic discussions. ADAPT found, as a result of this activated communication, that parents were becoming less alarmed, and more concerned to actively seek ways of mounting some sort of personal campaign to the challenge. It has also had the effect of parents alerting neighbors who might have avoided all the meetings.

One specific example of many to come out of this better understanding can best be understood by recounting the following true anecdote.

A mother had been watching a group of youngsters some distance from the back of her house gathering together frequently. Her instinct told here that the youngsters were up to no good, but since her youngster was not among them, she felt that there was no reason to be a "busy body." As time went on, she noted that there were more and more youngsters gathered around a grove of trees by a stream that ran behind her house. During these weeks, her youngster came home with part of the ADAPT message. That message:

Don't stand idly by if you see something suspicious, DO SOMETHING!

This is what the team tells the youngsters in the classroom. This was a parent who had not attended any of the classroom sessions. In talking over the day's activities, and specifically "what this ADAPT thing was all about," the youngster told his mother that the kids behind the house were probably sniffing glue. He had heard them talking about it on the school bus. What he had heard was that the older brother and one of the sisters of his classmates would meet at this spot with whatever they had acquired from home medicine chests and what they could "pick up" that would "do something for their heads." The youngster of elementary school age was able to explain to his mother what these terms meant. The result was that both parents came to an ADAPT parent meeting and brought this problem to light. What should they do? The father suggested that the best thing to do was leave well enough alone. The mother voiced the opinion that this was not the answer—perhaps their son might join the group eventually. After some discussion in the seminar, it was decided that since the couple did not know the parents of all the children involved it would be best to find someone neutral in the neighborhood who could bring them all together. A minister present took the initiative and agreed to contact all the families and get them together. It was not easy, as some parents did not want to believe their youngsters could be abusing any substances, some were angry, some hurt, but a meeting took place. The youngsters were ultimately brought into the picture in a frank "rap" session and communication was begun.

This story is being repeated with variations over and over again. It takes specific knowledge of what to do and how to

do it to start helping youngsters who are potential abusers of drugs and common household substances. The root cause must be explored and often that root cause begins with a lack of communication. ADAPT is a vehicle and a catalyst that gives parents the tools and the help with which to communicate.

Third. Teachers and school administrators are concerned about how to help prevent drug abuse in lower grades instead of waiting until junior and senior high school when youngsters experimentation and abuse of substances is met only with punitive methods as a desperate stopgap. At the conclusion of the in-school sessions, the ADAPT team made itself available to teachers and their administrators for a meeting to discuss the merits and the weak points of the program. These after-sessions were not mandatory. They were scheduled by the principal of the school for no more than 1 hour, immediately after school. In several schools, however, the sessions which began at 3 p.m., had to be terminated when teachers realized it was dinner-time. In all cases, these sessions were attended by the elementary teachers and administrators with almost total attendance. In most cases, the ADAPT team was asked to come back another time to continue further discussions. The ex-addict and law enforcement representative were particularly questioned about the fact and fallacy.

Primarily, the discussion centered around exactly what the teachers' responsibility should be under specific circumstances. Some guidelines were given as to what a teacher should do with certain information, what information should be private and how to transmit some information to a source of assistance where the problem could be corrected. The transmission of drug intelligence is a tricky problem to cope with and runs the danger of undermining the confidence of a youngster who has brought forth the intelligence.

The after-session with teachers brought to light a further important dimension of the teachers' responsibility. Elementary school youngsters were both acquiring knowledge from friends and older brothers and sisters, and they were starting to talk with their teachers about these older youngsters. Teachers and administrators recognize that the rapport between teachers and students in higher grades was certainly not the same as in the lower grades. This is an area which still needs a great deal of work. ADAPT feels that some bridge must be created between youngsters and the authority in schools who are concerned enough with the drug abuse problem to do something about it. ADAPT has found a great willingness and understanding specifically expressed among elementary school teachers. This understanding and willingness to become involved positively, instead of negatively, must be communicated to the junior and senior high schools and there is a long way to go in this area.

Mr. Speaker, the experience to date with the ADAPT team approach indicates they have been able to engage youngsters on the elementary school

level in a serious discussion that youngsters enjoy and from which they obviously learn a great deal. By engaging these youngsters in an interesting format, information about drug abuse is taken home to parents and to the dinner table where the entire family participates in the school experience and becomes better educated about the drug abuse syndrome. Sticking to facts and making it comfortable for parents and their youngsters to express themselves to each other in the presence of those who can give them "street knowledge" and intelligent and factual answers, has removed a great deal of the mystique from the drug scene.

The answer to the drug abuse problem will eventually be formed by the young—when they have examined all the truths and false conceptions to their satisfaction and can provide the answers to their own questions. In Dutchess County, ADAPT, Inc., is working at being the catalyst to do this.

#### THE LEGAL AID PROGRAM IN WICHITA, KANS.

#### HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. SHRIVER. Mr. Speaker, while the federally sponsored legal aid programs have met with varying degrees of success and acceptance around the country, Wichita, Kans., which is in my congressional district, has been blessed with a remarkably well-run and effective program. Community antagonisms have been held to a minimum, and the "in-kind" services input required by Federal law has been far exceeded by some 80 local attorneys.

Much of the credit for the success of Wichita's program must go to Robert H. Bohn, Jr., a young attorney who has been director of the Legal Aid Society for 2 years. Regretably, for Wichita's sake, Mr. Bohn recently resigned from the program in order to do postgraduate work at Harvard Law School. He leaves with the sincere thanks of the community and the people who benefited directly from his efforts and with best wishes for his future career.

An editorial which appeared in the Wichita Beacon on July 16, sums up the feelings of the city. The editorial follows:

#### LEGAL AID

A young man who has headed an important program in Wichita for the past two years is leaving this week for Harvard Law School where he has a teaching fellowship that will enable him to study toward his master's degree.

He is Robert H. Bohn Jr., 32, director of the Legal Aid Society of Wichita. It seems an appropriate time to assess the accomplishments of this federally-funded program of legal counsel for the poor, which many Wichitans are not really aware of.

When Bohn came to Wichita, Legal Aid had one office, no furniture and two staff attorneys. Now it has four offices (fully furnished) and a neighborhood branch office. It has seven full-time staff attorneys, and one on half-time.

In September, 1969, the first month of the expanded Legal Aid program, it handled 134 new applications for counsel. In June, 1971, it had 432 applications from new clients. In the year ending April 30, 1971, Legal Aid of Wichita handled 3,550 cases.

Clients must be people with poverty-level incomes. What kind of cases are handled? A breakdown of the April, 1971, cases is typical, Bohn says. There were 399 new ones that month. Eighty-six involved consumer-employment problems; 15 were welfare cases; 20 others dealt with other governmental agencies like the Veterans Administration and Social Security; 22 were housing problems; 195 domestic relations (child custody, support, divorce, etc.); 10 juvenile problems.

Bohn is proudest of some successful class action cases. Legal Aid provided counsel for a case which successfully challenged the Kansas garnishment law. The U.S. District Court last December found the state law out of compliance with the Consumers Credit Protection Act, and ordered Kansas officials to reform their garnishment practices. Legal Aid also handled a case in which the court enjoined welfare departments from terminating welfare benefits without prior hearings. It also assisted on an appeal of some Coleman strikers for welfare commodities, to which they were legally entitled. The last case is most significant, perhaps, because it was handled through administrative channels, and a suit was never necessary.

Legal Aid isn't possible without help from others in the legal profession. In the year ending April 30, federal guidelines required a contribution of \$21,908 in "in-kind" services. Wichita attorneys provided far more than that—\$27,483 in services by 80 lawyers.

Legal Aid gets bad-mouthing from coast to coast, because some Americans have not yet agreed that the poor are equally entitled to representation in courts of law. A little thought would make all of us realize, however, that in our system, legal counsel is not a luxury, it is an absolute necessity.

Far from inciting revolution, Legal Aid can abate demands to topple government, for the government that really tries to provide justice for all is safest from overthrow.

Bohn would be the last to attempt to take for himself the entire credit for the successful local Legal Aid program. But he must be given his due for conducting a program that has operated with great responsibility, gaining acceptance of both clients and the community. While growing tremendously, it has not roused the fiery antagonism that has been touched off in other areas of the country.

Young lawyers like Bohn are called a "new breed," dedicated to serving all the people instead of merely enriching themselves and the already-rich. May their breed increase!

#### LETTER TO THE PRESIDENT FROM CONGRESSMAN WM. JENNINGS BYRAN DORN

#### HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DORN. Mr. Speaker, I have had delivered to the White House a letter requesting the President to exercise his authority under the National Security Clause of the Reciprocal Trade Act to limit the devastating flood of low-wage textile imports.

Mr. Speaker, the President has indicated an awareness of the special category of the textile industry, and we recognize this. In numerous public statements dating back as far as 1968 he has

demonstrated an understanding of the problem. Now that efforts to reach a meaningful governmental agreement covering textile imports have failed, we submit that the time has come for the President to exercise his executive authority under the national security clause to curb imports.

As stated in the letter which follows, the President, acting on the advice of the Director of the Office of Emergency Preparedness, has the authority to impose quotas on imports in the interest of maintaining national security.

The Congress clearly intended that the definition of national security was to take into account the economic welfare of the Nation. In 1958 the Congress added a significant new section to the national security clause which provides that—

The President shall further recognize the close relation of the economic welfare of the nation to our national security, and shall take into consideration the impact of foreign competition on the economic welfare of individual domestic industries.

The legislative history of this addition clearly indicates that the national security clause was intended to provide a remedy "whenever danger to our national security results from a weakening of segments of the economy through injury to any industry, whether vital to the direct defense or a part of the economy providing employment and sustenance to individuals or localities." 1958 U.S. Code Congressional and Administrative News, page 3614.

Mr. Speaker, my letter, which was delivered to the President last evening, follows, and I commend it to the attention of my colleagues in the Congress:

JULY 21, 1971.

HON. RICHARD NIXON,  
The White House, Washington, D.C.

DEAR MR. PRESIDENT: The textile-apparel industry, providing employment for some 2.3 million people, accounts for one of every eight manufacturing jobs in the United States. In the past year, however, employment has declined by 100,000. This situation grows progressively worse. In South Carolina over 50% of the entire force of industrial employees are employed in the textile industry. The latest figures for the month of April alone show that we lost an additional 500 jobs. Mills are continuing to close. Between March and April, the workweek was shortened for the average textile employee and the gross average weekly earnings for the individual worker were down.

Textiles are being imported in quantities and under circumstances which displace domestic products, causing constantly increasing unemployment, loss of skills and investment, and the closing of mills which weaken the internal economy throughout the nation.

Mr. President, I respectfully call to your attention the National Security Clause of the 1962 Reciprocal Trade Act, as passed by the Congress and signed into law by the President. As organizer and secretary of the Informal House Textile Committee at that time I and a number of my group supported the 1962 Reciprocal Trade Act. Representing textile areas, we supported this Act largely because of the National Security Clause which empowered the President to invoke quotas if necessary on a flood of cheap, low-wage textile imports which threatened national security and the economy of the country. The legislative history of the National Security Clause clearly demonstrates that Congress intended a definition of national security which takes into account the health of

the economy. The National Security Clause is an appropriate means for dealing with the critical problem of textile imports. The President has the authority to take such action as he deems necessary to adjust imports in the interest of safeguarding national security. The law gives the President clear-cut authority to impose quotas.

We have been encouraged by your repeated public recognition of the fact that the textile industry is in a very special category and thus warrants special recognition and consideration. We have been encouraged and gratified by your repeated efforts over the past two years to secure voluntary agreements limiting these devastating imports. The situation grows worse and remains unresolved.

I respectfully urge that you invoke the power granted to the executive and impose fair and reasonable import quotas on textile imports which are without question impairing the national security by causing a deterioration of the economic situation. I respectfully submit that you have the unquestioned executive authority granted by Congress to invoke quotas and that this action should be taken to cover imports category by category. A category by category limitation would prevent the switching from one category to another under any overall limitation. Lack of categorical quotas would allow a situation where individual segments of our textile industry could be overwhelmed by imports one segment at a time.

Fair trade in textiles is vital and is of the utmost urgency for the depressed textile industry, for the garment workers of our great urban areas, and at this moment very important too for the Appalachian region, where over 400,000 jobs of textile workers are in jeopardy from excessive, unfair, low-wage imports.

Respectfully and sincerely,  
WM. JENNINGS BRYAN DORN,  
Secretary, House Informal Textile  
Committee.

#### CAPTIVE NATIONS WEEK

#### HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. SCHMITZ. Mr. Speaker, the week of July 18 to July 24 is Captive Nations Week. This week has been set aside to show that Americans are aware of the fate of 100 million east and central Europeans held in continuing bondage by the Soviet Union.

Those of us who are fortunate enough to be citizens of a free nation pledge ourselves to the task of helping the captive peoples regain their freedom. We recognize that there can be no real peace in the world for so long as the Soviet empire exists in its present form.

The first step toward reestablishing the freedom of the people presently enslaved by the Communists is to disenfranchise ourselves from the notion that the world can continue to exist half slave and half free. We must recognize the fact that the Communists are at peace only with those who obey them. We must commit ourselves to a national policy designed to extend freedom rather than a policy tailored simply to preserving it—in some places.

This policy, it would seem to me, is not as difficult to accomplish as it might

seem. Our case is much like the case of the Athenians commented upon by Demosthenes in his First Phillipic:

For in the worst feature of our past lies our best hope of the future—in the fact, that is, that we are in the present plight because you are not doing your duty in any respect; for if you were doing all that you should do, and we were still in this evil case, we could not then even hope for any improvement.

To do our duty to those who are entombed under the weight of total dictatorship is at the same time to fulfill our responsibilities to our own Nation. To fail to carry out our obligations is to forsake both.

At this point I would like to insert in the RECORD a chronology of the achievements of the Soviet Army prepared by the European Liaison Group of the Exile National Organizations and the 1971 Captive Nations Week Manifesto:

#### CHRONOLOGY

Notable achievements of the Red Army which have tended to be overlooked during the current preoccupation with Vietnam.

1917

Invasion of Byelorussia.  
Red Army attacks Ukraine, and massacres Ukrainian students at Kruty.  
Estonia invaded.  
Byelorussia is again attacked.  
Communist take-over of Turkestan.

1918-19

Invasion of Lithuania and large parts of it devastated.

1918-20

Estonian war of liberation against the Red Army.

1919

Latvia is invaded and laid waste.  
Ukraine is attacked twice in a year with much bloodshed.

1920

The Independence of Ukraine and Byelorussia is crushed.  
North Caucasus and Azerbaidzhan are occupied.  
Attack on Poland.  
Armed insurrection of the Basmachi in Turkestan (1920-28).  
Mass deportations of Ukrainians begin: 6 million from 1920 to 1939.

1921

Invasion of Georgia, followed by massacres.  
Communist take-over of the Republic of Armenia.

The uprising of Soviet sailors at Kronstadt is crushed by the Red Army.  
The Ukrainian Autocephalic church in Kiev is destroyed.

1924

Suppression of the Georgian National insurrection—7,000 dead, 20,000 deported.

1930

Revolt in North Caucasus crushed.

1930-33

Forced collectivisation causes widespread famine and peasant risings in most annexed countries, followed by mass deportations: about 5 million dead from hunger (mainly Ukrainians).

1936-37

Stalinist mass purges.

1939

Poland is invaded and laid waste by joint Soviet-Nazi Armies (over 1 million people are deported to Siberia; and 10,000 Polish officers are shot at Katyn by the NKVD).  
Finland is attacked by the Red Army.

1940

Occupation of Estonia, Latvia and Lithuania followed by mass arrests.  
Red Army occupies the Rumanian province of Bessarabia.

1941

Mass deportations of Estonians, Latvians and Lithuanians followed by executions.

1943

Mass grave of 10,000 Ukrainians, shot on the orders of Khrushchev, found at Vinnitza.

1943-44

Deportation of whole nations: Crimean Tartars, Kalmyks, Karachals, Chechens, Ingushis and Balkars: over 1 million people, followed by the deportation of Meskhetians.

1944

The Red Army betrays the Warsaw Uprising (against the Germans) by deliberately with-holding its advance. Then it disarms all the units of the Polish Home Army and departs its soldiers (1944-45).

Ukraine, Byelorussia, Estonia, Latvia and Lithuania are again occupied.

Red Army engaged against the Ukrainian resistance movement (1944-48) and against Lithuanian guerrillas.

Red Army attacks and disarms General Mihailovich's resistance movement and brings Tito to power in Yugoslavia.

1944-48

Communist regimes are imposed by force by the Red Army upon Bulgaria, Hungary, Romania, Poland, Albania and Czechoslovakia.

1953

The strike of political prisoners at Norilsk is suppressed by the Red Army.  
Riots of workers in East Germany crushed by tanks.

1954

Red Army tanks crush to death 500 Ukrainian women, political prisoners in a slave camp in Karaganda.

1956

Second Georgian national insurrection, triggered off by the Tbilissi riots, brutally put down (3,000 dead, 50,000 deported).

Suppression of the Polish riots in Poznan.  
The Hungarian Revolution is crushed by the Red Army, with mass executions of civilians, massacres, or prisoners, and treacherous arrests of Hungarian generals who had been invited to negotiate.

1969

"The rape of Czechoslovakia" and the end of the Czechoslovak spring, suppression of freedom and continued purges.

#### CAPTIVE NATIONS WEEK MANIFESTO, 1971

The undersigned organizations, dedicated to the restoration of freedom in the captive nations, call attention to Public Law 86-90, unanimously adopted in 1959 by the Congress of the United States, by which the third week of July each year is designated as Captive Nations Week.

The observance of this year's Captive Nations Week comes just seven months after the start of a chain of momentous events in Poland. In December, 1970, Polish workers took to the streets of many of Poland's cities—in open protest against the Gomulka regime's edict that had placed an intolerable burden on their already low standard of living. The toll of these food riots; according to the regime's figures, was 45 dead and 1,165 wounded.

The upheavals led to Gomulka's downfall, and, when fresh work stoppages broke out in January and February of this year, the new regime of Edward Gierk rescinded the December price-increase directive. A shakeup in Poland's Communist Party, which had come in the wake of the December develop-

ments, indicates that the last word on the changes in Poland has yet to come.

The Polish events have again brought into sharp focus the inability of communism to satisfy the spiritual and material needs and demands of the people.

Communist regimes, backed by Soviet military power, have ruled over the countries of East and Central Europe for over two decades. The balance sheet of their tenure in power offers undeniable grounds for an indictment for tyranny, insensitivity and incompetence. In East and Central Europe, the Communists have systematically trampled upon human rights, have brooked no opposition and have established themselves as the sole font of wisdom and power.

Yet, political repression notwithstanding, the Communist regimes have been unable to "compensate" for their use of harsh tactics and methods of providing the people a decent standard of living. In divided Europe, the gap in the quality of life between its western and eastern parts has been widening with each passing year. The Communists have thus given the people of East and Central Europe the short end of the stick in both key sectors: in politics and personal life, the watchword is oppression and denial of inalienable rights; in the standard of living, the increase has been negligible—especially compared to the gains registered by other nations over the corresponding period.

The development in Poland are but the latest in a series of dramatic proofs of popular discontent against Communist rule. Over the past 15 years, we have witnessed the Poznan riots and Polish October in 1956, the tragic but heroic Hungarian Revolution, also in 1956, and the "Czechoslovak Spring" in 1968. There have been other, less publicized demonstrations of true popular sentiment in all the captive countries.

The message is clear. The people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania oppose Communist tyranny. Their aspirations and objectives are the same as those of all freedom-loving people in the world; the right to chart their own future; national sovereignty and self-determination; respect for and observance of their fundamental human rights; and a chance to rejoin, as free and equal partners, the family of nations.

We believe that a lasting peace in Europe, and the world, can come only after the captive nations have regained their freedom and national independence. As long as there are men and nations in bondage, the quest for a genuine relaxation of tensions is bound to prove fruitless. A world half slave, half free remains a breeding ground for endless conflict. A community of free nations, on the other hand, is the best guarantee for the advent of true international comity, closer cooperation, and a just peace.

While commemorating this year's Captive Nations Week:

We stress that the Soviet Union has violated its solemn promises of freedom and independence to the nine nations made captive during or after World War II—Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania.

We further stress that the Communist regimes in East and Central Europe continue to flaunt the will of the people by denying them the right to free elections.

We appeal to the free governments of the world:

1. To declare, in accordance with the principles of the Atlantic Charter and the Universal Declaration of Human Rights, their support of the right to self-determination for all peoples held captive by the Communists and, consequently, to make this issue the permanent concern of the United Nations.

2. To raise, at international meetings and conferences, the issue of the denial of fundamental human rights to the peoples of East and Central Europe.

3. To reject any and all attempts by the USSR and the other Communist regimes to secure even a tacit recognition of the *status quo* in East and Central Europe, since such recognition would deal a staggering blow to the hopes of the captive peoples of regaining their freedom and independence.

4. To voice their opposition, on all appropriate occasions, to the methods of force and threats and intimidation used by the Communist regimes in their effort to continue holding East and Central Europe in bondage.

We appeal to the People of the United States of America to manifest during Captive Nations Week, July 18-24, their awareness of the importance of the fate of 100 million East and Central Europeans to mankind's long quest for world peace and justice.

CHRISTOPHER EMMETT,  
Chairman, American Friends of the Captive Nations.

VASIL GERMENJI,  
Chairman, Assembly of Captive European Nations.

DR. KENNETH D. ARN OF DAYTON,  
OHIO, NAMED PHYSICIAN OF THE  
YEAR

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. WHALEN. Mr. Speaker, the President's Committee on Employment of the Handicapped recently announced that Kenneth D. Arn, M.D., who resides in my congressional district, will be this year's recipient of the "Physician of the Year Award." I am pleased to apprise the House of this event and to congratulate Dr. Arn.

A list of his achievements clearly indicates that he is entirely deserving of this honor. Dr. Arn has been deeply involved in serving handicapped people. The outstanding tribute to his work is that he has helped innumerable handicapped individuals to progress from a state of dependency to that of contributing, working members of their communities.

His many honors and accomplishments include chairman of the State Medical Advisory Board to the Governor's Committee on Employment of the Physically Handicapped, general chairman of the Dayton Committee on Employment of the Physically Handicapped, chairman of the Dayton Committee for the Shrine Crippled Children's Hospitals, and chairman of the Rehabilitation Services Committee of the Goodwill Industries Board. In 1960, he was cited by the Committee on Employment of the Physically Handicapped as "an inspiring leader who has done more for the handicapped than any other persons in the community." In addition, Dr. Arn has been instrumental in bringing about revision of employment practices and physical requirements on the part of many private industries and public institutions which has resulted in employment of the handicapped.

Mr. Speaker, in recognition of Dr. Arn's achievements, I am inserting at this point in the RECORD articles from the Dayton Daily News and the Ketter-

ing-Oakwood Times, the news release of the President's Committee on Employment of the Handicapped, and the tributes sent to the committee by many of his associates and admirers:

[From the Dayton Daily News, June 13, 1971]

POLIO HIT DOC AT 3; NOW HE'S M.D. OF YEAR  
Dr. Kenneth D. Arn, an internist who was crippled by polio at the age of three, has been named Physician of the Year by the President's committee on employment of the handicapped.

Dr. Arn was cited for his service to the handicapped through the Bureau of Vocational Rehabilitation as medical consultant and the Dayton Area Heart Association scientific council. His work has most recently included an active part in establishing the amputee rehabilitation clinic at Kettering Memorial Hospital.

In the near future, he said Saturday, he hopes to help develop a cardiac evaluation center with the Cox Heart Institute, which would work with recovering heart attack patients.

Dr. Arn, who will receive his award formally Aug. 30 at the Congress of Industrial Medicine convention at Jackson Lake Lodge, Wyo., said he was "thrilled" by the recognition.

"It's a most exciting time for the individual that's been handicapped," he said, "particularly with amputees..."

Dr. Arn has also served as chairman of the Montgomery County medical society's diabetes-detection program. In the 1950's he worked with the Salk vaccine inoculation trials. The award took note of both these activities.

The 49-year-old physician was named one of Ohio's five outstanding young men in 1958 by the Junior Chamber of Commerce.

He is health commissioner for the city of Oakwood and a member of the staffs of Kettering Memorial and Miami Valley Hospitals.

Dr. Arn received his education from Miami University and the University of Michigan and was a fellow in internal medicine at Cleveland Clinic.

[From the Kettering-Oakwood Times, June 23, 1971]

OAKWOOD COMMENDS DR. ARN

It may seem slightly redundant, but Dr. Kenneth D. Arn of Oakwood is to get a commendation for his commendation.

Dr. Arn, 55 Park Ave., Oakwood's health commissioner and city physician, was commended by Oakwood City Council Monday night because he was named "physician of the year" by the President's Committee on Employment of the Handicapped.

He was nominated for the honor by Dayton Area Heart Association Scientific Council and the Bureau of Vocational Rehabilitation of Ohio.

Dr. Arn is to receive the award Aug. 30 at the Congress of Industrial Medicine Convention.

OHIO INTERNIST NAMED PHYSICIAN OF THE YEAR BY PRESIDENT'S COMMITTEE

Kenneth D. Arn, M.D., a Dayton, Ohio, internist who is a leader in disease detection and prevention, was named "Physicist of the Year" today by the President's Committee on Employment of the Handicapped.

Dr. Arn, who is on the staff at both Kettering and Miami Valley hospitals, and Director of the Department of Internal Medicine at the latter hospital, is the second Dayton physician to win this award. Dr. Herman J. Bearzy, Director of the Department of Physical Medicine and Rehabilitation at Miami Valley Hospital, won the award in 1965.

The award, an illuminated scroll, will be presented to Dr. Arn on August 30, at the

American Medical Association's Congress on Occupational Health at the Jackson Lake Lodge in Grand Teton National Park in Wyoming.

Recognition was accorded Dr. Arn for his outstanding service to the handicapped, including his work as Chairman of the Montgomery County (Ohio) Medical Society's diabetes detection program, his work in connection with Salk polio vaccine inoculation trials in the 1950s, his services as a consultant to the Bureau of Vocational Rehabilitation and his work on the Dayton Area Heart Association's Scientific Council.

Dr. Arn has served as Health Commissioner of Oakwood—a Dayton suburb—since 1954 and made it possible for the community to have better health services. He also is a member, and former Chairman, of the Dayton Mayor's Committee and a member of the Ohio Governor's Committee on Employment of the Handicapped. He donates his time on cases requiring use of an artificial kidney.

Dr. Arn participates in a number of civic and fraternal groups. He is active in the Antioch Temple of the Ancient Arabic Order of Nobles of the Mystic Shrine in connection with the Shriners Hospital at Lexington, Kentucky.

A native of Dayton, Dr. Arn was educated in the city's public schools. He received his B.A. degree from Miami (Ohio) University in 1943 and his Doctor of Medicine from the University of Michigan in 1946. He interned at Miami Valley Hospital for the next two years and returned to the University of Michigan for a residency in pathology in 1948. A year later he did research in kidney disease at the University of Michigan. From 1950 to 1952 he held a fellowship in internal medicine at the Cleveland Clinic. He began the practice of medicine in Dayton in 1952.

I have been advised that Dr. Arn has rendered extraordinary service to the people, a fact which is well known to his community, his State, and the Nation.

I am pleased to add my voice to those of many others who have written you on behalf of Dr. Arn.

WM. B. SAXEE,  
U.S. Senator.

Dr. Arn's record of service is well thought of throughout the State and Nation. The effectiveness of his efforts is dramatically attested to by the handicapped people themselves through their movement from a status of dependence to independence and successful employment.

ROBERT TAFT, JR.,  
U.S. Senator.

It is my pleasure to join with other members of the Dayton, Ohio community in recommending Dr. Kenneth D. Arn as Physician of the Year.

Dr. Arn's work in the field of employment for the physically handicapped has received wide recognition, not only in Dayton, Ohio where he is a practicing physician, but throughout the State of Ohio and at the national level. Ten years ago he was cited as "an inspiring lead who has done more for the handicapped than any other person in the community". Since that time, Dr. Arn has continued his efforts, not only in the area of employment of the physically handicapped, but in the whole area of community public health.

CLARENCE J. BROWN,  
Member of Congress.

He is probably the best known physician in our community, and in addition has made a tremendous impact on the entire State of Ohio, as evidenced by his being named one of the five Outstanding Men in Ohio in 1957 by the Ohio Jr. Chamber of Commerce.

While his most well known achievements have come in the area of public medicine,

as witnessed, for instance, his membership on the Governor's Committee on Employ the Physically Handicapped and his leadership in bringing the Salk polio vaccine trials to Montgomery County (the largest polio inoculation program in Ohio), his personal compassion for and tireless individual efforts on behalf of the physically handicapped render him even more deserving of this honor.

I cannot endorse him strongly enough for Physician of the Year and I am sure you will give careful consideration to all of his many qualifications, too numerous for me to list in a single letter.

FRED N. YOUNG,  
State Representative.

Throughout my rehabilitation career as Chief, Educational Therapy Veterans' Administration and as an Administrator for the Ohio Bureau of Vocational Rehabilitation, our efforts have been enriched and extended by Dr. Arn's advice and assistance. I think to better understand this, you need to be aware that at no time when Dr. Arn is asked for either specific assistance or counsel, does he delay or reject—this I believe is an outstanding attribute, one seldom found in individuals who carry the burden of such extensive professional community involvements.

Dr. Arn has been serving for over twelve years as Field Medical Consultant to the Bureau and a member of our State-wide Advisory Committee. In these capacities he has initiated and carried out ongoing in-service training programs for our staff which has resulted in increased services to the handicapped and more effective rehabilitations. As Field Medical Consultant, he has by his personal effort effected numerous successful job placements for the handicapped.

JOHN L. GEPHART,  
Area Supervisor, Bureau of Vocational Rehabilitation.

The following are some of Dr. Arn's major recent achievements: Twenty years of service to local, state and national committees related to employing the handicapped.

Instrumental in the establishment of an Amputee Clinic in the Dayton Area serving sixteen counties.

Expedited five effective control measures for the epileptic resulting in increased services from the Bureau of Vocational Rehabilitation Program.

Instrumental in bringing about revision of the employment practices and physical requirements by private industries and public institutions which resulted in increased employment of the handicapped.

Since 1960, Member of the Board of Trustees, Goodwill Ind. of Dayton.

Appointed Chairman of Rehabilitation Services Committee, Goodwill Industries, 1962.

ROBERT E. WATKINS,  
Executive Offices, Goodwill Ind. of America, Inc.

He has been the Medical Advisor and Consultant in this District for the Bureau of Vocational Rehabilitation. He gives many volunteer hours to Goodwill and the people which it serves and gives many other hours in the community in attempting to create an atmosphere in which the severely handicapped can attain a measure of pride and self-sufficiency which makes of them taxpayers rather than welfare recipients.

VINCENT M. SHIELDS,  
Judge, Montgomery Co. Domestic Relations Court.

It is my distinct pleasure and honor to recommend most highly Dr. Kenneth D. Arn as the Physician of the Year. Doctor Arn's outstanding contribution to the handicapped extends across a wide spectrum of

professional, personal, and public services—artificial kidney, Salk vaccine trials, employment of the handicapped, vocational rehabilitation, amputee clinic, epilepsy, safety patrol, recreational facilities and Children's Hospitals.

I am confident that Doctor Arn's exemplary services to the handicapped of all ages place him in the forefront of nominees for this most meritorious award.

REV. RAYMOND A. ROESCH, S.M.,  
President, University of Dayton.

It would be impossible to list all of Dr. Arn's honors and accomplishments, but we list the following:

General Chairman of the Dayton Committee on Employment of the Physically Handicapped.

Instrumental in bringing to Dayton the first artificial kidney. Donates his time as a consultant on these cases.

Cited by the Montgomery County Medical Society in 1958 for contributions to medicine.

Cited by Committee on Employment of the Physically Handicapped in 1960 as an "Inspiring leader who has done more for the handicapped than any other person in the community."

THOMAS A. CLOUD,  
ROBT. E. KLINE,  
CHAS. LEWIS,  
Board of County Commissioners,  
Dayton, Ohio.

I have known and worked with Dr. Arn since 1956. I first became acquainted with him when he was a very effective chairman of the Dayton Area Committee for the Employment of the Physically Handicapped. I have since been associated with him on a number of boards and committees in the Dayton area. Most of all, I have known him as a member of the Board of Directors of Goodwill Industries of Dayton and as Chairman of the Rehabilitation Advisory Committee of that Board. In my capacity as Director of Rehabilitation and Personnel from 1960 to 1965 and as Executive Director from 1965 until the present, I have had ample opportunity to know and appreciate the quality of Dr. Arn's understanding and his effective methods of getting things done.

ELMER BECKETT,  
Executive Director, Goodwill Ind. of Dayton.

It has been a pleasure to work with Dr. Arn as you could always depend upon him to do his homework and come to a session well prepared. He has a very good grasp of the sensitivity of our area and he has contributed much toward making it a better place for all citizens.

His particular fore is the handicapped and I am very pleased that I am afforded this opportunity to recommend Dr. Kenneth D. Arn for the nomination as Physician of the Year by the President's Committee on Employment of the Handicapped.

HAROLD L. KINZIG,  
Asst. to the Executive Director, United Fund, Inc. serving Montgomery, Greene and Preble Counties.

I would like to nominate Dr. Kenneth D. Arn, M.D. as Physician of the Year. I have known Dr. Arn for twelve years and my first contact with him was in conjunction with Committee on Employing the Handicapped. Dr. Arn has been a dedicated worker and leader in this endeavor and his unselfish contribution of time and talent to the program has served as an inspiration for others. My nominee has not only served and worked on this committee but on many others some of which I have listed below:

Chairman of the State Medical Advisory Board to the Governor's Committee on Employment of the Physically Handicapped.

Chairman of the Dayton Committee for the Shrine Crippled Children's Hospital.

Twenty years of service to local, state and national committees related to employment of the handicapped.

BERMAN E. LAYER,  
Vice President, Layer Electric Co.

Having been advised that some consideration is being given to one of our most distinguished and selfless citizens—Dr. Kenneth D. Arn—as one of the possible selectees for special recognition, I hereby presume on your search for fact.

I am an attorney by profession, so I leave it to his own profession to interpret his distinguished medical service.

I know of his long and devoted church work and the impressive list of contributions he has made to the human good through his fraternal interests, but others will document those with more accuracy, I'm sure.

It seems more appropriate for me to direct your attention and interest to the monumental good that Kenneth Arn has done to and for the local, regional and a national communities, through his uncommonly generous and effective use of his talents and his empathy.

He has, indeed, been Dayton's champion and advocates of the right and rightness of the handicapped being employed, respected, encouraged and rewarded. He has been a leader—often the leader, of every recent effort in this field in recent years.

Dayton's Jaycees considered him "Young Man of the Year" in 1955. The Ohio Jaycees followed Dayton's cue in 1956. Many of our citizens consider him the "man of any year."

It would be a good, just and well-deserved acknowledgment if he is selected "Physician of the Year" by your committee. I make that claim, knowing that only the most devoted and capable people are even given passing consideration.

JAMES H. MCGEE,  
Mayor, City of Dayton.

Dr. Arn served on Miami Valley Hospital Board during his internship and throughout his practice, he has been outstanding in his enthusiasm and cooperation in the interests of aiding the handicapped.

I have worked on several committees with him and I have known of no other physician who has given himself so freely to aid in the rehabilitation of the handicapped.

HARVEY C. HAHN, D.D.,  
Pastor Emeritus, Otterbein U.M. Ch.,  
Lecturer and Writer, Dayton, O.

It would seem to me that Dr. Arn, particularly personifies and represents a living documentation that "handicaps" do not inevitably relegate an individual to helpless dependent role in life. Dr. Arn is an ever present testimonial that a so-called handicapped is not necessarily limiting, but as Alfred Adler has pointed out, it can be an impetus and a motivating force for outstanding accomplishments and achievements.

SCOTT T. BOWERS,  
Ed.D. Clinical Psychologist.

On behalf of the Montgomery County Medical Society, I wish to take this opportunity to place the name and the man, Kenneth D. Arn, M.D., in nomination for receipt of the "Physician of the Year Award" by the President's Committee on Employment of the Handicapped.

His awards and citations etc.:  
Named Dayton's "Outstanding Young Man of 1957" by Jr. Chamber of Commerce.

Named one of five "Outstanding Young Men in Ohio in 1957" by the Ohio Jr. Chamber of Commerce.

Cited by Montgomery County Medical Society in 1958 for contributions to medicine.

Cited by local Committee on "Employ the Physically Handicapped" in 1960 as "an inspiring leader who has done more for the handicapped than any other person in the community."

ROBERT A. BRUCE, M.D.,  
President, Montg. Co.,  
Medical Society.

Dr. Arn's service record, accomplishments and honors are known not only in the greater area, but particularly to the Cerebral Palsied of this area that he has served on referral from the local United Cerebral Palsy Affiliate.

HERBERT W. DARLING,  
Assoc. Director, Health Planning Council of the Greater Miami Valley.

In the field of services to the Aging, Dr. Arn gave of his time and talents to help raise the funds to make possible our first structure to serve approximately 50 people in the early 1950's. Again in 1962 to 1964, he served as a consultant on the building committee to expand our facilities to the 228 bed Home for the Aged we operate today.

His guidance and advice along with the many hours he spent during the planning stage of this project is a further indication of his record of accomplishments in the field of service to mankind.

JOHN H. HARRINGTON,  
Administrator, Bethany Lutheran Village.

My professional relationship started in 1958 with Dr. Arn at the Bureau of Vocational Rehabilitation in an advisory consultant capacity. My status at the time, as it is presently, was one of being the prosthetist in the rehabilitation of the amputee back into an active role in society. Dr. Arn's station in this is one of treating each case as an individual with the prescription being directed toward the individual resuming a full and meaningful life. Dr. Arn has vast amounts of medical knowledge and psychological know-how that accelerates this process greatly. He reaches the optimum in prosthetic rehabilitation with the amputee by giving of himself, regardless of how difficult the case. His approach is one of a "team" medical consultant, psychiatrist and prosthetist all contributing to the betterment of each patient."

HEINZ P. MURKA,  
Fidelity Orthopedic, Inc.

A typical day doesn't just consist of seeing patients in the office. Dr. Arn confers with caseworkers from the Bureau of Vocational Rehabilitation every morning before going to the hospital for "daily rounds," then back to the office to see more patients. The "noon break" is spent in making house calls, visiting a nursing home, attending meetings, or catching up on paper work. The remainder of the day until 5:30 or later is taken up with patients. Dr. Arn never refuses to see new patients, nor does he refuse to see those who are on welfare, as some doctors do. In addition to his regular patient load, we know of many ways in which he gives of his time and effort to aid the handicapped.

OFFICE STAFF OF KENNETH D. ARN, M.D.

Mrs. Mary C. Lachey, R.N.  
Mrs. Marion E. Stolle, R.N.  
Mrs. Mary Connolly, R.N.  
Mrs. Joyce Foley, R.N.  
Mrs. Rilyn Kiefer, R.N.  
Mrs. Beverly E. Gooding, Secy.  
Mrs. Mildred Macfarlane, Acct.  
Miss Mary Ann Abney, Recept.  
Mrs. Marlene Zillich, Dietitian.

As the President of the National Rehabilitation Association, I am provided the opportunity of being made aware, possibly more clearly than most, of the great needs of the handicapped, disabled, and disadvantaged

citizens in our society. I am also aware of the great efforts, both voluntary and public that are directed toward the alleviation of these needs, and accordingly, then I am very cognizant of the need for persons who have not only the interest and the zeal, but also the professional knowledge to organize and develop and guide programs that can materially effect the alleviation of these needs. Dr. Kenneth D. Arn is one of such persons and as such, he is most deserving of whatever additional honors may be extended him now and in the future.

RICHARD D. BURK, M.D.,  
President, Nat'l Rehabilitation Assn.

I am well aware that Dr. Arn's service record, accomplishments, and especially his concern for handicapped people, throughout the State of Ohio, are well recognized. His concern for the individual in, and movement from, a status of dependency to one of independence and successful employment is one of his outstanding traits. A listing of Dr. Arn's honors and accomplishments would be impossible; but there are many and varied with a constant overlay of concern for his fellowman.

Dr. Arn's service as a member of the Medical Advisory Committee for the Bureau of Vocational Rehabilitation has extended his expertise and knowledge in the field of rehabilitation to hundreds of handicapped persons. His impact is also felt by the professions with whom he interacts in rehabilitation.

JACK HUTCHISON,  
Ph.D. Director, Ohio Rehabilitation Serv. Comm., Bureau of Vocational Rehabilitation.

I would like to nominate Kenneth D. Arn, M.D. for consideration as Physician of the Year for his efforts in serving handicapped people. Dr. Arn's office is located at 55 Park Avenue in Oakwood, which is a suburb of Dayton, Ohio.

I have known Dr. Arn since his early affliction of polio as a child. He has been on crutches since and has gone on to achieve his desire to become one of the leading physicians of the country. His handicap has made him conscious of the need for work in this field.

He has held offices on local, state and national levels in advancing "Employ the Physically Handicapped." Dr. Arn has also held offices in many civic organizations and is a Past Potentate of Antioch Temple.

ROBERT U. MACFARLEN,  
Potentate, Antioch Temple.

It is a privilege to join the other friends of Dr. Kenneth Arn and recommend him as "Physician of the Year."

His perseverance in overcoming his personal handicap to achieve local, state-wide and national prominence should be an inspiration to all and I urge you to give him serious consideration for this honor by your committee."

HAROLD R. KUNTZ,  
Vice Pres., Ohio Metal Products Co.

Dr. Arn still walks with two crutches. He served his internship and residency on these same two crutches. He asked no favors and accepted none in his struggle to become a physician. He has been cited as an inspired leader of the handicapped. Dr. Arn serves on probably a dozen local and state commissions serving the handicapped, and in addition serves as a Health Director of the City of Oakwood (a suburb of Dayton, Ohio) and carries on a full practice as an internist.

JOHN E. PRESIDENT,  
Swartzel/Affiliated Insurance.

In addition to the above activities Dr. Arn is presently involved in establishing a cardiac work classification unit to serve the Dayton

area. Dr. Arn has also been of considerable service to me in the establishment of an under-graduate curriculum in Rehabilitation Education. In addition he has agreed to undertake an experiment in team teaching a medical information course for rehabilitation workers at this institution.

PERRY L. HALL,  
Assistant Professor, Director, Rehabilitation Education, Wright State University.

Dr. Arn's service as Consultant, to, and Board Chairman of various rehabilitation agencies has been in the finest tradition of inter-professional leadership. He has personally worked for revised hiring practices and full usage of all agency and professional services in the interest of rehabilitation, and has stimulated others in the field to join him in these efforts. His leadership in establishing effective control measures and expanded rehabilitation services to epileptics and other neglected groups have required a dedication to meet and deal with community resistance, apathy, and fear which few others have shown. At the same time, the high respect in which he is held by community leaders and Industrialists have helped to overcome barriers against the handicapped throughout the area and State.

EUGENE D. CHAMBERS, Ph. D.,  
Chief, Psychology Service, VA Center,  
Dayton, Ohio.

Dr. Arn, in short, has been a leader in the medical community of Dayton, O. His leadership has been met not only in his own private prestige but in the instrumentation of advancing modern medical techniques to the area and lastly being a servant and adviser and the leader of the crusaders for the betterment in the treatment, services and employment of the physically handicapped.

LEO H. FRENCH, M.D.,  
Director of Physical Medicine and Rehabilitation, St. Elizabeth Medical Center, Dayton, Ohio.

#### SUPPORTS FARM CREDIT ACT

### HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. HARSHA. Mr. Speaker, today, I personally appeared before the distinguished Committee on Agriculture of the House of Representatives and testified in support of the Farm Credit Act of 1971. Because this act is so necessary to the farmers of America and because the farm credit system has been so successful in the past in aiding America's farmers, I thought it advisable to share my testimony with my colleagues.

For these reasons, I enclose my remarks before that distinguished committee:

I greatly appreciate the opportunity to testify during the rural development hearings of this distinguished Committee. I consider the legislation I am about to discuss, the Farm Credit Act of 1971, which I have co-sponsored, to be a most crucial and urgent piece of legislation. The needs of rural America are great, but none is greater than the need for capital.

In the cooperative Farm Credit System, farmers have built an excellent vehicle for bringing this badly needed capital into rural America. This is accomplished by the banks of the System—that is, the Federal land

banks, the Federal intermediate credit banks and the banks for cooperative—through the sale of securities—bonds and debentures—the proceeds from which are transformed by these banks into loan funds for their farmer-members and their cooperatives. It should be noted, too, that this process of going to the money market for funds is a concept the Federal land banks pioneered many years ago, one in a succession of innovations the System has brought to agricultural lending.

No one appreciates more than I how important this resource for capital is for the farmers of my Congressional District.

For example, there are two production credit associations providing short and intermediate term credit to farmers in my District. They are the Jackson Production Credit Association and the Lebanon Production Credit Association. For the year ended December 31, 1970, farmers borrowed \$12,559,000 from the Jackson association and had \$338,705 invested in its capital stock. Farmer-members of the Lebanon PCA have \$780,440 invested in its capital stock and last year borrowed over \$9,818,000 from it.

There are four Federal land bank associations serving farmers in my District—the Federal Land Bank Associations of Hillsboro, Lebanon, Washington Court House and Gallopis. Nearly 2,000 farmers have about \$38 million in long-term loans outstanding through those associations.

The Louisville Bank for Cooperatives also serves its many member-cooperative stockholders in Ohio, Indiana, Kentucky and Tennessee in an equally distinctive and outstanding manner.

We have all heard about, or been exposed to, the many changes that are sweeping through agriculture and the rural community. These and future changes dictate the need for changes in the Farm Credit System if it is to continue as a vital, viable source of credit for farmers in the future and, indeed, may very well determine whether our traditional family farm shall continue as the dominant force within agriculture.

Thus, the farmer-owners of the Farm Credit System come to us today with suggestions for changes they feel are necessary to meet the present and future credit demands of farmers, just as their forefathers came to Congress over a half-century ago.

In 1916, these farmers received our help—both monetary and advisory—and they seized upon this opportunity to put on one of the greatest demonstrations of self-help the world has ever witnessed. Not only did they build a dependable source of credit suited to their needs, but they repaid the Federal Government in the process and now operate a completely self-sustaining System, with no Government Assistance.

How will these proposed changes help farmers? In the case of the Federal land banks, the Farm Credit Act of 1971 would permit greater flexibility of mortgage lending to farmers and ranchers, removing the restriction which limits loans to 65 percent of the farm's appraised value. Removing this restriction would place more of the new loan responsibility on the Banks and could be especially important to able young farmers struggling to acquire adequate financing to get into farming.

More importantly, it would permit the land banks to give more weight to factors other than collateral in making loans. It would place greater importance on the man—his managerial skills, repayment capacity, his earning ability and other factors.

We've heard much about the price-cost squeeze in agriculture. The Farm Credit Act of 1971 would help farmers cut machinery costs by authorizing production credit associations to finance farm-related businesses. An example of this type of business is a custom service operator, such as a custom combiner, custom sprayer or custom pruner. Because of soaring equipment costs and use

of larger farm machinery, there is an increasing use among farmers of custom services. With this authority, PCAs could help fill credit gaps in this area by financing such off-farm enterprises which perform on-farm services. Many of these enterprises would be operated by part-time or former farmers. Thus, it could help create new jobs.

As for the banks for cooperatives, the act would adjust eligibility requirements to borrow from these banks, enabling the banks to serve a wider segment of the credit needs of farmer cooperatives, which would assist also in rural development and in the farmers' goal of obtaining a larger share of the consumer's food dollar.

Earlier in your hearings, a number of ideas were presented to assist in rural development, most of which would require outlays of money. I would point out that there is a feature in the Farm Credit Act of 1971 that will assist the rural development effort, but cost the taxpayers nothing at all. I refer to the offer of the System to make loans for non-farm rural homes, an action, if approved, that would fill an existing credit gap and, thus, aid rural area development.

I believe we can all agree that the challenges facing rural America are tremendous. In the Farm Credit Act of 1971 we have an example of one of our honored organizations—the Farm Credit System—expressing a willingness to shoulder a share of this responsibility. Based on performance alone, I believe it merits this opportunity.

#### CAPTIVE NATIONS WEEK

### HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. McCOLLISTER. Mr. Speaker, a couple of weeks ago, we as a nation celebrated one of the most significant anniversaries we have—that of our birth as a country. The Fourth of July, for our forefathers, was the end of a long, hard-fought dream. For us, it was the beginning of a world in which we, as U.S. citizens, can today live in freedom and liberty.

The observance of Captive Nations Week so shortly after the celebration of our own Independence Day should serve as a reminder that there are over a billion people in this world not as blessed as we. Where we have 195 years of our freedom as a firm pillar behind us, there are many who still struggle for their's.

Living in the United States, it is difficult to imagine the atmosphere of oppression and fear which the people in these captive nations face each day. Yet one-third of humanity continues to live under these conditions.

Some 22 countries in the world are subjugated to this life, including Poland, Hungary, Lithuania, East Germany, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Romania, Bulgaria, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, and Cuba.

I have met many in my own second district of Nebraska who tell me of the hardships these people bear. Many tell from their own personal experience. Others have families and loved ones there still.

In these people is a heritage and richness of background which we all recog-

nize is a valuable part of America. Many came to our country with nothing, some without even the basic language skills. Through their own hard work and perseverance, they have built lives for themselves and worlds for their children and grandchildren.

This is the type of person we have been fortunate enough to have come to us from the now-captive nations. And, unfortunately, this is the type of person who is forced to live there still. We must continue to work toward the fulfillment of freedom and independence for these people.

Those who trace their origins to the captive nations were once able to speak of their lands with a ring of national pride and national purpose. They speak with sadness now. They once had an identity separate and apart from other nations, yet linked to other countries through a common respect. Today their freedoms lie buried underneath regimes of totalitarianism. Their hopes, however, are still very much alive.

Every human is born with the desire for freedom. Deprivation of liberty does not destroy the desire for it. And so long as freedom exists somewhere in the world, as long as free people remain unassailable in their determination to keep freedom alive, hope will flourish in the captive nations of Europe, Asia, and the Western Hemisphere.

It is crucially important for us to morally sustain the hope and faith of the captive peoples in their eventual freedom and, of course, our preserved freedom, too. For anyone who needs proof, we need only to look to what happened in Czechoslovakia in 1968, the mass incarceration of Jewish, Ukrainian, Russian, and other heroic dissidents in 1969, the Polish unrest in 1970—the list goes on.

Along with the hundreds of my friends who trace their origins to the captive nations, and thousands of others who have deep concern, I emphasize the U.S. commitment to support the establishment of democratic principles and eventual freedom for these subjugated peoples. We look to that portion of the world which cannot live as we do with immense sadness and hope that Captive Nations Week will give renewed impetus in our determination for a future world of peace and freedom.

#### FFA OFFICERS ADDRESS CONGRESSIONAL BREAKFAST

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. FINDLEY. Mr. Speaker, whenever I am with a group of Future Farmers of America I feel refreshed about the future—the future of farming and the future, in a broader sense, of America itself. A refreshed outlook for the future was presented to many of our colleagues at a breakfast meeting sponsored by the

Future Farmers of America this morning which I was privileged to host.

The honor was mine, I am certain, because the current national president of the FFA is J. Dan Lehmann, an outstanding young man from my district in west-central Illinois. He lives in Pleasant Plains, Ill.

Those of us who attended the breakfast meeting learned that being a Future Farmer today means a lot more than preparation for a career tilling the soil. The study of vocational agriculture today encompasses a wide spectrum of career opportunities for young men and women interested in positions vital to those who do choose to become farmers and ranchers. Several of these opportunities were outlined for us this morning.

All too many of us, I am afraid, look at agriculture as farming and ranching and nothing more. A few years back the FFA had as its slogan during National FFA Week, "Agriculture Is More Than Farming." It certainly is and I would like to share some of the thoughts of the current national FFA officers relating just what the FFA considers agriculture to be.

Attached as part of these remarks are the statements of the respective national FFA officers at the congressional breakfast today. I commend their messages to all of us in the Congress—both rural district Representatives and urban Members:

#### STATEMENT BY J. DAN LEHMAN, NATIONAL FFA PRESIDENT, PLEASANT PLAINS, ILL.

It's hard to believe that another National FFA Convention is only 3 months away and our year as National Officers soon will end. This will give way to the opportunity for six new young people to accept the duties and challenges of being a national officer. We recently figured that together we traveled a total of more than a quarter of a million miles representing FFA members during the past year. It's been a rewarding and educational experience to say nothing of the many new friends we've made.

But as we've traveled it seems we're always being asked several questions. Often they go something like this. "So you're a student of vocational agriculture?" "I thought we had plenty of farmers in this nation, isn't that why we have a surplus of food?" "Well how come they're still teaching agriculture in high schools?"

Our answer to this question by now is well rehearsed. "Yes, I'm a student of vocational agriculture, but like about 70% of my fellow FFA members I probably won't go back to the farm. Agriculture is changing. Farms are larger and more efficient so that one family farm now produces as much as three or four only 20 years ago. Farmers also rely more heavily on outside businesses that specialize in processing, distribution, marketing and many other farm services."

"It is this area we call agribusiness that many of my fellow FFA members will be engaged. For that reason, we still have vocational agriculture in our high schools but the program is changing and expanding to meet the needs of students and the industry of agriculture. In fact the vocational agriculture program in many parts of the nation is coming to be known as vocational agribusiness education."

What is agribusiness education and what does it include? I'd like to call on my fellow officers to explain how FFA members are youth with a purpose in this educational program.

#### AGRIBUSINESS MEANS FARMING

(By George Allen, National FFA Vice President, Easton, N.Y.)

Farmers and ranchers are the producers of our nation's food and fiber. Today's farmer has to be a highly efficient and productive businessman. Gone is the day when a farmer or hired manager could get by with less than a high school education. Farmers and farm managers need a broad knowledge of soil science, farm management and accounting, mechanics, animal science, agricultural economics and many other fields of knowledge. We are optimistic about the future of production agriculture. The nation will always need good farmers and agribusiness education programs will continue to provide the technical training they need.

#### AGRIBUSINESS MEANS SUPPLY AND SERVICE

(By John McCulley, National FFA Secretary, Malin, Oreg.)

Modern farmers operating large acreages and handling large numbers of livestock have come to rely on competent businesses to provide them with supplies and services they need to operate. Farm suppliers provide materials such as seed, feed, fertilizer, farm equipment and operating capital. Today, more and more farm suppliers also provide professional know-how and skilled workers to apply fertilizers and chemicals as well as to build farm buildings and perform other services farmers need. For students who have an interest in agribusiness, want to work with farmers, and have a keen sense of serving others, supply and service occupations are challenging careers. Vocational agribusiness courses and work experience placement with farm suppliers prepare students for careers in supply and service.

#### AGRIBUSINESS MEANS PROCESSING

(By Dan Dooley, National FFA Vice President, Manford, Calif.)

The demand for high quality products attractively packaged has never been greater. Students in agricultural products courses are learning to provide the kind of products consumers demand in the market place by studying the industry that processes the nation's agricultural crops and livestock products. The agribusiness education program gives them the necessary knowledge in basic food chemistry, mechanics, and management. For most agribusiness students, classroom work in processing is combined with cooperative work experience in processing facilities.

#### AGRIBUSINESS MEANS MECHANICS

(By Jim Beard, National FFA Vice President, Beggs, Okla.)

Ask most any farmer what service he needs most and he'll probably tell you good dependable service for his machinery and equipment. The era of the farmer as a "shade tree mechanic" is long gone. It takes special know-how and special tools to repair modern complex farm machinery. Farmers today rely on trained mechanics and electricians who have had special training in hydraulics, agricultural electrification, gasoline and diesel engine repair and maintenance, and a host of other technical subjects. Students learn the fundamentals of these subjects in vocational agribusiness education.

#### AGRIBUSINESS MEANS NATURAL RESOURCES AND ENVIRONMENTAL SCIENCE

(By Dan Dooley, National FFA Vice President, Hanford, Calif.)

Concern for the environment and for the preservation of natural resources has been a major factor in increasing the number of career opportunities in natural resources and

environmental science. For students who are interested in the out of doors and want to play an active role in improving the ecology of our nation, there are many satisfying occupations. Vocational agribusiness training helps them prepare for careers by giving them knowledge of soil science, soil and water conservation, economics, wildlife conservation and recreational management.

#### AGRIBUSINESS MEANS HORTICULTURE

(By Wayne Humphreys, National FFA Vice President, Crawfordville, Iowa)

Have you ever noticed how many places sell or use ornamental and garden plants these days? Ornamentals, garden plants and even trees and shrubbery can now be purchased in many local grocery and drug stores to say nothing of the many roadside stands and nurseries. Or consider all the golf courses, parks and landscaped buildings all across the nation that purchase plants and hire people to care for them. These are some indications of the opportunities in the booming horticulture industry. There is a wide range of career opportunity. Everything from managing a greenhouse to caring for plants and marketing and distributing horticultural products. Many vocational agribusiness departments now have greenhouses as well as good occupational experience programs. They teach courses in greenhouse management, landscaping, flower arrangement and other skills needed in the care and operation of horticultural business.

#### AGRIBUSINESS MEANS FORESTRY

(By George Allen, National FFA Vice President, Easton, N.Y.)

For the student who likes the out of doors, there's a career in Forestry. Thirty-three percent of our nation is covered with forests. In addition to federal and state forests there are many privately owned woodlands. The trend to more leisure time, the new emphasis on ecology and the heavy demand for wood products has created a new interest in our nation's forests. High school vocational agribusiness programs can prepare students for careers as forestry aides, forestry engineers, technicians, loggers, sawmill operators, or state and national forest employees.

#### ADDITIONAL STATEMENT BY J. DAN LEHMANN, NATIONAL FFA PRESIDENT

Now you've seen the seven areas of agribusiness in which we are training leaders for tomorrow. In 1970 more than 213,000 students were enrolled in high school in off-farm agribusiness programs compared to only 162,000 in 1969 and 139,000 in 1968. We look for this trend to continue with a growing number of students engaged in off-farm agribusiness occupations.

Another trend we expect to continue is the need for advanced education in agribusiness. As the agricultural industry becomes more and more technical, students are finding that advanced education at two and four years educational institutions is necessary. The nation's vocational agriculture program has traditionally been a feeder system for two year post secondary programs and agriculture colleges.

The FFA is an integral part of the classroom instructional program in vocational agribusiness. It provides a laboratory for the practical application of lessons taught. FFA activities stress cooperation, leadership and good citizenship.

Through the National FFA Foundation which is sponsored by business, industry, organizations and individuals, the FFA provides awards in all the major areas of agribusiness we've talked about here today. These awards are an incentive encouraging FFA members to excel in their occupational experience program and to develop their leadership ability.

### SCHOOL INTEGRATION: A DOUBLE STANDARD?

#### HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. SPENCE. Mr. Speaker, for years the South has been forced to endure taunts and holier-than-thou preachments from some people in other sections of the country relative to school desegregation. While doing its best to maintain calm throughout a period of major social change, the South has found these constant ravings to be a serious obstacle to an orderly transition. No one can be expected to accept such finger-pointing from individuals far removed from the situation without some feeling of resentment.

But there is an additional factor which makes such gratuitous advice even harder for the South to swallow. That is, we suspect that behind the pious words of those self-annointed champions of forced integration in the South, there breathes a soul of pure hypocrisy. Whenever the slightest hint of school integration is heard in their own backyard—though never approaching the level experienced in the South—they shrink in horror and move to the suburbs. All who are honest with themselves acknowledge this to be the case, including the President of the United States.

Many of us have wondered exactly to what extent, if any, the problems connected with school integration are different in other areas of the country. We have been curious about how other people deal with the situation and what their attitudes really are.

Mr. Speaker, South Carolina's largest newspaper, the State, recently made a great contribution to our understanding of the true picture. The paper sent three of its most outstanding reporters on a tour of areas outside the South to seek out the attitudes of school officials, teachers, parents, and students, on the issue of school integration and how it should be handled. The reporters—Lee Bandy, Washington Bureau chief; Kent Krell, special assignments writer; and LeVona Page, Government affairs writer—responded with an excellent six-part series entitled "School Integration: A Double Standard?"

This is an extremely valuable study, Mr. Speaker, and so that my colleagues will have an opportunity to consider its message, I include it in full at this point in the RECORD:

#### DE JURE, DE FACTO—TWO SETS OF RULES (By Kent Krell)

Roosevelt High School, a solid brick structure built in 1903, lends an air of sturdy, scholarly isolation to the seedy inner city of Dayton, Ohio.

The big building sits back off West 3rd Street at the end of block after relentless block of shoeshine parlors, bars and shabby storefronts, many of them festooned with cryptic and often crude stickers, reflective of black militancy.

One apparently lifeless store proclaims itself the headquarters of "The National Committee to Combat Fascism."

Roosevelt High symbolizes a legal and sociological paradox which has become a source of puzzlement, frustration, resentment and outright annoyance to many Americans above and below The Mason Dixon line.

Schools like Roosevelt High in Dayton, East High in Buffalo, N.Y., and George Mather Forbes Elementary in Rochester, N.Y., are the black embodiment of so-called de facto segregation. Their student bodies are almost totally Negro.

Contrarily, South Park High in Buffalo and Northland High in Columbus, Ohio, are the white embodiment of de facto segregation.

Since May 17, 1954, when the U.S. Supreme Court ruled segregation in the public schools a violation of the Constitution, federal authorities have pursued a zealous assault on so-called de jure segregation in the South. The target was clearly state laws which forbade mixing of the races in the public schools.

The historic rule on de jure segregation directly involved schools in South Carolina, Kansas, Virginia, Delaware and the District of Columbia. Seventeen other southern or border states with segregation laws were involved indirectly. Their defense was largely built around a 1896 Supreme Court ruling which upheld the constitutionality of "separate, but equal" schools for whites and Negroes.

Now civil rights activists and the U.S. Department of Health, Education and Welfare are scrutinizing de facto segregation in the North. This is a situation where housing patterns in a neighborhood have brought about virtual isolation of the races in the area's schools.

Last month, HEW released the results of a nationwide survey which showed that public school integration in the South has increased dramatically in the past two years.

At the same time, the survey showed that school integration in many Northern metropolitan areas has declined significantly.

According to HEW, the percentage of black students in the U.S. attending majority white schools increased from 23 per cent in the fall of 1968 to 33 per cent in the fall of 1970. HEW attributed the increase almost wholly to the increase of integration in the South.

Is the law as applied differently to de jure and de facto school segregation in the North and South fair and justified?

One of the first to raise the question in a public forum and pique the national conscience was liberal U.S. Sen. Abraham Ribicoff, D-Conn., a former HEW secretary under the Kennedy administration.

Last year in a strange political mating, Ribicoff joined with Southern conservatives in the Senate to suggest that the federal government was applying a double standard in its enforcement of desegregation edicts.

A recent survey by The State of five Northern school districts reflected a variety of responses with respect to the validity and morality of school segregation in those areas.

Civil rights spokesmen and some educators in Trenton, N.J., Dayton and Columbus, Ohio, and Rochester and Buffalo, N.Y., said de jure and de facto segregation were equally injurious and should be attacked as evils.

On the other hand, some school officials and others, including some Negroes, defended de facto segregation by advocating the legitimacy of neighborhood schools. Such attitudes were often accompanied by sympathetic expression for the South.

As Mrs. Naomi Finlay, a white mother in Dayton, Ohio, put it: "I do feel for the South. They have been discriminated against when it's come to schools."

"It looks to me the carpetbaggers are back in the guise of HEW."

Many of those who attack apparent de facto segregation actually claim it is merely

a subtle form of de jure segregation and hence a palpable violation of the courts.

They point to rulings by local school boards which tend to perpetuate segregation patterns. Specifically, they cite gerrymandered school boundaries along racial lines and restrictive transfer regulations, including the absence of free busing.

De facto segregation exists largely because of the widespread existence of the neighborhood school concept and the autonomy of many local school boards. In recent editorials addressed to the situation, the Dayton, Ohio, News wrote:

"Past boards and administrations have indulged themselves in enough overtly segregation actions to make the system as vulnerable as the Jim Crow schools in the South . . . It would be unfair to exempt the white kids of suburbia . . ."

"Countywide school integration would be larger but less socially disruptive than city-wide desegregation . . . Face it: We are all lumps in the same cottage cheese. We can't get out of that so we might as well get on with it."

Dr. Charles A. Glatt, director of the Midwest Institute for Equal Educational Opportunities at Ohio State University in Columbus, believes the Supreme Court's recent ruling in the Charlotte, N.C., school case can be applied to de facto segregation in the North. The court said school officials must use all available tools, including gerrymandered districts and perhaps even free transportation to achieve racial balancing.

The high tribunal said federal judges should exercise their powers "to fashion a remedy that will assure a unitary school system."

Speaking through Chief Justice Warren E. Burger, the Supreme Court said neighborhood school zoning is unconstitutional if it does not accomplish desegregation.

"All things being equal, with no history of discrimination, it might well be desirable to assign pupils to schools nearest their homes."

"But all things are not equal in the system that has been deliberately constructed and maintained to enforce racial segregation."

Some Southern school officials and lawyers have objected to their present de jure status, claiming:

Since HEW has previously declared some districts in compliance with its requirements, they should have achieved at least the status of de facto segregation, passing from under the de jure umbrella despite the 1971 Charlotte school ruling.

That the de jure concept has an ex post facto or retroactive flavor since enforced segregation had been held legal by the federal courts prior to the 1954 school ruling.

Dr. Glatt contends the legality of de facto segregation in the North will in all probability have to wait on a case dealing specifically with a Northern district and the historical problems peculiar to it.

Dr. Glatt, 43, whose soft, sing-song accent still bears its Louisiana origins, thinks the North may be as much as a decade or longer behind the South in achieving complete desegregation of its schools.

He says the federally-funded Desegregation Institute he heads at OSU is evidence that the government is willing now "to ease" into and face up to the problems of segregation above the Mason-Dixon line.

Philip Rebold, a white civil rights attorney in Dayton, believes that a May 28 ruling by the U.S. 6th Circuit Court of Appeals in Cleveland, Ohio, may hold the answer to school desegregation issues in the North. The appellate court affirmed a district judge's ruling that the Pontiac, Mich., Board of Education was guilty of de jure segregation when it "intentionally utilized the power at their disposal to locate new schools and arrange boundaries in such a way as to perpetuate the pattern of segregation . . ."

One Northern official who is puzzled and irritated by the federal government's approach to school integration is Trenton, N.J., Mayor Arthur J. Holland.

Citing racial tension over school desegregation, Mayor Holland observed:

"I can't understand why HEW (U.S. Department of Health, Education and Welfare) doesn't intervene. Our de facto segregation is a result of more subtle forms of de jure segregation."

Richard Fisher, an executive member of the Buffalo, N. Y. Teachers Association, said HEW would not have to look hard to find examples of de jure segregation in Buffalo. He cited zoning rulings by the local board which have turned schools into one-race institutions.

"I'm probably being pragmatic," says Joseph L. Davis, assistant superintendent of Columbus, Ohio, city schools, "but I do think there is a difference between de jure and de facto segregation. One involves the wilful act of a duly constituted governmental authority while the other does not."

However, Davis acknowledges the results of de facto and de jure segregation—racial isolation of students—can be the same.

"I favor integrated education by laws and conviction," says Davis, adding that the logistical problems of massive busing from one neighborhood to another can cause "tremendous" fiscal and emotional problems.

Many of those hoping to perpetuate the neighborhood school concept—and, inherently, the characteristics of de facto segregation—cite a 6th Circuit Court of Appeals ruling in a Cincinnati school case.

In essence, the appellate court found that a school board cannot be held responsible for existing housing and economic patterns. In such circumstances, the court said the board is not required to re-arrange school boundary lines adding:

"We were of the belief that the Constitution prohibited enforced segregation but DID NOT require enforced integration."

Citing the safety factor and travel hazards involved in widespread busing, the court said topographical characteristics, such as rivers and lakes, and man-made barriers, such as railroads, may be taken into account in establishing boundary lines.

The Cincinnati case was appealed to the U.S. Supreme Court, but on May 3, 1971, the court refused to review it.

#### HEW: WE LACK AUTHORITY

(By Lee Bandy)

WASHINGTON.—Health, Education and Welfare Department officials generally agree with President Nixon that a certain amount of hypocrisy exists in the North in regard to school desegregation. But they also claim they have very little, if any, real authority to deal with it.

Most of the racial isolation outside the South, they say, is caused by de facto segregation resulting from private decisions, housing patterns and other so-called voluntary action.

And thus far, they contend, neither the Supreme Court nor Congress has given HEW a mandate to deal with this form of segregation.

The Senate has consistently rejected efforts by Sen. Abraham Ribicoff, D-Conn., a former HEW secretary under the Kennedy Administration, to treat de facto and de jure segregation alike.

And the high tribunal has shied away from the de facto issue, choosing instead to deal with racial discrimination matters caused by official actions.

However, HEW says it isn't using Congress or the federal courts as a shield to hide behind, or to cover up what some Southerners believe is "inaction" in the North.

Legal action, however, is proceeding in several non-Southern cities. "There is more movement in the North than people gen-

erally suspect," said J. Stanley Pottinger, HEW's civil rights director.

He said action is proceeding in several different forms—through state administrative orders (some Northern areas have state-imposed racial balance plans), federal court suits and HEW compliance reviews.

Federal school desegregation suits are pending in four cities: Pasadena, Calif., Waterbury, Conn., Chicago, and Indianapolis, Ind. And HEW compliance reviews or orders have either been completed or are under way in about 60 non-Southern communities.

Some of those include Buffalo, N.Y., Boston, Wichita, Kan., Ferndale, Mich., Omaha, Neb., Dayton, Ohio, and Racine, Mich., which have pockets of racial isolation.

Where discrimination is found as a result of official action—like gerrymandered school districts or teacher assignments—HEW says it has applied the law in the same manner as it has in the South. But this is because the situation, which previously had been considered de facto, was really found to be de jure.

"The only difference in making the case," Pottinger said, "is that it's easier to find discrimination in the South because it was the law of the land."

The discrimination in the North has been more subtle in that it was never made a part of the public record.

Trenton, N.J., Mayor Arthur J. Holland admitted, "Our de facto segregation is a result of more subtle forms of de jure segregation."

And Pottinger said, this is what makes HEW's job more difficult outside the South, despite the fact that the department has assigned 80 investigators to scour the rest of the country for vestiges of discrimination compared with 52 in Dixie.

"Over a period of time, it's even more difficult to make a case in the North. It's more arduous. It takes many more hours to find a violation," the civil rights director contended.

A black civil rights investigator, who previously was assigned to the South, said, "I find many of the same problems in the North but they call it de facto . . . and consequently it takes twice as long to decide a case."

He claimed that present law "does not reach massive segregation as it is in the North . . . racial isolation is our biggest problem up North, and proving it's a result of official action is not the easiest thing to do."

HEW has targeted 500 school districts where heavy racial isolation exists and efforts are being stepped up in these areas to determine the cause.

Pottinger said that short of a Supreme Court decision on de facto or a mandate from Congress, HEW will only be able to go so far in trying to bring about a better racial balance in some non-Southern cities.

But, he added: "If we had the authority, we would be sorely lacking, in all honesty, if we did not move against the North with the same vigor we had moved in the South."

The hangup came in the distinction between de jure and de facto segregation, Pottinger claimed, while arguing the two are not clearly understood.

"The legal distinctions have led us to discrepancies in results," he said, noting the South is now far ahead of the North in the amount of school desegregation.

"But legally speaking, there's nothing we can do about it," Pottinger complained. He vigorously denied his office has an anti-South bias just because most of its fire has been directed against Dixie. "That simply is not true," the civil rights director declared.

#### ROCHESTER HAS "A DUAL SYSTEM"

(By Levona Page)

ROCHESTER, N.Y.—"We have a dual system," says David R. Branch, Rochester school board president.

"The schools in Rochester are segregated because of the government's refusal to do anything about housing and the past refusals of the school board to do anything more about the schools," he explained.

Like most of its northern neighbors, Rochester has seen its schools become more and more black as Southern Negroes migrated to the city and native whites fled to the suburbs.

Branch, a liberal Democrat elected last November, sought to reverse this trend when he led the board in a 3-to-2 adoption this spring of a busing plan designed to achieve a racial balance in most of the district's schools this fall.

Shortly after the board's action, Branch's house in an integrated Rochester neighborhood was the target for protesting white parents who cloaked themselves in white sheets and staged a round-the-clock picket for nearly two weeks. White students and parents also picketed the school district headquarters.

The protesters were members of the United Schools Association, a conservative group, then headed by Dr. Louis A. Cerulli, a Rochester surgeon and general practitioner who served on the school board for 10 years and preceded Branch as chairman. Last month, the Democrats nominated Cerulli for a post on city council.

Cerulli contends that the protesters were mavericks from his group and he had advised them against donning the white sheets. But defending their Ku Klux Klan-style garb, he commented, "The sheets can connote certain things to certain people, but don't forget that people also wear white gowns when they graduate from college."

The black community, which was pushing desegregation efforts a year ago, has now withdrawn support and is contending that "a black child doesn't have to sit next to a white child to get a good education."

"I don't know what brought about the change," said Mrs. Virginia M. Washington, a native of Camden, S.C., and now a teacher in the Rochester schools.

Mrs. Washington, who taught at Columbia's Booker T. Washington High for seven years before moving north in 1960, said, "I guess the attitude among blacks has changed because of this business about white teachers not relating to blacks and the whole concept of 'black is beautiful.' The blacks now feel that white schools don't educate black children and it has just been a matter of brain washing in the past."

The prospect of desegregation is provoking as many anxieties among white teachers in Rochester as it did last year when massive mixing under federal pressure took place in Columbia.

"The general feeling is one of being apprehensive about the fall," said Lynne Marquardt, a young white native New Yorker with four years' teaching experience at 91-per-cent-white Charlotte High in Rochester. That school will be converted to a junior high and will be 41 per cent black next fall.

Miss Marquardt continued, "many of the teachers, including myself, have never been in a really integrated situation and we are wondering if we have been adequately prepared to face it."

Rochester's busing plan represents the district's first major desegregation effort, although the school board has been passing resolutions favoring racially balanced schools since August, 1963.

In the fall of 1964, the same year the Civil Rights Act was passed, Rochester schools began operating on a type of "freedom of choice" desegregation plan, just as did the Columbia schools. In Rochester, about 600 blacks chose to enroll in predominantly white schools that year, compared to 22 in Columbia.

In the spring of 1970, when Columbia was preparing to begin its massive mixing plan

under federal supervision, the Republican-dominated Rochester school board voted 3-to-2 along party lines against a zoning and busing plan that would have achieved a racial balance in all schools.

Rochester's black community, which was then supporting desegregation, joined with liberal whites to put pressure on the board and that resulted in adoption of a zoning plan to racially balance seven of the city's 54 schools last year. The open enrollment (or freedom of choice) program continued, allowing 1,340 minority race students, including Spanish-surnamed pupils, to transfer to predominantly white schools on the outskirts of the city, while 185 whites transferred to black schools in the core of the inner city.

Another 637 black students were bussed to white suburban schools outside the district in a special program with special federal aid.

During the last school year, Rochester had a total student population of about 45,500, of which about 15,100 were Negroes. The projected ratio for next year is about 60 per cent white to 40 per cent non-white and the district is attempting to achieve that balance in most of the schools.

Despite last year's transfers, 44.2 per cent of the city's Negro students remained in schools that were 80 to 100 per cent black according to a June report compiled by the U.S. Department of Health, Education and Welfare. That figure was 8.8 per cent below the 53 per cent of Negro students in Columbia who remained in schools 80 per cent or more black this past year.

Although Rochester's desegregation plan was described in a laudatory 1969 HEW report on how five U.S. school systems desegregated, its schools have actually been gradually becoming more black.

HEW has never made any effort to require more desegregation in Rochester. The percentage of blacks enrolled in schools 80 to 100 per cent black has increased 10 per cent since 1968, while the total number of black students has increased only 4 per cent in that period.

Some blacks accuse the city of hypocrisy.

"I've never seen such hypocrisy in all my life as I've seen here in the last two years on the subject of desegregation," said Henry M. Williams, a Texas native and one of Rochester's two Negro school principals.

"It's just unbelievable," Williams continued. "At least in the South we admitted we had a problem, but in this region there is wholesale refusal to admit there is a problem. When this occurs, you don't begin to resolve the problem."

During a stint with the Air Force, at the age of 16, Williams was sent to Shaw Air Force Base, S. C., and while there, decided to finish his high school education. He graduated from Lincoln High in Sumter in 1949 when "Strom Thurmond was governor." Later he returned to Texas and entered the education profession. He was a school principal when desegregation took place and says he was "relegated to a position of questionable validity." Infuriated at his treatment, he left the school system and taught at two black colleges before accepting a job as the first black high school principal in Rochester two years ago.

"After 16 years in education in Texas and coming to this region, I expected to find a more progressive school situation and a more progressive racial climate," Williams continued. "Instead, I found intensive polarization, great apprehension, fear and a gulf of misunderstanding. In short, the state of human relations is operating at a very low level."

He added, "Being a native Southerner, it irritates me that the South has been vilified for so long and I think it's time the spotlight was held up to some of the other areas."

As for Rochester's desegregation plan that

will go into effect this fall, Williams said he is "cautiously optimistic" and said he hopes human relations workshops being conducted this summer will help prepare teachers for the change.

School board member Mrs. Dorothy Phillips, a Republican who voted against part of the desegregation plan, says the black support for it has diminished "because it is still the black kids who will do all the traveling at the early ages."

The only Negro on the Rochester board, Mrs. Wyoma Best, a native of Norfolk, Va., says black opposition to the plan "is not a valid position because we have involved both communities. We are not just talking about pushing bodies around."

She added, "I don't feel a child, black or white, gets a quality education in a segregated facility. He needs to be where he can learn about all cultures."

School desegregation, at the moment, is one of Rochester's hottest political issues. The Republican-dominated city council has no power to veto the Democratic-dominated school board's desegregation plan, but the council did seize on a way to use its clout when the school budget came up for approval. The council trimmed the budget by \$875,000—the exact amount set aside for the city's cost of busing the pupils under the new desegregation plan. The school system is trimming costs in other areas to make up for the cut.

In another move, the county's Republican legislative delegation passed legislation increasing the school board size from five to seven members and making the offices non-political, effective by the November election. Democrats say that was an effort by the GOP to regain control of the board and reverse the desegregation plan.

Gordon J. DeHond, one of the two Republicans now on the board, said he would not vote for reversal even if the GOP does gain control in November.

"If a new board comes in and reverses the plan, that would be de jure segregation," DeHond said, meaning that the segregation would be the result of an official action, which clearly has been ruled by the federal courts to be unlawful. De facto segregation, which exists in many northern cities as the result of housing patterns, has to this point not been ruled on by U.S. Supreme Court.

Last spring when the board voted against a desegregation plan, blacks brought suit, charging the board with being guilty of de jure segregation. It is still pending, but is expected to be dropped after implementation of the plan this fall.

DeHond, a former school teacher and the only native of Rochester on the school board, says some board members are "up tight" about being accused of de jure segregation. He contends that is just used as an excuse for not making revisions in the plan to allow for simpler zoning patterns and more choice for the students in the schools they want to attend.

A conservative who usually wins the votes of those opposed to desegregation, DeHond said he is against racial balancing and the destruction of the neighborhood school concept. "There has always been a type of segregation—either ethnic, racial, economic or religious. It's only natural for people to want to belong to their own group and to be cohesive in that sense. I don't think it is the function of the schools to try to make society homogenous I don't think that's possible or desirable."

Dr. Cerulli, a native of Rochester who worked his way through the University of Alabama where he was a classmate of football coach Paul "Bear" Bryant, speaks for his neighbors in the Charlotte section on the outer fringes of the city school district. A heavily Italian community, the area, stretches up toward Lake Ontario and is the farthest point away from the inner-city black ghetto schools. Parents there resent the idea

of their children being bused to the inner city.

"The worry is not so much a fear about the quality of education as it is that you don't know what's happening to your kid while he's in school," Cerulli said.

"I would never send a child of mine to some of those neighborhoods, especially a little girl six, seven or eight years old."

Cerulli said as a physician he was called to several schools during the past year to treat students wounded in racial disturbances. Local officials said about half a dozen students had been hospitalized after such incidents and one young white man, a non-student, had his arm hacked with a meat cleaver when he entered into a racial squabble between whites and blacks at the Charlotte school.

"When I went to the high school," Cerulli said, "we had blacks in our classes then, but the number was minimal and we didn't have any trouble."

"Now there are a lot of blacks who have migrated from the South and they are a different type. They have things all pent up within them and they come to a place like Rochester and let these things go and we have trouble."

He said when he was on the Rochester school board and president of the Big Six organization, which includes boards from New York's largest cities, he had conferences with Gov. Nelson Rockefeller to see what could be done to stop the migration of Southern Negroes.

"We tracked this down and found that they come mostly from Orlando, Fla., and some small town in South Carolina," Cerulli said. "Rockefeller wanted to have a study to find out why they were leaving there and coming here and what we could do to help the governors of those states keep those people there. One reason they came here is for higher welfare payments, but not much has been done about it."

In the cases where whites have voluntarily transferred to the inner city black schools, most have enrolled in a single school—Clara Barton School No. 2. In 1966, the enrollment there was 97.9 per cent black, but by 1969-70 the percentage was down to 80.9. A major reason that school became attractive to some whites is that, with the help of federal funds, it began offering such special programs as Far Eastern Studies, French for intermediate grades and enrichment programs in reading, mathematics and science.

A 1970 report by the school district office stated that while integrated classes were established at the school, a portion of the school's enrollment remained in segregated classes for instructional purposes.

Under Rochester's plan for desegregation, steps to achieve a racial balance at the elementary level will be stretched out until 1974, to allow for the construction of several new schools. Schools No. 2, 3, and 4, the most segregated of the inner city elementary schools, will not be balanced until 1972 or 1973.

Tied in with the desegregation of the schools is a reorganization of the system's grade structure, which now has kindergarten through grade 6 grouped as elementary schools and grades 7-12 grouped as high schools with no junior highs in between. The plan this fall is to convert five schools to junior highs for grades 7-8 and five senior highs to grades 9-12. The elementary level organization, which will go into effect gradually until 1974, will eventually divide the present 43 elementary schools into primary (grades 1-3) and intermediate (grades 4-6).

The two men most responsible for the implementation of the plans are Santo Patti and Richard Siebert, both of whom are principals who were called in for the special assignment of desegregating and reorganizing the schools.

They agree that segregation has existed in the Rochester schools because of housing patterns, but no court or federal agency has ever declared it to be wrong.

Siebert commented, "In my opinion, segregation by whatever name you call it is unjust, whether you call it de facto or de jure. But when you are jousting with shadows, it is hard to come to grips with it."

Patti added, "When legislation forces you to look at segregation, you can't get around it. If the court came out now against de facto segregation, the North would have to start looking at itself more closely."

#### ROCHESTER, N.Y., AT-A-GLANCE

City School Population: 45,500 students (15,100 Negroes).

Projected 1971-72 enrollment: 60 per cent white 40 per cent nonwhite.

Percentage of blacks in predominantly \* black schools: 44.2 per cent.

#### COLUMBIA, S.C., AT-A-GLANCE

City Public School Population: 19,400 (51 per cent) black 18,600 (49 per cent) white.

Percentage of Blacks in Predominantly black schools: 53 per cent.

#### SCHOOL INTEGRATION: A DOUBLE STANDARD? BITTER SCHISM MENACES FUNDING (By Kent Krell)

DAYTON, OHIO.—Daytonians are bitterly divided over school desegregation, a schism which threatens the fiscal underpinning of public education in this southwestern Ohio city.

One white elected school official says bluntly there would be "a riot" in Dayton if there is widespread busing to accelerate racial mixing in the schools. A black sociologist agrees in part: "It would be traumatic to say the least and violent at most." But, he adds, Dayton schools are now "a disgrace" because of existing segregation patterns.

One side of the controversy, represented by a bare majority of the Dayton Board of Education, essentially favors voluntary efforts to end racial isolation in the city schools.

The other side, represented by a one-vote minority of the school board, favors retention of the neighborhood school concept and a modified form of freedom of choice in the assignment of pupils.

Tied to the specter of desegregation is the refusal of the Dayton voters to approve four successive proposals in the past 15 months to increase local taxes. Renewal of existing levies will be voted on in November. A negative vote then would precipitate a financial crisis.

Wayne M. Carle, superintendent of the Dayton City Schools and philosophically in tune with a majority of the school board, says schools might have to close in late October for lack of funds and not reopen until the new fiscal year which begins in January. Local taxes underwrite 81 per cent of the schools in Dayton. On the average, state funds in Ohio contribute to less than one-third of the cost of public education on the secondary and elementary school levels.

Carle, a strong advocate of full desegregation of the schools, says fiscal and racial conservatism are major factors in the defeat of two tax referendums in the past 15 months.

"A lot of people are afraid that buses are waiting to swoop up the kids and take them out of their neighborhoods," said Carle.

The controversy over desegregation, simmering since Carle took over as superintendent three years ago, peaked in April when the board split along its familiar liberal-conservative lines and voted 4-3, to work voluntarily for full desegregation of the district's 55,000 students.

During the past school year, black pupils

\* Between 80 and 100 per cent black.

made up 40.7 per cent of the total school population, but under existing policies were isolated to the point where only 13 per cent of them, or 2,900 students, were in predominantly white schools.

Actually, 17,900 of the total number of black pupils, or 77.8 per cent, are in schools which have a Negro population of between 80 and 100 per cent. Thirty-four of the district's 69 schools fall in this category.

Blacks were far less isolated in South Carolina's largest school districts during 1970-71. For instance, only 53 per cent of all Negro students in Columbia were in schools where the black population was between 80 and 100 per cent. In Greenville, the percentage was 6 while in Charleston it was 59.9 per cent.

In 1968, prior to implementation of a freedom of enrollment policy, Negroes made up 38.3 per cent of the total school population in Dayton with only 10.9 per cent or 2,488 pupils in majority white schools.

Officials of the U.S. Department of Health, Education and Welfare (HEW) started negotiating with the district in 1968 about faculty desegregation. The school board agreed 4-3 to a voluntary plan under which faculties and administrative staffs of all schools will be desegregated this fall in line with the district-wide ratio of 70 per cent white and 30 per cent black.

One report circulated that HEW had focused on desegregation in Dayton schools because it is the birthplace of J. Stanley Pottinger, HEW's civil rights director. Dr. Carle puts little stock in the report since HEW's interest in Dayton began three years ago and Pottinger did not assume his present job until 1970. Pottinger now lists San Francisco, Calif., as his home.

The faculty desegregation plan and plans for integration of pupils along existing ratios have come under attack from Serving Our Schools (SOS) committee, represented by the minority of the school board members.

SOS draws most of its support from whites, both life-long residents and those who moved here by the thousands from Appalachian communities in Kentucky, West Virginia and western Pennsylvania in the 1950's and 1960's. SOS does have some black members, however.

The three-member conservative contingent on the school board is hopeful of becoming a majority after the November general elections when three of the four seats, now held by liberals, are on the line.

Mr. Miley O. Williamson, black executive director of the Dayton chapter of the National Association for the Advancement of Colored People, says the civil rights group is prepared to file a desegregation suit against the board if the conservatives gain a majority in the election.

"We can't hide behind housing anymore," said Mr. Williamson, "We can't wait that long."

Some moderates on the desegregation issue have argued that true open housing, required by local and state law, will eventually bring about desegregated housing patterns.

Catalyst for the voluntary move toward removal of a dual school system has been Carle, a taciturn Wyoming-born Mormon who feels so strongly about the immorality of segregation that he has publicly criticized his church for its refusal to ordain Negroes as ministers.

He predicts that "we're headed for a catastrophe" if a dual society exists for another decade.

Carle says Dayton schools must move resolutely, and hopefully voluntarily, toward complete elimination of racial isolation in the schools.

"A token move would be self-defeating and more destructive in the long run," he said.

"We tend to overlook, among our phobias about race in this country, that, fundamentally, black kids tends to do better in integrated situations and white kids do no worse," says Dr. Carle.

On racial disorders in schools, the superintendent contends that "given a racist society, tension is inevitable on first encounter (between whites and blacks)."

However only two high schools—one heavily white and the other 58 per cent white—experienced disruptions during the past school year.

Tyree S. Broomfield, a black sociologist who heads a civil disorders-oriented team within the Dayton police department, says, "It's a disgrace that there is more segregation here today than when I was in high school in 1956."

At that time, Roosevelt High School, which he attended, was 65 per cent white and 35 per cent black. Now Roosevelt High, located within an inner city Negro neighborhood, is totally black.

J. Thomas Webb, Roosevelt High's black principal, and a native of Gadsden, Ala., says, "In some ways I feel more segregated here than in the South where I grew up . . .

"It's sort of hidden here like a plate slammed down in front of you at a restaurant, but it's there," says Webb.

The Board voted 4-3 to work towards complete desegregation of the Dayton schools after both Carle and James Mancini, a compliance review officer with HEW's civil rights branch, advised it that local, voluntary action was preferable to federal or court intervention.

Mancini told the school board recently that a three-year study of school desegregation in Dayton showed evidence of segregation.

A pesky adversary of Dr. Carle is Mrs. Josephine Groff, an Indiana-born former teacher and one of the three conservative members of the school board.

Mrs. Groff accuses the superintendent of "selling out" Dayton schools for \$70,000—the amount the district got from the federal government to help in ironing out desegregation problems.

"I believe in natural integration, not forced integration," says Mrs. Groff.

Mrs. Groff, as spokesman for SOS, backs the neighborhood school concept and open enrollment (freedom of choice as it was more often labeled in the South) for all students based on availability of space.

The freedom of enrollment policy, approved by the school board in 1969, provides that within certain limitations any student in the school system is eligible to attend any of its schools. The limitations include requirements that space be available in the requested school, that special courses be attainable only in the suggested school and that the pupil's presence in the school would improve racial balance in the institution. If the transfer request is approved, the student must provide his own transportation to the new school.

During the past two school years, 405 students, most of them black, transferred under the freedom of enrollment policy. During the first semester of last year when 168 transfers were approved, the major reason cited for disapproving transfers was a lack of classroom space. Failure to improve racial balance ran a close second.

Dr. Charles A. Glatt, an Ohio State University professor who is director of the Midwest Institute for Equal Educational Opportunities, believes that a recent U.S. Supreme Court ruling, involving Charlotte, N.C., schools, could well be applied to segregation in Dayton schools. The ruling, handed down in April, undercuts the neighborhood school concept and says free transportation must be provided, if necessary, to bring about racial balance in a school district.

Dr. Glatt, who has worked on a desegregation study of Dayton schools, noted that the Supreme Court in the Charlotte case held as unacceptable the assumption that a school is desegregated when it has as many as 10 percent of a minority race in its student body.

In 1970-71, only eight of Dayton's 68 elementary schools had populations where the minority race was in excess of 10 per cent. Only four of the district's 11 high schools and student bodies where the minority race was more than 10 per cent.

What would happen if the Charlotte school ruling is invoked against Dayton schools and, as a consequence, there is widespread busing of pupils?

"There would be a riot," says Mrs. Groff. Broomfield, whose Conflict Management Team has reportedly had great success in keeping the lid on racial disorders in the schools, believes the results of widespread busing would be traumatic to say the least and violent at most.

Mrs. Wanda Wiedman, a civic leader from East Dayton and a self-styled middle-of-the-roader on the school issue, says, "busing is never going to be the answer here. Forced integration just won't work."

However, Mrs. Wiedman has high praise for Dr. Carle and favors desegregation moves at the high school level.

Dr. Carle and the majority of the board do not have the solid backing of the Negro community.

Page Gray, a black student at Central State University, says, "we're not as concerned with integration as we are with quality education."

"We don't feel we have to sit next to a white kid in order to learn," says Gray.

Gray works with the Center of Study of Student Citizenship Rights and Responsibilities, a legal ombudsman which tries to make certain the rights of students are properly observed.

Mrs. Naomi Finlay, a white mother, says she objects to moves to make schools "social issue" institutions. She says she took her second grader out of public school because of new approaches in teaching and curriculum.

"I believe organized, disciplined subject matter should be taught," she explained. "But, instead, they're more interested in creative exploration and such."

Frank Garnett, a 55-year-old white emigre from Kentucky and an organizer of the American Independent Party in Dayton is even blunter:

"We're wasting money on living art and motivation in the schools. . . . Why should we spend money so kids can sit on the floor and look like a bunch of pigs and bang around on pieces of music that isn't music?"

"Reading, writing and arithmetic should be taught," says Garnett: "The rest will come easy."

Garnett, a Masonry worker and the father of five children, says he has no objection to a "colored person" moving into his neighborhood—an attitude expressed by many members of the SOS.

"I believe in open housing," says Mrs. Finlay, whose husband is an SOS candidate for city commissioner. "I think it should be implemented. That means you move when you have the money."

Mrs. Groff, dismayed at the "racist" tag placed on the SOS by some Daytonians, notes that a black family recently bought a \$57,000 home in her neighborhood and adds:

"I haven't any objection if they come in on their own."

#### TRENTON SYSTEM PLAGUED BY FEAR

(By Lee Bandy)

TRENTON, N.J.—The Trenton public school system is plagued by fear—fear of racial violence, fear of black dominance in some quarters, fear of social change, and fear of the unknown next September.

And while this highly explosive, tense situation is generally acknowledged by superintendents, school board members, teachers, parents and students alike, no one seems to have an immediate solution. Some even wonder whether there is one.

Regionalization, including busing on a massive scale across district lines, has been suggested. But no one apparently wants that except those charged with running the system and members of the so-called black establishment who historically have advocated racial balance.

Acting under pressure from the State Department of Education last October, the Trenton school board instituted a token busing plan involving only 155 elementary students out of a public school enrollment of some 17,000.

The proposal touched off a spate of bitter clashes between white and black gangs, massive white boycotting and the closing of all schools for two days.

The 55 white children who were to be bused to the predominantly black Parker Elementary School never showed up. In fact, 15 of them left the system, presumably to attend parochial or private schools in the area. Trenton has a heavy Catholic population.

Parents of black students being transported to the largely white Franklin and Washington Elementary Schools in Chambersburg—a tightly knit Italian-American community in the heart of Trenton—asked for protection of their children. White parents were preventing minority students from entering the schools by blocking the entrances.

State Education Commissioner Carl L. Marburger subsequently rescinded the forced busing plan and appealed to the New Jersey courts and legislature for regional solutions to achieve racial balance across district lines.

He acknowledged the "counter productivity" of mandatory busing "to correct racial imbalance in school districts with a majority of minority group children."

A voluntary busing plan followed but failed. Only 27 students participated.

Racial imbalance—lacking an exact definition in the state—is considered a violation of the law and of public policy of New Jersey.

The unofficial guideline says a school is out of balance if the black student population in a school goes above 25 per cent.

However, Marburger says this concept "must be questioned" for cities like Trenton where public school enrollment is 70 per cent black. The faculty is 70 per cent white.

The Rev. Kent L. Kiser, a school board member, says no matter how you slice it, Trenton will end up with a racial imbalance in any of the schools due to the largely black enrollment unless there is extreme busing.

Trenton, a northeastern industrial city located on the banks of the Delaware River, is surrounded by suburban townships that restrict its physical growth.

And like many cities of its size, it has suffered a population loss since 1950, dropping from about 128,900 to an estimated 104,000 now. The census verifies another trend—a white exodus to suburbia and black migration to the city.

Consequently, the once predominantly white public school system has become largely black, and the fear among professionals is that unless something happens to prevent the population shift, Trenton, the state capital, will become a city with an all-black school system within the next 13 years. It's pretty close to that now with six majority white schools out of 21. And one of these—Junior Two Elementary—is almost half and half.

Many white students—and several children from middle-income black families—have left the public school system to attend private and parochial facilities in the area.

Latest statistics show that only about 32 per cent of white children attend public schools, compared with about 90 per cent of black students and other minorities.

This concerns the school board which feels obligated to do something next year but is inclined to do nothing in order to preserve an integrated system.

School Superintendent Dr. Ercell Watson, a precise and smooth-talking olive skinned black, has established a citizens committee to study various approaches to desegregation and to come up with recommendations for the school board.

He acknowledges the task is going to be difficult, if not impossible, because of the many shades of thinking and the racial composition of the schools.

"You always have a problem when the minority becomes the majority," he conceded.

Asked if regionalization is the answer, Watson emphatically responded: "There's no question."

He contended that busing per se is of no concern to the parents. "It's what happens at the other end," he added, noting that parents fear for their children's safety once they reach the school.

Regardless of what action, if any, is taken by the board before September, the superintendent eventually expects the white student population "to dwindle down to almost nothing," leaving only the hard-core who "will have their backs against the wall and nowhere else to go."

And while there are those who would like to see the whole thing die, Watson acknowledges, "we feel we have an obligation to work out a (racial balance) plan." But he added, "we're not going to try to knock down any walls like we did last year."

Pressure to achieve a racial balance has come entirely from the State Department of Education. The Health, Education and Welfare Department, which has concentrated its fire in the South, has consistently winked at the Trenton problem.

School Board President John F. Tesaro, a stocky labor consultant, wearing goggle-eye glasses with tinted lens and heavy sideburns, said he'd love to see HEW come in with a meat axe and force busing into white suburbia.

Board Vice Chairman James E. Mitchell, a Negro, agreed, saying "the blacks would clap their hands" if the federal government intervened. "I think HEW should come in and take over," he suggested.

Mitchell complained, "we have too many nice liberals up North talking out of both sides of their mouth. Some of these same people who rode to Mississippi to desegregate that state would move out if a black moved next door . . . Trenton is worse than any school district in the country in regard to racial balance."

Naldo Funari, past vice president of People Against Busing and a member of the superintendent's citizens committee to come up with a solution, says Chambersburg residents "will never buy busing" if it involves their children.

He says the Italian-American community is proud of its neighborhood schools and wants to keep them. Funari insists in one breath that race is not involved but then in the next he admits color is a factor.

"As soon as there is racial busing," he predicts, "whites will leave because of fear." In fact, he predicts a drop in white student enrollment in September because parents "don't want their kids subjected to demonstration and harassment again."

Funari, who is opposed to busing, transports his daughter to Villa Victoria High, a Catholic school in the suburbs, out of fear of racial violence at Trenton Central High.

William D. Walker, an assistant to Superintendent Watson and former principal of Trenton High, admits there are serious problems at the only public high school in the

city. He claims he saw more trouble there recently in two days than he observed in his whole tenure as principal.

Asked if it were racial, he replied, "Yes, I can't lie about that."

Walker, a WASP (White Anglo-Saxon Protestant) Republican, has held various positions in the Trenton school system for 32 years. And during that time has seen many changes take place within his city.

He lives in the same inner city neighborhood which has become predominantly black. But this doesn't alarm him. He says the conduct is good and "no one has thrown a rock through my window." However, Walker concedes if the area becomes a slum, he'll move.

The assistant superintendent says most whites who've fled to the suburbs have done so because of fear of crime, drugs and violence. And consequently, he adds, community support and participation in the schools have declined considerably—especially since the riots following Martin Luther King's assassination in 1967.

Walker is very pessimistic about the future, claiming "there is no answer to the problem." He said he would welcome HEW pressure, but questioned whether it would be successful. While Trenton would probably buy regionalized busing, Walker expressed confidence the suburban townships wouldn't.

And he's apparently right. Superintendents in all three neighboring townships—Ewing, Lawrence and Hamilton—predict trouble "like you've never seen it before" if busing across district lines is forced upon them.

Ewing has adopted a racial balance plan for September, but black students population will not be more than 25 per cent in any school. All facilities will be largely white.

Ewing Superintendent David Brittain, who was principal of the Clinton, Tenn., high school in 1957 when the National Guard was called to quell riots resulting from integration, admitted this plan is about all the community is ready to accept. He predicted serious trouble if cross-town busing is imposed.

Residents in neighboring Hamilton townships rejected a \$7.5 million bond issue for school construction, presumably out of fear the new facilities would be located in so-called gray areas to permit more blacks and whites to go to school together.

And the Lawrence School Board produced a recent survey showing black and white parents opposed to busing.

Clyde E. Leib, special assistant to the state education commissioner, said studies have shown if black student population in a school exceeds 25 per cent, "neighborhoods start to go down hill and there's a sudden outflow of whites."

Leib lives across the river in wealthy Bucks County, Pa., where he sends his children to predominantly white schools.

And this is true of many other state and city employees who reside either in nearby Pennsylvania or the Trenton suburbs.

Trenton Mayor Arthur J. Holland says white parents feel it's not safe to send their children to public schools here. "They are afraid their kids will be jumped or money demanded of them," he said, while pointing out "we already have 15 guards in Trenton High School and need them increasingly."

And then he added, "I don't care if it takes on an atmosphere of a prison. We've got to guarantee parents they can send their kids to school in safety . . . in the meantime, we should take out of the system those who are chronically disruptive."

Holland traced the city's "turning point" to the race riots in 1967 and last October. "This expedited the exodus of whites who took with them their purchasing power. Consequently, we're in a war for survival."

The former Rutgers University professor thinks regionalization through school busing, residential desegregation and assignment

welfare clients throughout the county would provide an answer.

"This would, at least, move us in the direction of a socioeconomic balance and help cool racial tensions. Also, the ire of the people would be distributed. Here it's concentrated. I'm for distributing the problems."

As for Trenton's school problems, Holland said, "I can't understand why HEW doesn't intervene. Our de facto segregation is a result of more subtle forms of de jure segregation."

Albert "Bo" Robinson, director of United Progress, Inc.—a \$5 million federally funded anti-poverty program—called Trenton the "up-South."

"We have a bunch of hypocrites here," charged the ghetto leader who claimed neither he nor the black children care that much about busing. "It doesn't mean that much. But I'm for it because it's the law."

Wearing a moderate Afro hairdo and red plaid jacket with bright red pants, black boots and matching accessories, the light-tanned Negro leaned back in his chair, propped his legs upon his desk, and spoke in the ghetto brogue:

"Listen, man, the whole problem in Trenton is racial. I've been here; baby, for 35 years. I know. It's a fear of social change. And it's the deepest fear. Everybody is worried about his child going out with a black. That's what it is."

The anti-poverty director says that before the school situation improves in Trenton the system itself is going to have to change. And that's not going to come about he feels, until a transformation comes "within the home and people themselves."

Robinson added, "we know how to live with the white man. He's going to have to learn to live with us."

The black leader sends his children to private school because "education in Trenton is inferior."

Would he like to see HEW come in and force regionalized busing in the area?

"I'd enjoy the fireworks," smiled Robinson.

Leonard Spoto, a meatcutter and head of the White Citizens Reaction Committee in the Italian community of Chambersburg, warned, "we'd automatically shut down the schools and open private schools. We're prepared to do that now."

Kenneth Carolan, editor of the bi-weekly newspaper called "The Reactor," said regionalization is imposed on the community, "we'll sit back and smile. You'll see total chaos."

Spoto chimed in, "One of these days we're going to have another Revolutionary War if things continue the way they are. And that's from Spoto, the conservative."

Anthony Edwards, a sidewalk shoe-shine boy who attends Junior Elementary No. 3, called the Chambersburg area a "bad section." He said "my cousin went over there to a basketball game once and got beat up."

Pat Korp, a 24-year-old white teacher of neurologically-impaired students at Franklin elementary in the Italian-American community and a resident of Chambersburg, said she was called a "nigger-lover" during the busing crisis because she had blacks over for dinner and parties.

"I had steak knives stuck in my back door with notes on them and my car had flat tires in the morning," she recalled.

Miss Nancy Kiley, a 28-year-old white fourth grade teacher in predominantly black Parker elementary and who is opposed to busing, thinks the school board would perform a service to the community by letting any racial balance plan ride for another year. "Otherwise, this city will be blown apart," she feared.

Miss Korp agreed, saying "the parents aren't ready for it."

Miss Christine Singleton, a 22-year-old Negro teacher at Junior High No. 1, said "bus-

ing to me suggests that blacks are incapable of maintaining competitive schools... Blacks tend to associate good education with the number of whites in a school."

She termed regionalized busing more ridiculous than busing within the city and commented, "the school is not the place to bring about racial balance. The purpose of a school is to educate a child."

And while she acknowledges there are discipline problems in the schools because children have no respect for authority, Miss Singleton strongly feels the students "are looking for someone to teach them something."

But she says if busing is the only solution, then the system is in serious trouble.

Mrs. Catherine Graham, president of the Trenton Urban League, believes busing to achieve a racial balance is beneficial in that it gives blacks and whites an opportunity to reach an understanding of each other.

But she doesn't think there's anything the school board can do for September, a feeling generally shared throughout the community.

Crosby Copeland, incoming principal for Junior High No. 1 and president of the local NAACP chapter, supports busing but thinks it best the school board let matters cool at least for another year.

"It probably would be the best thing," he said. "We (the NAACP) aren't pushing anything."

Copeland blamed the busing violence last October on "just pure racial hatred."

#### TRENTON, N.J., AT-A-GLANCE

City Public School Population:  
11,900 (70 per cent) black.  
5,100 (30 per cent) white.

#### COLUMBIA, S.C., AT-A-GLANCE

City Public School Population:  
19,400 (51 percent) black.  
18,600 (49 per cent) white.  
Percentage of blacks in predominantly black schools: 53 per cent.

#### BUFFALO RESIDENTS FIGHT CROSS-BUSING (By Levona Page)

BUFFALO, N.Y.—School officials here make no effort to pretend they have a desegregated school system. The statistics won't let them.

"So long as people live where they do, we will have segregated schools," said Buffalo Superintendent Dr. Joseph Manch, a rabbi's son who says he has been frustrated in his personal efforts to bring about desegregation.

In September 1967—three years after Columbia began its freedom of choice desegregation plan allowing blacks to transfer to white schools—Buffalo began a similar program. By the fall of 1970, about 3,200 black students from center city schools were being bused to predominantly white schools on the outskirts. There had been no requests from whites to transfer to predominantly black schools.

Donald S. Laing, director of Buffalo's Office of School Integration, told the school board in January that integration had gone as far as it could under present policies. Laing's report prompted president, Dr. George E. Blackman, a Negro, to call for a study of "cross-busing" whereby whites would be sent to predominantly black schools. His motion wasn't seconded.

However, Feb. 25, the same day that the federal government announced plans to investigate desegregation in the Buffalo schools, the board reversed itself on the cross-busing study. More plans to undertake a study on cross-busing set off waves of criticism throughout the city.

"Cross-busing isn't the answer," wrote the editors of Buffalo's largest newspaper, which earlier that same month carried an editorial condemning suburban schools for maintaining systems that were "whiter-white than Ivory soap's famous '99.44 per cent pure.'"

The school board's outspoken conservative, Buffalo attorney Carmelo A. Parlato, contends that cross-busing is itself a form of racial discrimination.

"An integrated system to me is one that doesn't count racial distinctions," Parlato said. "I put quotas for racial balance on the same basis as segregation—it's based on race and therefore it is discriminating."

At the end of the 1970-71 school year, a nationwide federal study revealed that 59.7 per cent of Buffalo's Negro pupils were enrolled in schools that were 80 to 100 per cent black. This compares to six-tenths of one per cent in Greenville, 59.9 per cent in Charleston and 53 per cent in Columbia. Buffalo's total school population last year was 41.7 per cent black.

While Columbia and other Southern cities were being asked this spring to increase the racial mixing that federal desegregation enforcement officers required of them last fall, the U.S. Department of Health, Education and Welfare (HEW) was taking its first chary look at segregation in Buffalo, New York's second largest metropolitan area.

The HEW investigators said it would be several months before a report is made on the Buffalo review. The team sought evidence—or lack of it—on "gerrymandering in school district zones to implement segregation, matching of black teachers and students in black schools, any decision-making patterns based on race or national origin, an imbalance of educational background or experience in black and white or unequal educational opportunities in school curriculum or facilities."

Parlato said he would not be surprised if HEW finds the district to be out of compliance according to its definition, the Civil Rights Act. He said he would favor going to court to try to block a cutoff of the district's \$13.6 million in federal and state funds for programs for disadvantaged children.

"HEW's idea of what is the proper race quota in the schools is no better than anybody else's. I'm disappointed with the U.S. Supreme Court because I see nothing in their 1954 decision (the first one outlawing segregated schools) which now gives them the right to impose quotas," Parlato told The State.

Richard Fisher, an executive committee member of the Buffalo Teachers Association, said he is hopeful that HEW will bring action against Buffalo "because if we continue to drift the way we are now, the schools will soon be all black."

Fisher was instrumental last year in having the zone around Bennett High, where he teaches, redrawn to provide for a 60-40 racial balance because its black enrollment was creeping up and he feared that more whites would withdraw. He asked that zones throughout the city be redrawn, but the school board turned that down.

Fisher said he believes Superintendent Manch has been sincere in his desegregation efforts, but that he has been hampered by an unwilling school board, city council and the community in general.

"A court order is the best way to achieve desegregation here," Fisher said. "I personally would like to see the Supreme Court institute the same integration policies all over the nation rather than just concentrating on de jure segregation in the South."

In fact, Fisher added, there are some Buffalo citizens who believe HEW would not have to look hard to find examples of de jure segregation (segregation by law) in this northern city. He cited the zoning around Woodlawn Junior High, which was in 1965 built in a black community and which now has an enrollment of 99.8 per cent black.

Manch related, "I made the statement that as far as I was concerned, the Woodlawn school would be integrated. But we could not get the board to vote for any plan that would integrate the new school.

Parlato contends that, even so, the board was guilty of discrimination for merely considering five plans that would create a racial balance in the schools before rejecting them for a zoning plan that left it nearly all black. "I tried to get them to put the racial figures aside, but they did not," Parlato said. He added that the plans calling for a racial balance were unfair to blacks because "children that were two blocks away would have been excluded, while children living more than a mile and a half away would have been attending simply because they were white."

The board's reluctance to force integration was backed up, until two months ago, by a New York state law affecting only a handful of school boards. The law stated that no appointed board, such as Buffalo's, could assign students to schools without the parents' permission.

After passage of the New York law, South Carolina took the attitude that what's good for the goose is good for the gander and passed an identical law in 1970. But S.C. Atty. Gen. Daniel R. McLeod candidly admitted that the action was a futile gesture and the law in the face of federal pressure was forgotten as school systems in South Carolina undertook massive shuffling of students last year.

The New York law was ultimately overturned by the State Supreme Court after the NAACP brought suit.

With the exception of that suit, there has been little effort on the part of blacks in Buffalo to push desegregation. Clyde Giles, an executive vice president of the black action group, BUILD (Build Unity, Independence, Liberty and Dignity), commented, "We haven't really been that concerned about the pace of desegregation, and it is my judgment that the black community as a whole has not pushed for it. One reason is that when blacks have been bused to white schools, they have been met with hostile attitudes."

Giles continued, "The stage blacks are in now is that it is not important for a black child to be bused out to a white school. If adequate facilities, faculty, supplies and so on are provided at the black school, the quality of education can be just as good there as it is at the white school."

"What we are saying now is that we are putting the burden on the school people and are holding them accountable, because black schools have never gotten the attention from the white officials."

School Supt. Manch said he cannot disagree with blacks who accuse the North of subtle racial prejudice. He commented, "I think an example of that is what happened in Williamsville."

An exclusive suburb on the outskirts of Buffalo, the Williamsville school board was asked by its superintendent to allow about 100 black students from Buffalo schools to attend school with the 11,000 white students of that community. The idea was flatly rejected by the school board.

Manch commented, "That is an affluent community where many people call themselves liberal, but when it came to school desegregation, they blocked it."

He continued, "we have a great many bigots in the North. To be fair, I must say that this feeling has developed a counter feeling which is not healthful. Black people have gone to the other extreme of 'hate whiteness.' This kind of arrogance has turned off a great many white people."

He added, "When people say 'Black Is Beautiful,' does that mean white is ugly? I saw a sign in one of the schools the other day that said, 'People Are Beautiful.' I liked that and I took a picture of it."

An affable man who writes poetry in his spare time, Manch has been espousing school integration for at least half of the 14 years he has been in office but has not gotten much of an audience from city officials.

Citing things done by the city council to block integration moves, Manch mentioned the passage of a local ordinance which prohibited expansion of school buildings unless the addition was of the same racial composition as the original building.

Manch explained, "We had determined to use portable classrooms in order to make room for more blacks at white schools, and the ordinance prevented that. I recommended to the board that we take it to court. We won in court and have been using portables for 18 months now."

Naming still another effort to block integration, Manch said the school system was building a new middle school which was to have a racially balanced enrollment. "When the school was two-thirds finished and we needed another bond issue to complete it, the council said it would not approve the issue unless the school was designated as a regular junior high. The mayor spoke in our behalf and after a few weeks the issue was approved."

In an effort to create integrated schools where housing is segregated, Manch has proposed "educational parks" which would involve both city and suburban school administrations. He has been talking the idea for nearly five years, with no significant backing from the community.

Meanwhile, the white student population has continued to decline, dropping 12 per cent since 1966, while the Negro enrollment has increased 10.8 per cent and the Spanish-surnamed student population has mushroomed by 62.8 per cent.

Manch fears if this trend continues, there will be no whites in the city to integrate the schools.

#### BUFFALO, N.Y., AT A GLANCE

City School Population: 70,300 students (27,100 Negroes).

Total non-white population including Spanish-surnamed students: 41 per cent.

Percentage of blacks in predominantly\* black schools: 59.7 per cent.

#### COLUMBIA, S.C., AT A GLANCE

City Public School Population:

19,400 (51 per cent) black.

18,600 (49 per cent) white.

Percentage of blacks in predominantly black schools: 53 per cent.

#### OK IN COLUMBUS; NOT IN COLUMBIA

(By Kent Krell)

COLUMBUS, OHIO.—The neighborhood school concept and freedom of choice desegregation policies generally held to be invalid in the South function in somewhat fitful fashion in the capital city of Ohio—with the apparent blessing of the federal government.

"We submit annual reports to HEW (U.S. Department of Health, Education and Welfare) and there have been no queries," says Joseph L. Davis, assistant superintendent for special services for the Columbus schools.

There have been complaints, however, from teachers and parents as a result of numerous disruptions which forced the shutdown of some schools during the past year and the assignment of policemen to school hallways.

"I think we're in for three very rough years," says Davis. "During that time all the problem areas will be felt with greater intensity."

"That's because there is such a constellation of problems which feed upon the others—finances, staff militancy, student unrest and a general breakdown of confidence in the school board."

"When people have lived in isolation and suddenly there is a clash of cultures some

problems are to be expected," says the balding, bespectacled administrator.

Of the nearly 110,000 children in the Columbus school district, 26.9 per cent or 29,400 are black. Fifty-three per cent of all Negro students are in schools with populations 80 to 100 per cent black. This is the same percentage which prevailed last year in Columbia, S.C., where the neighborhood school concept is generally conceded to be invalid and where there was some busing to bring about racial balance.

Robert W. Carter, executive director of administration for the Columbus schools, says the fact that six of the city's 13 senior high schools had blacks in excess of 26.9 per cent is evidence that the district is meeting the spirit of federal law and the courts on desegregation.

Disagreement is registered, however, by Mrs. Mary Craig, black chairman of the education committee of the local chapter of the National Association for the Advancement of Colored People.

"Columbus runs one of the most racist school systems in the country," she claims.

She scoffs at the legitimacy of the neighborhood school concept and the administration of the open enrollment policy.

"We're in the process of filing a suit to tie up funds to Columbus schools and possibly even at the state level," says Mrs. Craig.

She stresses racial isolation in the elementary schools and contends the school board has gerrymandered boundary lines to maintain a pattern of segregation in the lower grades.

Figures show only 14 of the district's 124 elementary schools with a black population greater than the norm of 27 per cent during the school year.

The guidelines for the open enrollment policy at the Columbus schools are similar to those followed in other Ohio communities; there must be space available; the transfer must bring about a better ethnic distribution of students; and the transferee must supply his own transportation.

Civil rights leaders are generally pleased with the retirement of long-time district superintendent Harold Eibling. However, Davis contends that Dr. Eibling has been made the unfair scapegoat of Columbus' school problems. "Given the circumstances," says Davis, "he performed remarkably well despite being the target of legitimate frustrations and anxieties."

Militancy is not the forte of civil rights groups in Columbus. This is partly due to a diffusion of black neighborhoods and a consequent lack of organization among Negroes.

"This is a conservative community which makes the blacks conservative too," says Mrs. Dorothy Lenart, education director for the Columbus Urban League.

"The people of Ohio are just not issue-oriented," says Anne Bingle, research director for Democratic Gov. John J. Gilligan.

A lack of statewide interest in school desegregation, at least, is reflected in the fact that Gilligan prepared a public statement on the issue during the 1970 gubernatorial campaign, but never issued it. He was never asked about it.

However, since taking office, the governor is pushing for the consolidation of Ohio's 600-plus school districts. This could bring about a more meaningful racial balance and preclude some large suburban school districts from perpetuating themselves as white havens.

There is a widespread feeling among educators here that a massive infusion of state funds into education will solve many of the internal problems which beset the Columbus schools during 1970-1971. The state underwrites only 25 per cent of the cost of running Columbus' public schools. The total cost per pupil is \$728 a year.

Because of the refusal of the voters to approve the last two proposed tax levies, the

district is launching a retrenchment program which could force the dropping of 335 teachers next year.

A tax referendum in 1969, supported by the NAACP, was defeated. A similar referendum last year, this time without NAACP support, met a similar fate.

Mrs. Barbara Levinson, a graduate of the University of Alabama and chairman of the school board, said a one-year moratorium on the tax issue may serve to stabilize attitudes and emotions.

"I really believe," says Mrs. Levinson, "that open housing is the only way to solve integration. Given five years, these problems will be answered. By that time the people will have freedom of choice in where they want to live."

She believes that elimination of discrimination in house sales and rentals will legitimize the neighborhood school concept.

Mrs. Craig said NAACP backing was withheld in the 1970 tax referendum because "the money was going to be used for schools in suburban areas. The land sites were already purchased. This would have perpetuated dual schools."

In Davis' opinion the last two tax levies were beaten "because the voters are impatient—very tired and frustrated with lawlessness and threats to the established order."

"They take a simplistic attitude: 'Don't ask us for more when you can't use what you've had already.'"

Public impatience and frustration, cited by the school administrator, were largely spawned during school disorders, many of them of racial origin.

When chronicled, last year's incidents have an overall tone of black awareness and hard-line policies by school authorities.

One school official who asked not to be identified said, "We may have bent over backwards too far to listen to student complaints."

Several black students were expelled for striking white teachers and others were suspended. The expulsions for the remainder of the school year were the first in more than 40 years.

One high school, Linden-McKinley, which was 62.3 percent black, closed three weeks before the end of the year because of disorders.

Vandalism and the cost of hiring policemen to patrol in the schools ran in excess of \$42,000.

Mrs. Pat Worrell, who is white, said her experience as a teacher at Linden-McKinley "made me very wary of blacks."

"There was the time" said Mrs. Worrell, "when a black girl called me a bitch and about that time I decided I'd about had it."

"She said it in such a loud voice I couldn't ignore her. So I took it up with an administrator and all I was asked was: 'Well, Mrs. Worrell, what did you do to provoke the situation?' Nothing was done about it."

In contrast to the disruptions she encountered at Linden-McKinley, Mrs. Worrell said discipline at Roosevelt Junior High School where she taught the previous year was "beautiful." Roosevelt is also predominantly black.

Mrs. Worrell, the mother of four-year-old twins, says the problems stem "not so much from racial balance or imbalance . . . as they do from a bunch of hep people preaching open revolution."

She adds that she is prepared to tutor her children at home rather than send them to the Columbus public schools.

Mrs. Craig and Otho Ray Ball, president of the local NAACP, blame the disruptions on racism.

They criticize school administrators of foot-dragging in resolving the grievances of black students.

They cite discrimination against blacks in class elections at schools where they are in a substantial minority, and refusal to honor requests of Negro students to fly the black

\*Between 80 and 100 per cent black.

national flag or play the black national anthem on a regular basis. The latter in this case was "Lift Every Voice and Sing," a tune which has been played in Negro churches since the early 1900's.

A hard-line approach on discipline was advocated by the conservative Columbus Dispatch. In an analysis-type story at the height of the disorders, the newspaper's education writer, Graydon Hambrick, wrote:

"School administrators deserve the moral support of citizens for having to deal with the usually unreasonably disruptive student. Yet, one's sympathy is haltingly given, for most officials in dealing with violent student dissenters seem to fear the big stick theory enunciated at the turn of the century by Theodore Roosevelt . . .

"The second chance philosophy to which most Columbus administrators seem to subscribe is valid only in theory, and certainly not in disruptive cases."

COLUMBUS, OHIO, AT A GLANCE

City Public School Population:  
79,500 students (73.1 per cent) white.  
29,400 students (26.9 per cent) black.  
Percentage of blacks in predominantly\*  
black schools: 53 per cent.

COLUMBIA, S.C., AT A GLANCE

City Public School Population:  
19,400 (51 per cent) black.  
18,600 (49 per cent) white.  
Percentage of blacks in predominantly  
black schools: 53 per cent.

HOUSE RESOLUTION 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. JACOBS. Mr. Speaker, the following is the language of House Resolution 319, which I introduced on March 17, 1971. I was hoping it might catch the attention of the administration:

H. RES. 319

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam, stated on September 17, 1970, that the policy of her government is "In case the United States Government declares it will withdraw from South Vietnam all its troops and those of the other foreign countries in the United States camp, and the parties will engage at once in discussion on:

"—the question of ensuring safety for the total withdrawal from South Vietnam of United States troops and those of the other foreign countries in the United States camp.

"—the question of releasing captured military men."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from Vietnam within sixty days following the signing of the agreement: Provided, That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the National Liberation Front of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

\*Between 80 and 100 per cent black.

VOCATIONAL REHABILITATION GRANTS TO STATES

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. GIAIMO. Mr. Speaker, in 1970 the Congress passed the Developmental Disabilities Services and Construction Act. In doing so, Congress hoped to extend the services beyond the mentally retarded to include children and adults afflicted by such developmental disabilities as epilepsy, cerebral palsy and other neurological diseases.

Unfortunately, funds have not been requested or appropriated to meet either the expanded category of diseases or the expanded kinds of services to be offered to afflicted individuals with these diseases. While the Labor-HEW appropriations bill for fiscal year 1972 contains a \$5 million increase over the administration budget, bringing developmental disabilities funds to \$16.2 million, a coalition of organizations in the health and rehabilitation fields has proposed \$30 million as the minimum amount for an effective formula grant program. Even with this increase, however, it is apparent that the allotment to each State will be modest.

On Tuesday, July 27, I plan to offer an amendment to the Labor-HEW appropriations bill, the purpose of which will be to provide more realistic funding for both developmental disability services and for the State-Federal program of vocational rehabilitation. I am inserting below, a table, composed by staff of the Rehabilitation Services Administration, which shows the individual allotments that would be made to States under the \$16.2 and \$30 million figure. I know that any Member who has had experience with the work that can be done for the disabled and handicapped will realize the difference these amounts will make for rehabilitation programs in their own States. In addition, I will subsequently insert a table showing the effect of the increases, which my amendment would provide, in the vocational rehabilitation grants to States program.

The table follows:

TENTATIVE STATE ALLOCATIONS UNDER TITLE I PUBLIC LAW 91-517 DEVELOPMENTAL DISABILITIES ACT

	Disability	Health and rehabilitation
Total.....	\$16,215,000	\$30,000,000
1. Alabama.....	330,574	635,620
2. Alaska.....	100,000	100,000
3. Arizona.....	143,210	275,536
4. Arkansas.....	187,053	359,662
5. California.....	1,313,767	2,526,098
6. Colorado.....	163,877	315,099
7. Connecticut.....	189,888	365,163
8. Delaware.....	100,000	100,000
9. District of Columbia.....	100,000	100,000
10. Florida.....	502,863	966,895
11. Georgia.....	391,490	752,747
12. Hawaii.....	100,000	100,000
13. Idaho.....	100,000	119,083
14. Illinois.....	736,616	1,416,369
15. Indiana.....	384,037	738,419
16. Iowa.....	210,214	404,196
17. Kansas.....	170,786	328,385
18. Kentucky.....	282,795	543,802
19. Louisiana.....	332,216	638,778
20. Maine.....	100,000	158,979
21. Maryland.....	271,161	521,382
22. Massachusetts.....	375,424	721,857

	Disability	Health and rehabilitation
23. Michigan.....	\$630,588	\$1,212,498
24. Minnesota.....	285,492	548,936
25. Mississippi.....	240,997	463,385
26. Missouri.....	351,194	675,268
27. Montana.....	111,265	213,938
28. Nebraska.....	100,000	100,000
29. Nevada.....	100,000	105,807
30. New Hampshire.....	471,275	906,157
31. New Jersey.....	100,000	178,312
32. New Mexico.....	1,160,207	2,230,838
33. New York.....	445,620	856,827
34. North Carolina.....	100,000	103,541
35. North Dakota.....	782,086	1,053,797
36. Ohio.....	208,293	400,502
37. Oklahoma.....	152,041	292,341
38. Oregon.....	850,903	1,636,116
39. Pennsylvania.....	100,000	123,621
40. Rhode Island.....	249,580	479,887
41. South Carolina.....	100,000	109,905
42. South Dakota.....	347,212	667,663
43. Tennessee.....	909,061	1,747,941
44. Texas.....	100,000	180,051
45. Utah.....	100,000	100,000
46. Vermont.....	367,244	706,129
47. Virginia.....	237,604	456,861
48. Washington.....	159,523	306,729
49. West Virginia.....	326,539	628,054
50. Wisconsin.....	100,000	100,000
51. Wyoming.....	3,470	6,672
52. American Samoa.....	10,348	19,898
53. Guam.....	309,612	595,317
54. Puerto Rico.....	11,897	22,877
55. Trust territory.....	6,878	13,225
56. Virgin Islands.....		

CAPTIVE NATIONS WEEK

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1971

Mr. DRINAN. Mr. Speaker, today marks the beginning of the 12th Captive Nations Week, an annual commemorative dedicated originally to the more than 100 million people of East and Central Europe who live under authoritarian Communist regimes.

Often included in the captive nations list, however, are the non-Russian nations such as Armenia, Georgia, and the Ukraine, which were absorbed into the Soviet Union 1920, as well as the People's Republic of China, North Vietnam, and Cuba.

I am sure it will strike many as an arresting irony that at the very hour when we begin this year's Captive Nations Week, designed as such by the President, the President himself is meeting to discuss his planned visit to the People's Republic of China, by far the most powerful of all the regimes on the roll of the captive nations.

Can these two events be reconciled? It could be said that peacefully confronting the Chinese leaders reflects our overall policy of encouraging international dialog whenever and wherever that is possible. It could be said—as indeed it has been said, and repeated during Captive Nations Week for the past 11 years—that we remain unreservedly dedicated to the defeat of Communist governments, that from the citadel of liberty we stand devoted to the cause of liberty, that we shall remember Poznan, keep the faith of Budapest, and carry the torch of Prague.

If, as we presume, the people in the captive nations learn what is said in this Chamber during this week, they will also learn of the President's forthcoming visit to China. Perhaps they will have heard,

too, about such developments as U.S. support for West Germany's building of bridges to the east, and of our relatively unperturbed response to Chile's new socialist government. They will certainly know that we are withdrawing from Vietnam considerably short of triumph and that we are debating about a decrease in our forces in South Korea and in Europe.

And what are they likely to conclude from all this? No one can say for certain, but in response to their tenacity, their courage, we owe them at least the obligation of being as clear as we can be about our foreign policy with regard to the satellite nations.

It seems clear from the developments in our foreign policy which I have mentioned that we do not intend to intervene directly in support of internal liberation struggles even of the most heroic intensity. We did not do that in Poland or in East Berlin or in Hungary or in Czechoslovakia; and the reason is obviously because we respect the nuclear threat which the Soviet Union wields within the Warsaw Pact. We have every reason to believe the Russians take a similar view of NATO's nuclear shield in Western Europe.

President John F. Kennedy stated the American philosophy with regard to the captive nations in these words:

This country must never recognize the situation behind the iron curtain as a permanent one, but must, by all peaceful means, keep alive the hopes of freedom for the peoples of the captive nations.

The question for all of us to ponder during Captive Nations Week is this: Is the United States, in President Kennedy's words, utilizing "all peaceful means" to intensify the hope and dream of freedom among the millions of people in the land subjugated by the Soviet Union?

When I contemplate this agonizing question my mind reflects upon the work that was begun almost 200 years ago in Concord, Mass. I am honored and privileged to have Concord as one of the 31 cities and towns of my congressional district. The sound of the famous shot that was heard around the world still rings in the hearts of men everywhere. It was in Concord, Mass., that the American dream and the American Revolution began. That Revolution is still going on. And that is why we cannot turn our backs on the millions of people who, like the citizens of the Thirteen Original Colonies, desire to throw off the yoke of tyranny imposed upon them by force.

Clearly new leadership is needed at this time if we are to assist the peoples of the captive nations in their aspirations toward self-determination. Leadership means ideas. Leadership almost always means new ideas or at least old ideas put into a cogent and compelling form.

It must be said that the leadership which we can give and even the leadership which the peoples themselves in the captive nations can give must be more sophisticated and multifaceted than the activities that culminated in the rebellion of the citizens of Massachusetts at Concord against the British soldiers. As President Kennedy has reminded us we are, as citizens of the nuclear age,

virtually restricted to utilizing "all peaceful means."

We should not, however, lament the fact that we cannot sensibly or morally utilize the weapons of modern war to carry out our desires for freedom for the peoples of the captive nations. Other weapons are more plausible, more rational, and in the end, more powerful.

Among these many weapons are expanded trade, hard tariff bargaining and prudent foreign aid. These weapons suggest that we should maximize cultural and commercial links with the peoples of the captive nations and in so doing, utilize the full economic strength of our own industrial economy as well as our diplomatic strength to intensify the determination of the peoples of the captive nations to shape their own institutions and their own destinies.

At the same time we must recognize that we teach as much by example as we do by the full utilization of our economic and diplomatic strength. We can hardly be a credible voice in our pleas for self-determination when the world can see that, during the recent past, our South Vietnamese allies told Ngo Cong Duc, an antigovernment publisher, that he would not be allowed to run in the coming elections because he is too sympathetic to the political enemies of President Thieu.

We can quite rightly during Captive Nations Week charge Communist regime with disgraceful acts of political intimidation. At the same time we should recognize that the tiger cages still operate in Vietnam and that Truong Dinh Dzu, a man who received the second highest number of votes in the 1967 presidential elections in South Vietnam, is still held in jail by the man who defeated him in the election because Mr. Dzu desires some form of a coalition government.

It is also depressing to have to point out that the United States is still sending money and arms to West Pakistan as that nation continues in its devastation of East Pakistan. It is, furthermore, not reassuring to our friends in the captive nations that the United States could not find more than \$90 million to help India shelter 7 million Pakistani refugees. Similarly, the peoples of the captive nations must wonder about American support for the dictatorship in Greece and the subsidies which this country sends to assist the state police in Latin American autocracies.

Let us hope that when the 13th Captive Nations Week comes in July of 1972, the Congress of the United States and the American people will have explored and implemented every one of those "peaceful means" recommended by President Kennedy to "keep alive the hopes of freedom for the peoples of the captive nations."

#### SUGGESTING TEST PROPOSALS OF WELFARE PROGRAM

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DERWINSKI. Mr. Speaker, we in the legislative branch, in general, recog-

nize that the present welfare program must be reformed, but we obviously differ on the solution to the present costly and unworkable program.

My principle objection to H.R. 1, the so-called welfare reform bill, is that it has not been adequately tested and we may create a new monster rather than the solution to the problems besetting our welfare program. The Chicago Tribune, in a very effective editorial on July 11, makes the practical suggestion that we should thoroughly test proposals before plunging headlong into huge new expenditures.

#### FOR MORE TRIAL, LESS ERROR

Wishful thinking has never cost as much as in the programs voted by a succession of United States Congresses for the elimination of poverty. And now the Senate is about to take up the latest, most ambitious, and probably costliest plan of them all—President Nixon's family assistance program.

The record of past achievement has been less than spectacular. Consider the following bench marks:

In 1928, Herbert Hoover said "we are nearer to the final triumph over poverty than ever before. . . . The poorhouse is vanishing from among us."

In 1937, Franklin Roosevelt saw "one-third of a nation ill-housed, ill-clad and ill-nourished." That would have been 42 million people.

In 1960, John F. Kennedy's campaign oratory echoed with concern for the "17 million" Americans who went to bed hungry every night.

In 1964, Lyndon Johnson spoke of the "forgotten fifth" of the country "who have not shared in the abundance." That would have been 38 million people.

During this period the welfare spending of all levels of government has risen about 100-fold, with direct payments running about \$15 billion a year and total welfare-connected spending about \$80 billion. The Nixon program was originally tagged at \$4 billion for the first year. Present estimates are closer to \$10 billion, and liberals denounce it as niggardly.

Sen. Abraham Ribicoff of Connecticut, a 14-karat liberal, says that "the time has come for America to enact a welfare program designed to eliminate poverty in America" in five years. That, of course, is what the sponsors of most of the earlier programs said theirs were designed to do.

The country simply can't afford to let its welfare costs go on expanding as they have, in good times as in bad, with so little to show for the money. They are threatening to bankrupt states and cities and contributing enormously to the federal government's deficits. What reduction there has been in poverty in the last 20 years is attributable far more to the country's unparalleled economic growth than to the welfare programs.

The current issue of U.S. News & World Report raises the question whether poverty is soluble at all. It is, after all, a relative thing. When Russians saw pictures of American poor in the movie version of John Steinbeck's "Grapes of Wrath," the message was utterly lost because the viewers were amazed to see the "poor" wearing shoes and even driving cars. There will always be a "poorest fifth," we are told. Some say the poor are chronically unable to discipline themselves to work, while at the other extreme are those who excuse all of the poor as victims of circumstances who can be put back on their feet with a little help.

We mention all of this not as an excuse to ignore the problem of poverty but rather as a reason to stop trying to enact crash solutions to a problem about which people know so little and disagree so much.

There are many promising aspects to Mr. Nixon's program. By putting the emphasis

on families with children, it might break the hereditary cycle of dependence on welfare. By its work incentives, it may help to put more people on their own feet. But compared with the vast cost of the program (which Congress will push up every time it wants to court the voters), the hopes of achievement are limited and the chances of calling the program off if it fails are next to nil.

Wouldn't it be wiser to stop plunging headlong into vast and uncertain ventures and start trying out these theories in limited localities first, so as to see how they work? The government has done this occasionally in other areas. And we can't think of a more important one than this.

#### PRESIDENT NIXON MEETS MID-WESTERN NEWSPAPERMEN

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MICHEL. Mr. Speaker, during a visit to Kansas City earlier this month, President Nixon met with a number of midwestern newspapermen in a rather informal setting without television lights and a press conference format.

Mr. C. L. Dancy, editor of the Peoria Journal Star was among the group who visited with the President and the July 8 edition of his newspaper carries a story written by Mr. Dancy outlining his impressions of the President and this administration's efforts to solve some of the problems confronting the world and the country today.

I include the article in the RECORD at this point:

#### A MEETING WITH THE PRESIDENT (By C. L. Dancy)

President Nixon's appearance before a group of us editors in Kansas City Tuesday was a rather refreshing experience, wholly aside from his reported remarks on yesterday's front page.

It was a welcome change to hear a President speaking without TV cameras and blinding lights, without a script, without notes—just talking face to face, for once.

It was not the cat-and-mouse game of the press conference, and it was not a "speech."

We had just finished sessions with the Secretary of health, education and welfare, the head of the new environmental control agency, a senior economics adviser, and special assistants of the President on their areas of specialization. They had spoken and answered our various questions about the status of the revenue sharing proposals, of basic government reorganization, of the national health program in the works, of the drug abuse programs, and of the welfare reform package.

It carried me back to the time when you might say, I got the "Great Society" original story about two years ahead of time.

Looking for an acquaintance I knew, at that time, during the Kennedy administration, I finally tracked him down to a third floor makeshift office in a beaten-up 100-year-old building. He was still on the payroll of his "home" department but was part of a new "task force."

All the people there were on some other payroll, but had been brought together to invent and create a new department and some new government activities—and to cook up the justification for funding to Congress.

This was not initially the funding for the new activities. First they had to come up with something that would produce the funds for a more thorough promotion effort—"research"—which in turn would report and seek the massive funding of the real thing.

They had engaged in comprehensive questionnaires directed to every private charity and welfare activity in sight—asking them what they would most want if a mass of federal money were available.

When I stumbled in on them, they were terribly disappointed with the results. Their original idea of a "domestic Peace Corps" had hit a snag. The professionals had largely answered that the LAST thing they needed was a bunch of amateurs making the social problems worse, instead of better.

They had found a couple of "clues" that showed possible promise if one developed the "problem" energetically. (One of these was the plight of some of our Indians. Another was "Head start.")

They were hunting for problems, then, and they never even stumbled across "environment," for example, and nobody mentioned "drug abuse."

It took two years and a lot of money stirring things up to even get things down the road to the "Great Society" speech under Lyndon Johnson, and the first efforts to pass funds for such things.

It is obvious how much times have changed. The 1971 administration is not looking for more problems, but seems to be much faster afoot in responding to those that surface by their own nature.

The environmental agency and the powers already in its hands is like nothing else anywhere on the planet thus far, or in history, and we were told that while we are in the hiatus of "lead time" (it takes time to build facilities after standards are set and compliance orders issued), the impact of the agency has already been widely felt.

It has been felt on the people who must clean up air and water, for example, and there is widespread activity to do so. The actual improvement in air and water, of course, is the last stage—when that activity reaches actual completion stages of treatment plants, and antipollution devices and installations, now under way.

Likewise, the administration has responded to the drug problem with remarkable speed for those of us accustomed to the long political processes of the bureaucracy.

A check reveals some nine existing agencies already with legal authority to deal with some phase of the drug scene, so these nine activities have been brought together under single direction for the kind of coordinated attack that involves detection, rehabilitation, law enforcement, and international controls on drug production.

We have seen the massive detection system instituted by the armed forces, and the agreement with Turkey to close down poppy fields which have been the chief source of deadly heroin and its predecessors for centuries, just in recent weeks.

Meanwhile, there is considerable optimism about a form of revenue sharing to cut through the maze of "categorical grants" by which more than 30 billions are now tortuously distributed to local governments for specific projects—years after the need has been proven and the problem become critical.

The welfare reform proposal now seems assured at an early date.

Then the President appeared, after all these discussions, spoke for a time about some of the questions that had come up during those discussions, referred to the steel conference with management and labor he had held that morning (He said he pointed out to the union chiefs and steel managers that Japan, since World War II, has gone from 5,000,000 tons of steel to 100,000,000 tons and within two years will be producing more steel than the U.S.).

At this point he began discussing the relationship between foreign matters, the world, and the domestic economy.

He said that while tightly focused on Vietnam, many of us have ceased to look at the massive changes in the nature of the world in which we must live in the future.

America, 28 years ago, stood alone in its military and economic power—not by design or desire but by the accident of World War II events. We no longer have the burdens or advantages of that virtual monopoly on military and economic strength.

In the years ahead, he said, there will be five "super-powers", not one or two. The Common Market with Great Britain now added, will be an immense force. Japan has become such. The Soviet Union is another. And one day, China's 800,000,000 people are likely to become the fifth to "challenge" the U.S.

To succeed and progress in that new scrambling world, he said, we will have to have a more efficiently organized government, a healthy economy, a healthy environment, and a healthy people.

It was then that he spoke of the historic danger of "decadence" once a people has been as pre-eminent and "alone at the top" as we have been—and of the destructive force of "negativism and defeatism" which breaks the back of so many of the young and vulnerable, especially, and results in escapism and the drug scene.

And finally, he spoke of his confidence and hope of a new spirit, based on accomplishments, not rhetoric, of achieving not "transitory" benefits but the kind of conclusions to the economic, governmental, environmental, and foreign situations that provides the healthy "broad base" we shall need in the changed world that confronts us in the near future.

It reminds one, at least, that a national policy requires (1) specialists to deal directly with specific problem areas, and (2) a President who views the broader scene and the role of each problem area in the "whole picture."

After the session, there was a reception where the President talked briefly with each of us individually, and then the Illinois guys, Bob Heck of Rockford, Jack Clarke of Springfield, Forrest Kilmer from Davenport (Quad Cities, gravitated together, and Keith Wilson from Omaha, Brady Black from Cincinnati, and such to compare notes on the "purloined papers," the New York Times "responsibility or irresponsibility," the Supreme Court decision, the President's remarks, the domestic programs, and newspaper "shop talk."

That was a bonus, and revealed a remarkable "consensus" among editors from "man on the street" cities of grave misgivings as to the precedent set by the New York Times, and its possible future misapplications.

Such was the nature of the entire proceedings of the press and President at Kansas City.

And something of the physical atmosphere behind the headlines on the President's comments about "decadence."

#### HORTON URGES AMERICANS TO AFFIRM SUPPORT FOR PRINCIPLE OF FREEDOM DURING CAPTIVE NATIONS WEEK

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1971

Mr. HORTON. Mr. Speaker, I would like to commend my friend and col-

league, Congressman EDWARD PATTEN, for his interest in the people of Eastern and Central Europe who must live under Soviet oppression, especially his deep concern for minorities in Czechoslovakia. Mr. PATTEN's discussion comes at a most appropriate time because it coincides with Captive Nations Week—symbolic of our efforts to win more freedom for those behind the Iron Curtain.

This week, July 18 through July 24, has been designated as Captive Nations Week. Its purpose is to focus world attention on the problems of the more than 11 million people living under Soviet oppression in Eastern and Central Europe. It is being observed by millions of Americans and their friends in 17 free world countries. This is the 13th observance since Congress established the week in 1959.

Despite some lessening of tensions in diplomatic relations between the United States and the Soviets, the plight of the people held captive in Communist-controlled nations has not been diminished. Some events of the past few years are a tragic testament to this: the Russian invasion of Czechoslovakia in 1968, the mass imprisonment of Jewish, Ukrainian, Russian and other brave dissidents in 1969, the unhappy Simas case, the Polish workers' unrest in 1970 and the reemphasis of the Brezhnev doctrine this spring.

These were crucial events, with serious implications for relations among nations and horrible consequences for the millions of people directly affected.

There is, it seems to me, a tragic symbol of these events and of the suppression of human rights by Communist regimes. That is the Berlin Wall, built 10 years ago next month, to prevent East Germans from escaping to the West.

The meaning of the wall was described by Andrew Wolfe, editor and publisher of the Genesee Valley Newspaper in my congressional district, who recently returned from Berlin. I would like to share with my colleagues some of his thoughts about the wall as expressed in the July 8, 1971, edition of the Brighton-Pittsford Post. I think they are particularly relevant and poignant this week.

He wrote:

Yes, there is a Cold War.

No one who has seen the Berlin Wall is going to forget that fact very rapidly.

The most disturbing thing about the wall is its very ordinariness—the drab and sloppy way in which it has been constructed.

Built of cement block, it has the same kind of craftsmanship you find in home-made cinder block garages in the United States.

But there is nothing amateur about the way it is designed to prevent East Germans from escaping to the west. . . .

Chillingly, the wall is painted white on the inside, so that guards may more easily spot their victims when aiming. The central area between the walls is designated a "free fire" zone, and all entering it can be shot without warning.

All along the wall, of course, are watch towers.

On the West Berlin side of the wall are a series of observation platforms.

It gives one an uneasy feeling to stand on one of these and to stare across at the

East Germans, who man machine guns in towers on the other side.

Andy Wolfe is right. That drab, cement wall stands as a frightful reminder of the oppression borne by those who must live under Communist rule.

I would like to share with my colleagues in the House another passage about the Berlin Wall. Although it was written almost 10 years ago, it is still particularly meaningful today. It vividly describes the tragedy of life in captive nations. The passage appears in an article, "Berlin: A Tale of Two Cities," which appeared in the Brown University Daily Herald, December 18, 1962. It was written by David Lovenheim, then a student at Brown University, and now my administrative assistant. The article follows:

One of the few post-war incidents which has caused the people of West Berlin temporarily to lose their stalwart cool-headedness occurred during my visit to the divided city last summer. On Friday, August 17 at about 2 o'clock in the afternoon, Ulbricht's Volkspolizei (People's Police) shot and killed Peter Fechter, an 18-year old youth who was attempting to climb the Wall with a friend about 200 yards from the U.S. Army Checkpoint at Friedrichstrasse.

Fechter, while his friend escaped, was butchered by machine gun fire from two guard towers and was left bleeding at the Wall for over an hour. The West Berlin police at the scene could do nothing but throw bandages over the Wall to the helpless youth and keep an anxious crowd back from the smoke and tear gas bombs the Volkspolizei were using to obscure the Westerners' view. Both West Berlin police and Allied troops have been under orders to hold their fire unless fired upon from across the Wall. No attempt, other than the throwing of useless bandages, was made to save Fechter from his brutal death.

My papers were being processed for departure from the Eastern sector at the Friedrichstrasse checkpoint at the time the incident occurred. For a change, the Eastern Berlin guards were anxious to process Westerners quickly, to get us away from the checkpoint from which one could plainly see the section of wall Fechter had tried to cross. Two guards, who ordinarily would have rechecked our papers, waved us through.

By the time we reached "Checkpoint Charlie," an anxious crowd including several West Berlin officials, had gathered along the Wall opposite the dying Fechter. Having been on both sides of the Wall during the excitement, I could not help noticing a difference in the faces of East and West policemen. The patronizing expressions on the faces of the East German guards were indiscernable from their usual looks of stern politeness. They certainly seemed to take the excitement in stride. Their counterparts across the Wall were not as unaffected. Their intense grimaces poorly restrained their anger at the needless brutality and at their own helpless role as onlookers.

Fechter's death, the second murder at the Wall in three days, was by far the most brutal since the construction of the Wall. Moreover, the murder occurred only days after West Berliners had mourned the passing of the first year of division by Mauer. This rapid succession of events, sparked by the barbaric brutality of the Fechter killing, proved too much for the West Berlin temperament to bear.

The West Berliners returned violence for this latest atrocity of Ulbricht's regime.irate Berliners held demonstrations against the

Americans, who they felt were guilty of inexcusable inaction in the Fechter incident. More violent crowds demonstrated against Ulbricht and the Russians; stonings of Soviet vehicles in West Berlin continued for more than a week after the shooting. Mayor Brandt pleaded with his people to "realize" that we must not be drawn into thoughtless acts, however difficult it may be for us to keep quiet and calm.

After the joint American, British and French command in Berlin promised to station an ambulance at the Friedrichstrasse traffic point (though they were silent as to whether or not they would try to force it into the Eastern sector in an emergency), Berlin tempers began a return to their normally calm level.

Moreover, the people of East Berlin, regardless of their dreams, have no more say today in the political status of their sector than they did at the Wall's inception in August, 1961. In West Berlin, hopes for the removal of the hated Mauer are now overshadowed by fears that even further pressures may be levied against them by Ulbricht's regime.

We must strive to do all that we can to see that the Berlin Wall, and the oppression which it symbolizes for the people living in Communist-controlled countries in Central and Eastern Europe, "comes down."

Affirmation of support such as these given during Captive Nations Week are undoubtedly a psychological boost to those living behind the Iron Curtain.

During Captive Nations Week, we should affirm our support for the universal principles of freedom and self-determination for all people. But we must do more—this week, and throughout the weeks and years ahead, we must work actively toward bringing about a better future for those under Soviet rule.

#### MARTIN COUNTY COMMISSIONERS HEAR STATE HEALTH DIRECTOR

### HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ROGERS. Mr. Speaker, on June 3 I inserted in the CONGRESSIONAL RECORD for the benefit of my colleagues an article from the Jensen Beach Mirror concerning that newspaper's investigation of health and environmental law enforcement in the counties of Martin, St. Lucie, and Okeechobee in the State of Florida.

At the request of Dr. Wilson T. Sowder, director, division of health, Florida Department of Health and Rehabilitative Services, I am inserting at this point in the RECORD a statement made by Dr. Sowder before the board of commissioners of Martin County relating to this matter:

STATEMENT BY WILSON T. SOWDER, M.D.,  
DIRECTOR, DIVISION OF HEALTH

Gentlemen: At your request I am here to discuss any problems that concern you about the Martin County Health Department, which I would like to emphasize is *your* as well as *our* health department. It is not just a local branch of the Division of Health, but the child of a partnership agreement between us. Chapter 154 of the Florida Statutes provides for such a partnership arrangement on a voluntary basis, and it is under that law

that the health programs of the county health department are being carried on.

ORGANIZATION OF THE MARTIN COUNTY HEALTH DEPARTMENT

I would like to emphasize that although your local health department may be, and is at times called the Tri-county health department, this is a descriptive and not a legal term. There is a separate budget for the Martin County Health Department which we have jointly agreed upon and it is financed by both local and state funds. Your only relationship to St. Lucie and Okeechobee County is the fact that you share with them a health officer and a director of sanitation.

Your Chairman, Doctor Myers has indicated to me by letter that you may wish to enter into a different arrangement whereby you would have a full-time health officer and a full-time sanitation director of your own. I have replied to him that while we prefer larger units as being less costly and making better use of scarce personnel, we will agree to such an arrangement if you wish, and you will provide the additional local funds needed. Since we receive only so much state money for county health units a single county health unit will require more local funds. I should also point out that our parent agency, the Department of Health and Rehabilitative Services, plans to regionalize the work of all its Divisions insofar as possible into eleven regions. Martin County would be in Region 8, along with Palm Beach, St. Lucie, Indian River and Okeechobee. This does not, however, preclude our having single or multi-county units within these regions.

The suggested details of a proposed budget have been prepared by our staff and your county health officer, Doctor Miller, and are presented to you. In brief, the increase in cost to provide for a full-time health officer and sanitation director and one additional nurse for your county is estimated to be approximately \$20,000 per annum. Some improvements in efficiency are always possible and attainable. We will work with you to secure the maximum improvement in efficiency and the maximum benefit from present funds and personnel available. However, to substantially increase the work output, to increase services rendered, and for better and faster enforcement of the health and sanitary laws and regulations more funds and personnel would be required. For the information of others present here, you are, during the current fiscal year, contributing about \$25,000 and state funds amount to nearly \$47,000.

ACCOMPLISHMENTS OF THE MARTIN COUNTY HEALTH DEPARTMENT

The purpose of the local health department as a joint enterprise between the state government and the Board of County Commissioners is to help provide a state wide machinery for the protection and improvement of all of the people's health. We have established the fact that no cases of infectious hepatitis have occurred in Florida due to polluted shellfish either in recent years or in the more distant past, and none in Martin County. Our records show that in 1970 a total of only 11 cases of infectious hepatitis occurred in Martin County and 6 cases this year up to May 7. It is worthy of notice that no case of diphtheria has been reported here since 1937, no case of typhoid fever since 1949, no case of poliomyelitis since 1958, no case of amebic dysentery since 1961, no case of tetanus since 1965, and no case of diarrhea in the newborn since 1966. Also, I present in the table below figures compiled in the central office showing comparisons between activities in 1970 in important areas of sanitation and disease con-

trol between Martin County and the state as a whole:

Sanitation control	Martin County	Florida	Difference (percent) Martin County
Inspections per 1,000 population:			
Public water systems....	7.3	2.7	+70
Private water systems....	15.0	2.5	+500
Public sewer systems....	6.1	2.2	+177
Private sewer systems....	1.3	.2	+550
Pollution survey....	1.3	.4	+225
Bathing area surveyed....	2.8	.2	+5,500
Mobile home parks....	7.2	1.7	+324
Eating/drinking establishments....	20.5	17.0	+21
Grocery/meat markets....	13.7	6.1	+125
Private premises....	34.7	13.5	+157
Public premises....	29.7	10.1	+194
Tuberculosis control per 1,000 population:			
X-rays taken (small)....	102.2	90.1	+13
X-rays taken (large)....	11.3	10.4	+9
Tuberculin tests....	40.0	29.6	+35
Visits (office and field)....	29.2	23.5	+24
Total immunizations per 1,000 population:			
Smallpox, DPT, polio, and measles shots....	136.5	95.6	+43

During the decade from 1960-70 Martin County has shown significant improvement in one of the most widely used indices of public health. In 1960-61 the Martin County infant death rate stood at 37 infant deaths per 1,000 live births which was 23 per cent above the rate for the State of Florida. By 1969-70 the Martin County rate had plunged to only 17 infant deaths per 1,000 live births which placed it 23 per cent below the rate for the state as a whole.

During the 1960 decade only one maternal death was reported for Martin County. This yielded a maternal death rate of half that reported for the state.

COMMENTS ON ALLEGED SHORTCOMINGS OF THE MARTIN COUNTY HEALTH DEPARTMENT AND THE DIVISION OF HEALTH

I now turn to the articles appearing in recent weeks in the Jensen Beach Mirror. My own comments will be general in nature, but we have present here some members of the staff from the office in Jacksonville, some regional personnel, as well as some Martin County Health Department personnel who can supplement, to the extent necessary and desired, our written reports on the material contained in these articles.

We agree that the Martin County Health Department is the important agency in this county and has the front line responsibility for the protection of the people's health. I have given you facts and figures about its work and accomplishments indicating that a good job is being done. It is not true, as everyone is, I am sure, aware that it is a pollution control agency. It has only incidental and supportive roles in that field. The Legislature, in its wisdom, established in 1967 a separate agency to be responsible for the enforcement of laws against air and water pollution and transferred from the then State Board of Health to that agency all funds, personnel, building, and equipment which had been devoted to that program. There are indeed gray areas between the two agencies and problems have arisen but these have been worked out in formal written agreements, and by personal discussions as they occur. The staff of both agencies agree on the interrelationship between pollution control and disease prevention programs. We, in the old State Board of Health, urged the Legislature not to separate pollution from health, pointing out that the two were closely related, but it decided otherwise. It seems ironic then for the state and local health agency, with not an ounce of authority to enforce the laws on pollution, to be

billed as the key villain for not enforcing the laws on pollution!

We do retain the responsibility for sewage disposal and this complex and difficult problem is being handled in an outstanding manner considering the severe limitations of personnel and funds provided for the purpose. We are particularly short of personnel in our Bureau of Sanitary Engineering and in its regional offices. Because of this it is difficult to discharge our responsibilities in the areas of water supply, bathing places, sewage disposal, shellfish sanitation, and solid wastes. Including clerical staff, the Bureau of Sanitary Engineering has only 54 people, but we need and asked the Legislature for twice that number in order to do an acceptable job. However, it now appears that we will receive no increase.

The State Division of Health is not responsible for the enforcement of the state law on milk and milk products. Many years ago when a legislative committee had under consideration a bill removing from the State Board of Health the responsibility for the inspection of dairies I personally urged that this not be done. Nevertheless, it was done and the Division of Health was left with limited responsibilities in this field and county health department with optional responsibilities. Again, how strange it is to see us billed as the key villains in connection with violations of this law. As some of you may know, we in the field of health do encounter criticism for inspecting dairies and dairy farms at all. This is on the basis that it constitutes overlapping and duplication with the Department of Agriculture. Nevertheless, in spite of these discouraging facts the staff of the Martin County Health Department has an excellent record in this field and has made periodic inspections of dairies and dairy farms.

In connection with law enforcement I point out that the present tools provided us under the laws need to be improved. At present every case, however minor, must be painstakingly prepared and presented by an attorney to the court for judgment. This involves the use of the very limited time of our health officers, sanitarians, attorneys, and others. This has naturally led, for common sense reasons, to making every effort to secure corrections on a voluntary basis before resorting to the courts.

We have called this deficiency in the laws to the attention of the Legislature and your own Senator Beth Johnson has introduced Senate Bill No. 668 which would remedy this situation. Under this bill the Division of Health and county health departments would issue annual permits. Establishments not having a valid permit would automatically be in violation of the law. Administrative fines could be levied in the absence of a valid permit. This would avoid the expensive and time consuming procedures now necessary for even the most flagrant violations of the law. Unfortunately, this bill has made no progress in the Legislature up to this time. Nevertheless, we will continue to do our best with the legal tools and personnel that we have available in order to make sure that we are doing all we can to enforce the health laws and regulations. To be sure of this I have, in accordance with Chapter 381.121, Florida Statutes, asked the Honorable John T. Brennan, State Attorney for the Ninetenth Judicial Circuit to assist the Division of Health and the Martin County Health Department in the enforcement of the state laws and the rules and regulations under the provisions of this Chapter. This Section of the law states that it shall be the duty of "every state and county attorney, sheriff, constable, police officer and other appropriate city and county officials upon request to assist the division of health . . .

etc." and I now publicly request such assistance of all concerned.

I have already, by mail, called your attention to the error of fact as to the alleged occurrence of 11,000 cases of hepatitis in Florida last year "due mostly to polluted shellfish." The Editor of the Jensen Beach Mirror was advised that the supposed author of this statement has denied that he ever made it and that his disclaimer has been published. I greatly appreciate the Mirror's correcting this erroneous information. To the best of my knowledge there have been none from this source, and the total number of cases occurring last year was 1,862, and in 1971 through May 7th, 745.

I have also called your attention to the story in the Jensen Beach Mirror of the circumstances of a report made by its Editor to the Senate Committee on Health, Welfare, and Institutions on Tuesday evening, May 11. It was stated in the Mirror that I started to leave the meeting when Mr. Campbell was about to speak. The fact is, I did not know him by sight, did not know he was present, and did not know that he was scheduled to speak. His appearance was not on the official agenda of the meeting. Also he stated that health officials in the audience of the committee hearing did not comment on his presentation. I asked for, but was not given the opportunity to respond, obviously because the committee had about 30 bills to consider that evening. These were the principal reasons for the committee meeting.

In summary, I offer you evidence to the effect that the Martin County Health Department is doing good work in your county. I lay no claim that its work, or that of the staff members involved, is perfect. Doctor William Stinger, with the assistance of the Regional Sanitarian, Mr. John Welke, and the Regional Engineer, Mr. Richard Starr, have carefully reviewed the 37 problems reported in the Jensen Beach Mirror. They have visited the sites in all cases where a site was mentioned. Doctor Stinger has prepared a supplement to his report of May 11 and has summarized his findings in a report which I now make available to you. With the assistance of my associates I shall be glad to attempt to answer any questions that you may wish to ask.

#### THE MARY McLEOD BETHUNE MEMORIAL

#### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. BIAGGI. Mr. Speaker, Senate Joint Resolution 111, which passed with 90 dissenting votes primarily from the Southern delegation, would extend for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

This woman was able, despite her black skin in a period of discrimination, to conquer man's minds and hearts and contribute much to her Nation and her race. It is unfortunate that when this Nation is willing to erect a statue to honor her, the controversy of her life must once again cast a shadow across her path.

I am pleased that a majority of my colleagues believe as I do that the time is long overdue for the erection of such a statue. Mary McLeod Bethune was an outstanding American and her monu-

ment will long be a shining light to blacks and whites alike who seek to build a better America for their posterity.

#### RECIPROCAL INCOME TAX PLAN FOR DISTRICT OF COLUMBIA

#### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MIKVA. Mr. Speaker, until the District of Columbia is given the right to govern itself, the members of the District of Columbia Committee continue to bear the responsibility for raising the necessary revenue to support the many municipal services provided by the District.

The major roadblock to raising sufficient revenue is the lack of a solid tax base in the District of Columbia. Nearly half the real property is occupied by branches of the Federal Government. This property is tax exempt, and furthermore is unavailable for other productive uses which would give rise to employment and other tax sources. In addition, there are thousands upon thousands of people who commute to the District of Columbia to work, who earn their livelihood in the District of Columbia, and who return to Maryland or Virginia where they live, play, spend much of the money they have earned in the District of Columbia, and where they pay taxes. For these people, the District of Columbia bears a substantial burden of providing the full range of municipal services, but gets little in return in the way of taxes.

Mayor Washington has proposed a sensible plan to equalize the tax burdens and tax benefits among the three jurisdictions which make up the Metropolitan District of Columbia area. Under his proposed reciprocal income tax plan, people would be taxed at the place where they work, regardless of where they live. This is no novel idea—such reciprocity is currently practiced by most States around the country. It is an equitable way to apportion income taxes among States, and is especially crucial in the Washington area where commuters do not merely cross the city line to a suburb within the same State, but cross State lines to a State which does not share its tax revenues with the District of Columbia.

Needless to say, Maryland and Virginia are not enthusiastic about the possibility of losing what has been a real windfall—the right to collect income tax from residents who work in the District of Columbia and who spend only half their time in the taxing State. In recent hearings before the District of Columbia Committee, one Maryland witness submitted a report which purported to show that suburban residents presently do bear their fair share of the District's costs by virtue of the money they spend within the District of Columbia.

The falsity of this proposition is carefully demonstrated by Deputy Mayor Graham Watt in a letter he sent to me following a recent session of the com-

mittee's hearings on the District's revenue proposal. Deputy Mayor Watt makes three points which conclusively refute the position put forward by the Maryland report:

First. Money paid by Maryland residents to private businesses in the District do not necessarily result in public revenues for the District of Columbia. For example, the report cites \$5.7 million spent by Marylanders on public transit into and out of the District. But little of this redounds to the District's benefit. Some of the bus companies are headquartered in Maryland. Furthermore, mass transit expenditures are not taxable in the District of Columbia.

Second. The report arbitrarily attributes 10 percent of all food sales in the District of Columbia to Maryland residents. There is no basis shown for this assumption. Commonsense and observation in fact contradict it. It is probable that the District of Columbia residents do more grocery shopping in suburban shopping centers than suburbanites do in the District.

Third. The report attributes \$65.7 million of general merchandise sales to Maryland residents based on a 1969 guesstimate that 24 percent of the downtown stores' sales are attributable to Marylanders. What the report ignores is the flow of money in reverse—a 1968 consumer survey indicated that 42.1 percent of the consumers who shop in suburban department stores are for the District of Columbia residents. Obviously this would result in a net outflow of consumer cash. Current figures would probably be even more lopsided, for the beltway highway systems has created new shopping patterns, facilitating the exodus of the District of Columbia residents to the sprawling shopping centers which continue to spring up in the suburbs.

The full text of Deputy Mayor Watt's letter follows. In it can be found an early warning of the advancing fiscal plight of the Nation's Capital. A more sensible and equitable tax system must be implemented, and the reciprocal income tax is an obvious first step.

THE DISTRICT OF COLUMBIA,

Washington, D.C., July 7, 1971.

HON. ABNER J. MIKVA,  
Committee on the District of Columbia,  
House of Representatives, Washington,  
D.C.

DEAR MR. MIKVA: On behalf of the Mayor-Commissioner and the District Government, I want to express our appreciation for the extensive concern you have shown during the current hearings on the proposed "District of Columbia Revenue Act of 1971." On Tuesday and Wednesday, June 29 and 30, a number of issues were generated and I would like to take this opportunity to offer some further clarification on matters with which you were particularly interested.

The report entitled "Impact Analysis of the Proposed District of Columbia Non-Resident Personal Income Tax" was an important part of the State of Maryland's presentation and is an official part of the hearing record. This report aims to show that the Maryland commuter already lends substantial financial support to the District Government as a result of dollars spent in the District of Columbia which presumably result in sales and other tax revenues to the District Government. It would be unfortunate if this report

were accepted as a valid presentation without a critical examination. In terms of assumptions, facts, and conclusions, it is sorely lacking.

A major assumption in the Impact Report is that the private business generated by Maryland residents results in public revenues to the District of Columbia. This also must be subjected to a more critical analysis in view of the complexities of business structures, ownership, and tax law. The Report includes \$5.7 million for mass transit in the total dollars spent by Marylanders. Some of the bus companies, however, are headquartered in Maryland. In any case, mass transit expenditures are not taxable in the District of Columbia, and the D.C. Transit Company has significant tax exemption on gross earnings-income, real estate, personal property, and excise taxes. This is the most obvious example of why this primary assumption of the Report is not valid.

The Report indicates that Maryland residents spent \$359.3 million in the District of Columbia in calendar year 1970. The dollar amounts spent are cited with no indication whatsoever as to how they were derived or what sources, methods, or assumptions were used to determine them. The amounts appear to be mere guesses and often just do not seem reasonable. For example, the report attributes ten percent of all food sales in the District to Maryland commuters, for a total of \$28.8 million. There is no explanation of why ten percent is allocated. In addition, I believe it would be difficult to establish even a minimal amount of grocery shopping by Maryland commuters inasmuch as housewives are more likely to market at shopping centers near their home where there are large super markets, adequate access and parking, other shopping opportunities, and where they would not have to pay the two percent tax imposed on groceries in the District of Columbia. Indeed, I would suggest that the reverse pattern would be more prevalent—that District residents would be more likely, for the above reasons, to do their grocery shopping in nearby suburban centers. Particularly this is the case for many residents of Anacostia, an area which falls very short in shopping and commercial opportunities.

A major weakness of the Impact Report is that it fails to recognize that the Washington metropolitan area is a natural economic unit and that there is considerable two-way commercial activity among the various local jurisdictions. No consideration is given to trade D.C. residents do in Maryland. The report states that \$65.7 million of general merchandise sales in D.C. are by Marylanders. This conclusion is based on the results of one survey conducted in a downtown department store in 1969 that indicated 24 percent of their sales by Maryland residents. It is impossible to draw such a conclusion based upon one survey, without an indepth analysis of the situation. An additional comment is that, conversely, department store surveys in suburban centers show that many of their sales are to District residents. For example a 1968 consumer survey at the Chevy Chase Woodward and Lothrop store indicated 42.1 percent of the consumers interviewed were District residents.

It might also be noted that recent economic trends within the total metropolitan area appear to contradict the presumption that suburban residents do a high level of shopping in the District of Columbia. There has occurred a substantial expansion of commercial facilities and increase in retail and wholesale trade in the suburbs. Recent highway developments are sure to further this trend. A recent article by Mr. George Grier of the Washington Center for Metropolitan Studies made this point:

"The Capital Beltway is creating a new set of travel and commuting patterns which can only serve to increase the independence

of these suburbs from their parent, and may also contribute significantly to weakening the economic and political position of the city itself.

"The future is clear in one respect, at least: once an alternative to the original pattern of a single downtown has been created, more and more people can be expected to prefer the new 'downtowns' to the old one. Washington's highway plan has both stimulated the original development of alternative urban centers and provided the means for their continued growth."

The question of relating revenue support to the proper governmental jurisdiction is a difficult one, aggravated by the complexity of political and intergovernmental structures. In this case, the Washington metropolitan area, which has so many interrelationships in problems, economic and commercial activities and fiscal matters, is split among two states, the District of Columbia, and ten local jurisdictions. There is presently no way for intra-metropolitan resources to be shared and allocated among all the jurisdictions in the region. Suburban resources are not shared with neighboring jurisdictions. They are, however, shared with local jurisdictions in the same state which might be hundreds of miles away and with which there may be no tangible benefits to the contributing jurisdiction. While some of these resources, raised by state taxes, are returned to the suburban jurisdiction, the District of Columbia does not benefit from such intergovernmental aid. A study just released by the Washington Center for Metropolitan Studies shows the sources of local government receipts for fiscal 1968:

[In percent]			
Source	District of Columbia	Maryland suburbs	Virginia suburbs
Localities' own resources.....	62.0	53.2	55.2
Borrowed funds.....	5.6	23.9	19.8
State grants.....	.....	17.4	17.0
Federal grants.....	31.6	5.5	6.6
Local intergovernmental payments.....	.8	.....	.....

From this table it is evident that the District relies most heavily on its own revenue resources. The other major source for D.C. is Federal grants and payments including the authorized Federal payment. While the Federal payment is a large proportion in our total receipts, this must be contrasted with the lack of State financial aid. It should be noted that the Federal payment is based upon the needs of the District of Columbia as a consequence of the Federal presence and is not meant to be a replacement of State assistance.

The principle of the reciprocal income tax—taxation at the source of income earned—has been fully accepted as a common and constitutional practice for which every other state level jurisdiction has the authority to impose. In view of the many interrelationships between local jurisdictions in our area, we believe it is also a valid means of raising revenues to support an adequate and necessary level of city services in the District of Columbia and to maintain the viability of the central city as the primary employment base. If the District is not able to resolve the social, economic and physical issues it faces because of inadequate financial resources, the whole metropolitan area will suffer, as these problems do not stop at the District boundary line. The reciprocal income tax is a valid and important means to secure some of the region's large and growing economic resources for meeting these problems.

Sincerely,

GRAHAM W. WATT,  
Deputy Mayor-Commissioner.

## WASHINGTON POST SUPPORTS REPEAL OF TITLE II

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MATSUNAGA. Mr. Speaker, the Washington Post has again lifted its voice in support of the repeal of the repugnant Emergency Detention Act—title II, Internal Security Act of 1950. In its editorial column on July 20, 1971, the Post points out some of the compelling reasons for the repeal of the concentration camp law which, when accomplished would lift a pall of fear from the country.

Because the bill H.R. 234, providing for the repeal of title II, is expected to come before the House shortly after Congress returns from its August recess, I would like to submit the Post editorial, which is both timely and analytical, for inclusion in the RECORD.

### DETENTION CENTERS FOR SUBVERSIVES

Concentration camps are about as un-American as borscht. Yet there is a provision authorizing the creation of such camps, euphemistically called detention centers, in an act of Congress—the Internal Security Act of 1950—still very much on the statute books to this day. That provision is certainly the most un-American inheritance from the now slightly face-lifted Un-American Activities Committee, currently operating under the alias, House Internal Security Committee. It authorizes, during a period of war, insurrection or invasion, the rounding up and detention of persons concerning whom there is "reasonable ground" to believe that they would "probably" engage in sabotage or espionage.

Un-American as such camps or centers may seem to most Americans, they are not unimaginable. At the outset of this country's involvement in the Second World War, American citizens of Japanese ancestry were rounded up all over the west coast and impounded, behind barbed wire, in what were then called "relocation" centers—merely because it was supposed they would "probably" engage in espionage or sabotage. So there is very little reason to be surprised that minority groups of various sorts—militant blacks, long-haired youths, New Left radicals, old left Communists, ardent adversaries of the government or of the war in Vietnam—are full of apprehension that they may become victims of this totalitarian mechanism. Indeed, William Greider of this newspaper reported recently that the FBI has compiled, and keeps enlarging, a list of the names, addresses, jobs and phone numbers of thousands of Americans considered potentially dangerous as spies or saboteurs in case of war or some other "national emergency." The FBI documents stolen at Media, Pa., afforded confirmation of this index.

Rep. Spark Matsunaga of Hawaii, a wounded war veteran who has reason to feel rather strongly about internment camps because some of his relatives were interned in one 30 years ago, has introduced a bill—along with more than 100 co-sponsors—to repeal Title II, the internment camp provision, of the Internal Security Act. There would have been little doubt about its adoption, had not the Internal Security Committee, with its usual propensity for mischief, come forward with a substitute bill slightly amending the existing law but retaining many of its worst features.

The Matsunaga bill would eradicate an

ugly splotch from the American escutcheon. It has the full backing of the Justice Department. It would lift a pall of fear from the country. We hope that Congress will adopt it speedily, restoring the American way of dealing with dissent and rejecting the Un-American Activities way.

**BUREAU OF MINES STUDY ON RECYCLING JUNKED AUTOS**

**HON. JAMES A. McCLURE**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. McCLURE. Mr. Speaker, the Bureau of Mines has just released the results of a study on recycling junked automobiles that draws two very interesting conclusions:

First, it has great economic potential; and

Second, the key to it all is transportation.

You just cannot get into a junked auto and drive it to the shredder, of course. They are carted there by truck, as a rule. Once they are shredded, there is another problem in getting the scrap to the steel mills.

The Bureau's study shows that the shredding operation is economically feasible where the transportation problem can be easily resolved. My bill, H.R. 4585, recognizes this. The basic thrust of the measure is to provide a system of federally guaranteed loans and tax incentives for the purchase of auto scrap processing equipment. States can participate in the program but they must come up with an acceptable plan which, among other things, resolves the transportation problem.

Interest in ridding the countryside of auto graveyards continues to grow. I think the Bureau of Mines has made a significant contribution toward finding the right solution, and I include the results of the study in the RECORD at this point:

**MORE METAL RECYCLED FROM JUNK CARS, SAYS MINES BUREAU**

Stepped-up recycling of valuable metals in junk autos may be underway as a result of increased use of giant car shredding machines, the Department of the Interior's Bureau of Mines has suggested.

The Bureau's tentative conclusion was based on a preliminary survey of nine representative shredding operations, conducted in cooperation with the Institute of Scrap Iron and Steel. Shredders, which reduce cars to fist-sized chunks of metal, were unknown ten years ago. The survey was planned to obtain hitherto-unavailable information on this relatively new scrap-processing development.

Results indicate that about half the output of the shredders surveyed is used in iron and steel foundries with cupola furnaces. If this holds true for the entire shredder industry, the Bureau said, it would mean that shredders have created a significant new market for auto scrap. Foundries with cupola furnaces use very little auto scrap in its conventional form, the "number two bundle," because bundles vary in size, and many are too large for the furnaces.

Although initial equipment costs are high, shredding is growing in popularity, and 89 shredders were operating in the U.S. in 1970.

However, the Bureau said, little information on shredding, or its potential, is available; prices of shredded scrap are not yet quoted in trade papers; and data on consumption of shredded scrap, which have been collected for only a year, are not complete.

The Bureau survey, which covered shredder operations for the year 1969, was designed to provide information for government and private researchers concerned with the junk auto problem, as well as for scrap processors. Operations participating in the survey were selected so that the sample would be representative of all sizes of shredders in use and of all geographic areas of the Nation. Rated capacity of the nine-shredder sample was 21 percent of the total (4.5 million tons per year) capacity of all shredders.

Because of the considerable interest in, and lack of published data about, the shredded scrap industry, the Bureau is making the raw data obtained in the survey available for immediate use by the public. A compilation of data from the nine-shredder sample is attached.

*Results of survey of nine shredded scrap producers*

(Data collected in August 1970 for 1969)

1. Annual capacity (as rated by operators) (net tons)-----	*956,000
2. Capacity at 2080 hours per year (standard 40-hour work week, 52 weeks per year) (net tons)-----	856,000
3. (1) as a percent of (2)-----	111.7
4. 1969 production (net tons)-----	+760,114
5. (4) as a percent of (1)-----	+79.5
6. (4) as a percent of (2)-----	+88.8
7. Shredded scrap coming from hulks (net tons)-----	628,382
8. (7) as a percent of (4)-----	82.7
9. Number of hulks processed during 1969-----	706,208
10. Average number of pounds of shredded scrap per hulk processed-----	1,780
11. Range of average prices received by shredded scrap producers for shredded scrap (\$ per net ton—f.o.b. processor's yard)-----	25.50-29.50
12. Range of average prices paid for hulks delivered to processor's yard (\$ per hulk)-----	12-20
13. Number of hulks acquired in 1969-----	710,755
14. Number of hulks arriving in flattened condition-----	286,030
15. Number of hulks arriving in unflattened condition-----	424,725
16. Number of flattened hulks arriving on truck loads of 12 to 25 hulks per load-----	231,720
17. Of those given in (16), the following number arrived on truckloads ranging from 14 to 20 per load-----	105,360
*Tonnage figures are totals for all nine operations unless otherwise indicated.	
18. Hulks arriving on truckloads ranging in size from 25 to 40 hulks per load-----	54,310
19. The number of unflattened hulks arriving in truckloads of the following range of hulks per load:	
(a) 2-4 hulks per load-----	79,141
(b) 5-6 hulks per load <sup>1</sup> -----	168,030
<sup>1</sup> Includes a quantity of hulks reported as arriving on truck loads ranging from 1 to 6 hulks per load. These were arbitrarily assigned as 6 hulks per load.	
(c) 7-8 hulks per load-----	177,554
20. Number of hulks acquired from various distances from the shredder operation yards: <sup>2</sup>	
(a) 0-9 miles-----	58,310

(b) 10-24 miles-----	105,185
(c) 25-49 miles-----	342,340
(d) 50-99 miles-----	107,210
(e) 100-199 miles-----	63,105
(f) 200-299 miles-----	27,405
(g) 300 and more miles-----	7,200

21. Maximum distance hulks were hauled in unflattened condition (miles)-----

100

22. Minimum distance hulks were hauled in flattened condition (miles)-----

10

23. The following parts of the automobile were removed from the hulk by all shredded scrap producers prior to shredding:

- (1) engine.
- (2) transmission.
- (3) gas tank.
- (4) tires.
- (5) seats.
- (6) radiator.
- (7) battery.

24. The range of the average contents of chemical elements contained in shredded scrap are:<sup>2</sup>

Carbon (%)-----	.05-.32
Sulfur (%)-----	.02-.045
Phosphorous (%)-----	0-.02
Copper (%)-----	.13-.30
Chromium (%)-----	.09-.27
Manganese (%)-----	.07-.275
Nickel (%)-----	.09-.12
Silicon (%)-----	.20-.21
Tin (%)-----	.024-.03
Lead (%)-----	.01-.014
Molybdenum (%)-----	.01-.025
Vanadium (%)-----	.008-.025

25. Range of average densities of shredded scrap (pounds per cubic foot)-----

57-80

26. Net tons of shredded scrap shipped to: Domestic:

Nonintegrated steel mills-----	124,837
Foundries-----	378,658
Integrated steel mills-----	41,883
Exports-----	191,235

Total reported shipments by type of consumer<sup>1</sup>-----

736,613

<sup>1</sup> The difference between the amount of shipments reported by type of consumer and the total production reported in item (4) above is due to incomplete reporting of shipments, by type of consumer, as reported by the shredder operators.

27. Net tons of shredded scrap shipped to domestic and foreign consumers by type of consumer's furnace:

Open hearth-----	96,399
Electric-----	245,544
Cupola-----	376,750

Total reported by type of furnace<sup>1</sup>-----

716,693

<sup>1</sup> The difference between this total and that given in item (4) above is due to lack of knowledge on the part of shredded scrap producers as to the exact type of furnace being used by some consumers to consume the shredded scrap. Also the open hearth and electric furnace consumption figures given in (27) above should be taken as approximations because one operator reported ship-

<sup>2</sup> Because of incomplete knowledge of the distances hulks were shipped to shredder plants, some shredder operators were unable to list hulks according to distance intervals below 50 or 100 miles. Thus the distribution below 100 miles is only approximate.

<sup>2</sup> Chemical analyses were not known for all elements by all operators. Also, the chemical analyses were usually based upon a one time analysis performed by a consumer. A range, given above, may represent as few as two producers. Ferrous content was not reported.

ments to electric and open hearth furnaces, with no breakdown on how much was consumed by each type of furnace. As a result, 50 percent was arbitrarily assumed to be consumed by each type of furnace.

28. The maximum distance shred was shipped by any of the participants shipping to domestic consumers was 320 miles.

29. Virtually all shredded scrap moving to domestic consumers from producers in the survey moved by rail.

#### THE DOCTORED DOCUMENTARY

### HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. GUBSER. Mr. Speaker, Mr. Charles L. Gould, publisher of the San Francisco Examiner, has written some of the most succinct and incisive comments concerning the Columbia Broadcasting System contempt citation proceedings I have ever read, and I am pleased to submit them for inclusion in the RECORD:

#### 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 Bernarr 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.

#### AN ANGUISHED PATRIOT

### HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DUNCAN. Mr. Speaker, I place in the RECORD an inspiring article written by Dr. Lewis E. Rhodes, pastor of Broadway Baptist Church in Knoxville, Tenn.:

#### AN ANGUISHED PATRIOT

(By Lewis E. Rhodes)

One may assume he is in good health if he is comfortable and strong. One may assume business is good if his is prosperous. One may assume his country is good if it is good to him. None of these assumptions is sound and not one may be true.

A parable: A certain man went down from his suite of offices on the twelfth floor to the medical arts building. It was time for the corporation executives to have their annual physical check-up. He felt well and strong and looked every bit the part. All tests and procedures were complete and he was ready for the doctor's report. Heart, good; blood pressure normal for age 49; kidneys functioning properly; teeth in good shape; weight about right, a pound or two over; hair was fully intact with a sprinkle of gray; his finger nails were perfect. He and the doctor talked about all his healthy parts.

"Is there anything wrong, doctor?" "Let's not talk about that," was his reply. "That's negative. If we talk about your strengths and health, everything will work out fine. Doctors are too pessimistic. If there's ninety-five percent that is sound, they will talk about the five percent that is infected. I believe in being positive, telling the bright side, emphasizing the condition of the majority parts. One can become terribly discouraged if he concentrates on the negative, unsound, and infected."

This did not satisfy the forty-nine year old executive. He was disturbed by what the doctor had not said. Vital organs had not been mentioned. So he asked him a direct question about the liver. Hesitatingly he told him it was infected. Then he proceeded to tell him how small a part of his two hundred pounds was his liver: one percent or less: How could one be over exercised about such a fractional part of his body. If ninety-nine percent of him is healthy, he should not be too unhappy, say one percent unhappy.

How can a man have a bad liver and a good heart! Should he not think about a healthy head of hair and perfect finger nails even if his liver is bad? He returned to the twelfth floor of his office, puzzled by his doctor, thinking about being one percent unhappy because that was all of him that was ill.

Many people die with many parts of their organism working well. Only one malfunctioning or non-functioning organ may cause death. So with a nation. The GNP may be record high and a nation be sick unto death. Most people may be living high and happily and sickness may be gnawing at a nation's vitals. Optimistic reports may flow to the people while deterioration accelerates.

Our country cannot be compared very well with ancient Israel. Not everything was wrong when Amos and Jeremiah spoke of Israel's illness. Property and power were plentiful. A nation, like some people, wait

for symptoms of illness before having a check-up. Unfortunately, illness precedes symptoms. Infection causes fever, not vice versa. Dizziness, pain, weakness, and fever tell us something is wrong. If public relations is used as aspirin to blot out the symptoms, infection is free to run its course. This Independence Day is a time to review our health and sickness.

MR. FLOYD ROBEY, JR.: FROM JANITOR TO ALCOHOLISM SPECIALIST

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MAZZOLI. Mr. Speaker, I would like to recognize the accomplishment of a man from my home city of Louisville, Mr. Floyd Robey, Jr.

Mr. Robey started 4 years ago as janitor for the Park-DuValle Neighborhood health center. He became interested in the problems of alcoholism that he had observed among the patients there, and he became interested in sociology. Mr. Robey now has completed 30 hours toward his degree from the University of Louisville and has completed a training course for alcoholism counselors at the Atlanta University School of Social Work.

Now he will become a field instructor in alcoholism for a number of State poverty agencies in the Kentucky area under an OEO grant.

This is a truly remarkable accomplishment and an example of one man's determination to help others and make a contribution to the community. Mr. Robey hopes his efforts will "inspire others to move forward, and not feel they must remain where they are." Certainly he could not have offered a more inspiring example.

Mr. Speaker, I would like to insert in the RECORD at this point an article from a recent edition of the Louisville Times about the accomplishments of Mr. Floyd Robey, Jr.:

#### JOB AS A JANITOR 4 YEARS AGO SWEEP MAN INTO FULL-FLEDGED HEALTH CAREER

Four years ago Floyd Robey Jr. began his "health career" as a janitor at the Park-DuValle Neighborhood Health Center.

This month, after a good deal of night school and some special training, Robey begins duties as an alcoholism counselor for two states, and possibly three, in a federally funded program.

To Robey, now 35 years old, "the best way to help people is to get qualified. How can you help others if you can't help yourself?"

After he was graduated from Central High School in 1954, Robey began working and raising a family of five children who now range in age from 8 to 16.

For 12 years he was a waiter at Cunningham's restaurant on South Fifth. "I enjoyed it," says Robey, but he felt the work was "psychologically unrewarding."

A year after starting his janitor's duties at the health center, he entered an eight-week training course and became a mental health aide. One of the center's aims is to train people for health careers both at the center and for other programs.

"Then I became interested in alcoholism when an alcoholic patient died," says Robey. His supervisor, Ken Phillips, urged him to

start college studies and get a degree, so in the fall of 1969 Robey began attending the University of Louisville at night.

#### TAKES TRAINING COURSE

He now has 30 hours toward a bachelor's degree in sociology, and recently completed a six-week training course for alcoholism counselors at Atlanta University's School of Social Work.

Now he is leaving the health center to become a field instructor in alcoholism.

Based in Louisville, Robey will work with poverty agencies in Kentucky, Tennessee and possibly North Carolina through an Atlanta University contract with the federal Office of Economic Opportunity.

He'll promote training of other alcoholism counselors and help poverty agencies form and run alcoholism programs.

"Alcohol is our number one drug, and the most abused," says Robey. "It not only affects the individual, but his family and friends."

Robey, who has received two awards from the local Community Action Commission for volunteer work, hopes his climb up the health careers ladder can "inspire others to move forward, and not feel they must remain where they are."

#### MAIL SERVICE TO IMPROVE

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DERWINSKI. Mr. Speaker, as a member of the House Post Office and Civil Service Committee, I am certainly pleased that the overall public response to the new postal service is the recognition that we have provided this new agency with the tools to improve postal service to all of our citizens. Certainly, improvements in mail service will be forthcoming.

Editorial support for the new postal service was provided in the featured editorial of the July 1 Chicago Heights, Ill., Star. I believe the points emphasized in this commentary are most appropriate.

The editorial follows:

#### AS WE SEE IT—DAWN OF A NEW DAY

Today—if we may be forgiven the pun—is a red-letter day in the history of the postal service in the United States.

After nearly 200 years of service to the American people, the U.S. Post Office department has ceased to exist. It is now the United States Postal Service, an independent government agency established to meet the changing needs of society.

The new agency came into being in response to an overwhelming public need—the need to move the largest volume of mail (82 billion pieces last year) that any country has ever known, over great distances more swiftly and more efficiently.

The challenge for the new agency will be to provide better, faster and more dependable mail service for all its patrons. In line with this, plans already are being initiated for a major mechanization program to help streamline mail processing and delivery.

All of this will take time, of course, but happily it will no longer take forever. The agency also has been given an unparalleled opportunity to refurbish the somewhat tarnished image it acquired in recent years. Hopefully symbolic of the contrast between past performances and future expectations

is the choice of an official emblem for the new agency: an eagle, poised for flight, in place of the pony express rider of another era.

On this auspicious occasion, we wish the Postal Service well as it prepares, under a new name and with a new challenge, to keep its appointed rounds. And may the red in the red-letter day give way before long to black in the profit-and-loss records.

#### TO RUSSIA, WITH LOVE: NEGRO

### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. RARICK. Mr. Speaker, I call the attention of my colleagues to the planned trip by members of an organization called NEGRO whose announced intention is the further entanglement of the United States with Soviet Russia through economic ties.

The article from the New York Times of July 22, 1971, is most revealing in its details. I insert it in the RECORD at this point:

[From the New York Times, July 22, 1971]

MATTHEW'S GROUP IS GOING TO SOVIET—22 IN NEGRO MISSION TO SEEK IMPROVED RELATIONS

(By C. Gerald Fraser)

Dr. Thomas W. Matthew, with his usual dramatic flair, brought Government officials from the United States and the Soviet Union to an old Harlem warehouse yesterday to brief members of his organization who leave today on a trip to Russia.

"We are going on a journey for universal brotherhood," said Dr. Matthew, the neurosurgeon who is president of the National Economic Growth and Reconstruction Organization, or NEGRO.

The purpose of the 17-day trip by an interracial group of 22 persons, including Dr. Matthew, is threefold.

The group hopes to develop relations between black Americans and other peoples and to "put some heat on" the Soviet Government to enable more Jews to leave that country.

An aide to Dr. Matthew said this would be sort of a repayment for "Jewish benevolence" to black Americans over the years.

Dr. Matthew said NEGRO hoped also to get some contracts in the Soviet Union for clothing NEGRO manufacturers here.

In a spruced-up area of the warehouse, more than 100 persons listened to Valerian Nesterov, a Soviet diplomat, recount the achievements of the Russian Revolution, and they heard Joseph A. Presel, United States foreign service officer, warn the departing group not to change money in the black market, not to sell clothes to Soviet citizens and not to take pictures too freely.

On the warehouse wall were signs that said: "To Russia With Love," "NEGRO—We Are in a Class by Ourselves," and "NEGRO on Way to Russia."

Dr. Matthew said that three months ago he had announced that there would be a Soviet trip. "When we make a promise, we keep a promise," he said.

Although NEGRO is viewed as a grass-roots self help organization, the members going on the trip are primarily professionals. According to the group's public-relations director, Timothy Ryan, the party will include three physicians, a dietician, two social-work supervisors, a film crew, two public relations representatives, and experts in transportation, textiles and chemicals.

#### URBAN ORE

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. DINGELL. Mr. Speaker, the Washington Post of July 20, 1971, carried an excellent article under the heading of "Urban Ore: An Untapped Natural Resource" which makes it clear that it is within the means of our technology to recycle much of the material which we now consider to be bothersome solid waste.

I would like to share the information contained in this article with my colleagues and, therefore, I include the text of the article at this point in the CONGRESSIONAL RECORD:

URBAN ORE: AN UNTAPPED NATURAL RESOURCE

(By David Mahsman)

America spends \$4.5 billion annually to bury something worth millions of dollars.

It's called "urban ore" by the director of the U.S. Bureau of Mines Research Center in College Park, and he says it's America's only growing natural resource at a time when other such resources are being consumed to the point of extinction.

Max Spendlove is not referring to copper, gold or silver. He is talking about refuse—tin cans, old bottles, everything that the American housewife throws out as trash. A few miles away from the bureau's center, a bureau pilot plant in suburban Edmondson is proving the ultimate value of "urban ore."

Since November, 1969, the Edmonston pilot plant, the only one of its type in operation, has been taking incinerator residue—what is left after urban waste is burned—from Alexandria and other cities, and recycling the residue, separating its component parts—glass, iron and nonferrous metals such as aluminum and zinc.

In the works is a new plant that will take raw, unburned refuse and do the same thing, recovering paper and plastics in the process.

The project was set up to prove that reclamation is both feasible and commercially attractive for areas with populations at least of 500,000. Martin Stanczyk, supervising metallurgist at the pilot plant, says the processing cost is about \$4 a ton. But he says the products from the recycling process will sell for about \$15 a ton.

The initial cost of setting up a recycling plant for an area of 500,000 population is estimated by Stanczyk at \$1.4 million. The plant could process about 250 tons of incinerated residue a day, he says, and the \$11 profit per ton would eventually offset the cost of the plant and the processing.

Francis Palumbo, a project chemist, sees two immediate and interrelated problems for recycled waste: the lack of a market for reclaimed products and consumer products and consumer aversion to the term "secondary materials."

But Palumbo, along with other project officials, says that these are temporary problems at best and that recycling is the wave of the future.

Officials feel this will be particularly true when the raw refuse recycling plant—which operates without an incinerator—is developed. Paul Sullivan, coordinator for the Edmonston project, says the new plant should be open in three months.

Raw refuse recycling plants will be designed to serve areas of under 500,000 population. "In six months, we'll know if we're headed in the right direction," said Sullivan.

Officials estimate the cost of building a raw refuse recycling plant will be about the same

as constructing an incinerator to handle the same amount of refuse. Paper and plastic will be the principal items reclaimed by such a plant.

Spendlove says that potential uses of reclaimed paper are "tremendous."

It can be used, Spendlove said, as a fuel or as wallboard or packing material. "The Agriculture Department has a process for making it into protein for cattle feed. It can be converted into crude oil or synthetic natural gas.

"There are probably a half-dozen ways to use it that we haven't thought of yet, because we haven't had to," he continued. "I'm convinced that as the problem (lack of resources) becomes greater, ingenuity will show itself in even more products."

"Urban ore is a phenomenal material," Spendlove asserts. "Based on the content of metals, it must be classed as a high-grade ore. And on the variety of different metals that it contains, it is different from anything that Mother Nature ever thought of.

"No smelting is necessary, because it is already in a metallic state," he said. "We're way ahead of the game from the start. Urban ore has a lot going for it—it's as good or better than other materials."

The Edmonston plant separates individual materials by dumping incinerator residue into a rotating drum where it is washed. The smaller pieces drop through the drum to various sized screens where they are further separated according to size. The larger material is shredded and put back with the smaller material.

The iron is then taken out with a magnet and the remainder is ground, the glass to powder and the nonferrous metals to flat flakes that are easily separated. The material is washed throughout the operation, and the water recycled.

The equipment used in the pilot plant is of the conventional type, is relatively inexpensive, and was installed by plant workers, according to project officials.

"Every piece of equipment is off the shelf, nothing exotic," said Palumbo. "That's the nice thing about it. There's no problem in building such a plant." Money for the project comes from bureau metallurgy research funds.

The products that can be made from recycled waste "are limited only by your imagination," Palumbo said. Almost anything that can be made with virgin materials can be made with reclaimed materials.

Among the products that can be made from the recycled glass, Palumbo said, are new bottles, bricks that are better than bricks made from new materials, insulation, roofing materials and "glassphalt."

"I'd like to build a model demonstration house made entirely of reclaimed glass," Palumbo said. "This would include bricks, insulation, roofing and, of course, windows."

There are other benefits, not the least of which is making some inroads against pollution.

For instance, Spendlove feels recycling plants will save trees by reusing paper products, get rid of landfills, stop pollution from incinerator smokestacks and help cut down on the use of irreplaceable natural resources.

In particular, raw refuse recycling plants will help combat air pollution. "I would guess that 80 per cent of the incinerators in the country are operating in violation of the air pollution codes," said Spendlove. Raw refuse recycling plants could eliminate the need for expensive incinerators.

Project coordinator Sullivan sees the general aim of his project as one of "insuring an adequate supply of minerals and fuels at a reasonable cost. It's a shame to waste materials like this when you can reclaim 80 to 85 per cent of waste material into a potential useful form. Industry must have a continuous and reliable supply."

Supervising metallurgist Stanczyk notes that "the demand for metal is becoming greater and greater. We (the United States) mine enough lead and zinc for our own use, but we import more than we mine of the rest. We'll have to reclaim usable materials."

The lack of a market for the reclaimed materials, says Palumbo, stems largely from the fact that "no one has been able to do this before. This is the only plant of its type, and we can't produce enough for industrial use.

"If we could set up a fullscale demonstration plant in a metropolitan area," he continued, "we could make a market. For example, we could give reclaimed metal to U.S. Steel free. They would find a way to use it, and when they do, we have a market."

Palumbo added that many people are simply "turned off" by the thought of using something that someone else has already used.

"If you go to a store and see two identical coats, for example, but one says 'reprocessed wool' and the other 'virgin wool,'" he said, "which are you going to take?"

"And if you buy a bottle of Chanel, even though the bottle may cost only two cents, it had better look like \$10. We've got to convince manufacturers that people are more interested in the Chanel than in the bottle," he said.

Business may lead the way in acceptance, officials said.

"The aluminum industry is willing to accept the material back without qualification. They have made such a commitment," said Spendlove. "The steel industry has made a similar commitment. The glass industry has shown a tremendous interest in doing their part in recycling. Industry will gear itself to the problem as the materials become available."

"Perhaps the first people to recycle goods were the people in the Stone Age," Spendlove said with a smile, "when they reclaimed their arrowheads from dead animals."

Sullivan said that as a result of the pilot project recycling plants "could go into operation tomorrow. We could invite engineering firms to bid (on designing plants) now, but everyone is broke."

In spite of the economic situation, Spendlove figures that some type of full-scale recycling plant will be in use within two years. For example, Chicago is working on a plant that will recover heat for steam from the city's incinerator. And New York City is looking into the possibility of attaching a plant similar to the pilot plant to its incinerator, "but the hangup is a lack of funds," he conceded.

Spendlove said that the technical acceptance of recycling "is moving at a heck of a fast pace," but that a full-sized demonstration plant will have to be developed before recycling meets with general acceptance. And until a full-sized plant is built, profitability can be based only on "technical speculation."

"But in the long haul we'll see a tendency toward recycling, probably of raw refuse," said Spendlove. "It may be several decades, even 30 years or more. But once we get the initial start, we will see recycling plants mushroom all over the country."

#### AMERICAN PRISONERS OF WAR

### HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. JOHNSON of Pennsylvania. Mr. Speaker, today marks 7 years and 118

days since the first American soldier was captured by North Vietnamese forces.

The plight of our American POW's being held in North Vietnam is one which deeply concerns all of us. While North Vietnam ratified the Geneva Convention in 1957, it has refused to abide by its provisions regarding the treatment of American prisoners.

I respectfully urge that all sides engage in serious and meaningful negotiation for the immediate release of our American POW's, and may I respectfully remind all parties that the American prisoners or war will not be forgotten.

#### LIFE UNDER COMMUNIST TOTALITARIANISM

### HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ICHORD. Mr. Speaker, at a time when the United States is beset with so many problems and the American people are persuaded to dwell on our own Nation's shortcomings, it is very easy to forget the life of those trying to exist under Communist totalitarianism.

I was reminded of this recently when I saw a newsletter entitled "News From Ukraine", published by exiles living now in this country. These exiles have a remarkable underground throughout the world to keep them informed about conditions in the Ukraine.

For example, the newsletter takes up the case of one Valentyn Moroz, a 34-year-old historian who was convicted and sentenced last November to 14 years in a concentration camp in the Soviet Union. His crime: his writings. From 1965-69, Moroz served a 4-year sentence at hard labor on charges of producing "anti-Soviet propaganda and agitation". During his term in prison he wrote a "Report From the Beria Reserve" which documented present-day life in Soviet concentration camps.

Since his release from that first term he has turned out three more works designed to extol and, hopefully, save the Ukrainian culture from the onslaughts of communization. One of these treatises was entitled a "Chronicle of Resistance" and I would like to share with you three excerpts from this work which were introduced as damaging evidence by the Soviet prosecutors in his 1970 trial.

Actually, much of what Moroz has to say is pertinent to society in general, not merely Communist society, so it becomes even harder to understand why they found his writing so obnoxious. For instance, he writes—and I quote:

There is a new shadow emerging—the shadow of mass culture. The songs on the radio are the same on all continents. The fashions are the same in Japan and Brazil. Mass education and mass medicine are fine, but with them has come mass culture. Instead of the heaven that Utopians have promised us, there has come anti-intellectualism, alienation, dehumanization and the loss of one's roots. People are hypertrophically developing the technical functions at the

expense of the spiritual, and for some reason this is called progress. Never before has there been such an urgent need to organize and mobilize the forces of resistance and to take up arms in defense of those things which have, more than once, saved nations from losing their identity.

Would that some of our own leaders in America would fight harder to defend the greatness of the American heritage.

Moroz also offers a philosopher's insight regarding so-called cultural revolutions when he says—and I quote again:

To create traditions is just as ridiculous as to promote cultural revolutions. Culture and revolution are incompatible and conflicting phenomena. Culture represents centuries of maturation, a process which is impossible to speed up. Here any kind of revolutionary interference is destructive. You cannot create traditions. They create themselves in the course of centuries. You can herd people into a clubhouse and proclaim some idiotic holiday of swineherds or milkmaids instead of Easter, but it will never become a holiday. It will be just another kolhosp meeting with another drunken party afterwards. For a holiday there must be some spiritual meaning and an atmosphere which takes centuries to form.

Interestingly enough, when Moroz was on trial last year, the Soviet secret police rounded up all Ukrainians in the city where the trial was held who might be suspected of expressing some sympathy for the writer and placed them under virtual house arrest until the trial was completed. Even in such a police state they have no real confidence that citizens yearning for life, liberty and the pursuit of justice can be controlled by fear alone.

There is still another quotation from Moroz which is applicable to the mindless chantings of our own so-called New Left—those very same extremists who often proudly identify their aspirations with those of the Communist world. Moroz notes—and this is my final quote:

Everyone likes to criticize dogmas and this is understandable in our circumstances. But in this pleasant pastime it is somehow not noticed that today the person without any dogmas, the person who does not believe in anything, has become the major danger. Today we have nihilism—a product of mass culture. It does away with all originality and puts on everything the stamp of facelessness.

For a man who speaks such truths in today's mad, mad world, the crime of his incarceration is even more heinous.

FORREST TUCKER

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. GOLDWATER. Mr. Speaker, our Nation has been fortunate to have an exceptional group of people, who, over the years, have given our spirits a lift in good times and bad. I am referring to the entertainment industry in general, and Forrest Tucker in particular.

At the age of 51, Forrest Tucker is celebrating his 30th and most successful year in the entertainment business. In honor of this outstanding American, I

would like to tell my colleagues a little about this man. He recently completed his 99th and 100th motion pictures: "Barquero" for United Artists, costarring with Lee Van Cleef, and "Chisum" for Warner Brothers, costarring with John Wayne.

Tuck's career has encompassed every phase of show business burlesque, films, nightclubs, theater, and television. He starred in the highly rated series "F Troop" for the ABC network, still in syndication around the world, and has guest starred on all the major dramatic and musical programs. He has appeared on Broadway, and was the star of the national companies of "Music Man" and "Plaza Suite."

Tucker is one of the most outstanding amateur golfers in the country and has played in almost every major golf tournament, including the Bing Crosby Open for 20 consecutive years.

On April 25 of last year the Lambs Club of New York honored him as their Man of the Year at the annual Lambs Club Gambol.

He lives in North Hollywood with his wife, former dancer Marilyn Fisk, and their two children, Cindy and Sean.

GOODBY, ADMIRAL SMITH

**HON. DANTE B. FASCELL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. FASCELL. Mr. Speaker, it is my privilege to commend to the attention of our colleagues Rear Adm. Dan Smith who retired this month after 39 years of distinguished service in the U.S. Navy. Admiral Smith has for the past year served as the Commander of the Naval Base at Key West, Fla. His service there, while regrettably short, was marked by the honor and respect which was given him by everyone in the area and in his command. South Florida has profited greatly by his presence there and is losing a respected member of the community. While I am sorry to see Admiral Smith and his wife leave Key West, I am pleased that they will remain in Florida in Jacksonville.

Mr. Speaker, I would like to call to the attention of our colleagues an editorial from the Key West Citizen of June 30, 1971, which reflects Admiral Smith's long and outstanding career:

GOODBYE, ADM. SMITH

Rear Admiral Dan Smith retires from a long and honorable career of service to his country tomorrow, and, as he and his wife leave to make their home in Jacksonville, Key West loses two good friends.

Although Adm. Smith has been here for less than a year, he has earned the respect and liking of civilian and military alike for his leadership abilities and his friendly attitude toward everybody he has met.

In his 39 years of Navy service, Adm. Smith has experienced a broad variety of action—peacetime, hot war, cold war and all. His skills have been tested in command of ships, of air activities, of information output.

That he has proved his value to his country is attested by the many medals he has been awarded, including the Navy Cross,

Distinguished Service Medal, Silver Star, Legion of Merit, Distinguished Flying Cross, Air Medal, and Navy Unit and Presidential Unit Citations.

His term of service in Key West has, thankfully, been fairly peaceful, as seems fitting for a man of his proven stature in his autumn years. But we've always had the secure knowledge that if trouble erupted requiring involvement of the military here, Adm. Smith would be an excellent man to have in command.

Our only regret is that the Smiths' stay in Key West has been so brief, but we wish them happy days ahead and hope that they have sand in their shoes which will bring them back often to visit.

PUERTO RICO CONSTITUTION  
DAY—JULY 25, 1971

**HON. JOHN J. ROONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ROONEY of New York. Mr. Speaker, next Sunday many of my good Puerto Rican friends both here and down in their delightful island observe the anniversary of their attainment of self-government. For them the date of July 25, 1952, is one of great historical significance and immense emotional appeal. For me it is a date which always gives me great personal satisfaction and pride.

Nineteen years ago on that date it was my privilege to preside over the House proceedings which gave to the people of Puerto Rico their unique status of a Commonwealth. That day marked the successful end of months of arduous legislative work involving the close cooperation of Puerto Rican leaders for whom I developed the utmost respect and admiration, and with whom I have maintained a gratifying, intimate, personal relationship during the ensuing years.

Each year since the attainment of Puerto Rican independence and the adoption of their constitution, I have been impressed with the progress made by these fiercely independent people. The social and economic growth they have developed is truly remarkable. They have just reason to be proud of the standard of living which they have attained and the social welfare gains which they have achieved. Puerto Rico is foremost today among the Spanish-speaking peoples of this hemisphere in the high levels of schooling, the expansion of health and medical benefits, the extension of worker benefits, and in the advanced strides made in improved government organization and procedures.

Yes, Mr. Speaker, I am truly proud to have had a major part to play in the attainment of independence for the people of Puerto Rico. I am sure all the Members of this body who shared in that great legislative achievement are likewise proud and join with me in congratulating the Puerto Rican people and their dedicated leaders for their imagination, their initiative, and their devotion to truly democratic ideals.

In this day when so much of the world news is depressing and when progress

along so many lines seems to have been halted, it is refreshing to note again the continuous strides the Puerto Rican people have been making to an ever-improved economy and way of life.

May their progress be constant and may they continue to reap the rewards of hard work and patriotic devotion to the democratic ideals upon which their constitution is based.

I take this occasion to greet my many Puerto Rican friends and to pledge again my fullest support in behalf of the preservation and fullest attainment of Puerto Rican independence.

LET US HAVE A WORKABLE  
"INCOMES POLICY"

**HON. JOHN S. MONAGAN**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. MONAGAN. Mr. Speaker, it is gratifying to find that the gentleman from Arkansas (Mr. MILLS), the distinguished chairman of the Ways and Means Committee, has joined those of us who have been working for the enactment of a workable "incomes policy" to restore national economic stability by putting some control on rising prices and wages. In his speech last weekend in Ogden, Utah, Chairman MILLS stressed the necessity for implementing an incomes policy along with other measures as a means of stimulating the economy and avoiding a further downturn which could increase the national unemployment rate. Chairman MILLS' proposals are encouraging in light of the Federal Reserve Board's tightened monetary policies which are pushing interest rates up again, and President Nixon's June 29 statement in which he ruled out any tax reductions or new Federal spending to activate the economy.

On January 29, the gentleman from California (Mr. McFALL) joined me in introducing H.R. 2502, to establish an Emergency Guidance Board to set and administer a system of voluntary price and wage guidelines for certain concentrated industries and large labor organizations, and the bill currently has over 20 cosponsors from both sides of the aisle.

In my own State of Connecticut the unemployment rate stands at 10.1 percent or almost double the national average. In the Fifth Congressional District of Connecticut which I represent, the unemployment rate is 12.3 percent in my home city of Waterbury, up from 8.8 percent a year ago, and 10.6 percent in the city of Danbury, up from 5.9 percent a year ago.

The administration's hands-off "game plan" which is responsible for the economic stagnation now being experienced is creating especially severe hardship among certain groups of eligible workers. For example, the national unemployment rate for returning Vietnam veterans is 11 percent; the rate is 10 percent for blacks; 17 percent for teenagers; and 34 percent for black teenagers.

Surely, these levels of unemployment cannot be tolerated. To allow the unemployment levels to rise at the current rate, or even to permit the present situation to remain stable without acting to reverse the trend, is not learning from the lessons of the past year and indicates a disregard for the welfare of men and women who are capable and willing to work but who are jobless due to the sluggish economy.

It is apparent at this time that the President's economic advisers do not intend to take positive action to reduce unemployment and to put the economy back on an even keel. Secretary of the Treasury Connally has gone on record as favoring the current administration policy which appears to be nothing more than an economic policy without direction. He has stated that enough is currently being done to reduce unemployment. In the face of the administration's unwillingness to act it is imperative that Congress move swiftly and effectively to stop inflationary increases in prices and wages and to revitalize the national economy.

I believe the enactment of H.R. 2502, the Emergency Guidance Board bill would provide the necessary price-wage resistance at a time when the economy could very well be stimulated by tax reductions as outlined by Chairman MILLS.

ADDITIONAL NATIONAL CEMETERIES  
NEEDED IN NORTHERN CALIFORNIA

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. WALDIE. Mr. Speaker, I am introducing legislation that will authorize the Secretary of the Army to establish a national cemetery at Camp Parks or Port Chicago, Calif.

At the present time, all national cemeteries in California are filled to capacity and have been designated as inactive. It is disgraceful that California with its large veteran population is without a single active national cemetery.

In the past, efforts were made to bury deceased veterans in cemeteries as close to the places where they lived and where their families continued to live. This is becoming increasingly difficult. Veterans from northern California must be buried at cemeteries as far away as Portland, Ore. This is a hardship on the families of veterans both monetarily and emotionally.

Port Chicago, one of the proposed sites, is located in the eastern section of Contra Costa County. This town, acquired by the Navy in 1969, is being used as a safety buffer zone for the Naval Weapons Depot Station in Concord.

According to Rear Admiral Mark Woods, USN, commander of the Naval Ordnance System Command:

The concurrent use of this land as a cemetery and a safety buffer zone is feasible.

My legislative proposal includes consideration of Camp Parks, an inactive

military facility which borders the Eighth and Ninth Congressional Districts in California, as a potential national cemetery.

CAPTIVE NATIONS WEEK—  
12TH ANNIVERSARY

**HON. JOHN B. ANDERSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, we here in America have recently celebrated the 195th anniversary of the birth of a free nation. While we celebrate and enjoy our many freedoms there are 1.1 billion people in over 25 nations who are being denied their basic human rights. These nations, all under Communist domination, are the captive nations of the world.

For years we have watched as the Soviet influence has grown into Soviet repression. In each of the 25 captive nations the people have been jailed, committed to asylums, or sentenced to hard labor for exercising freedoms we all too often take for granted. Each day the citizenry faces the stark border zones, the minefields, the barbed-wire barricades, the armed guardtowers, and watchdogs, all of which combine to create for them a nationwide concentration camp.

Yet despite these realities of Iron Curtain life, the hopes of these people to break through their physical, moral, and spiritual enslavement is still very much alive. The most effective way to gain new freedoms for these people now is by increased pressure on the United Nations and through pressure on individual governments to help them gain their inalienable right of independence.

I urge the President and my fellow colleagues to implement the captive nations resolution by bringing these atrocities of human denial to the attention of the entire world. Public opinion is an effective force. In the name of humanity it can restore to the captive peoples their human rights.

Mr. Speaker, this year I celebrated what was for me one of the most meaningful and unusual Independence Days within my own personal recollection. I was in my congressional district in Illinois on the Fourth of July, and in the forenoon of that day received a telephone call that Laszlo Marton, his wife, and 6-year-old daughter had escaped from Hungary the previous week and were scheduled to arrive that very evening in Chicago from Italy. I canceled some plans I had made previously to address a Fourth of July rally in another part of my district and hurried to Chicago to offer any possible assistance to this family as they made their way to the gates of freedom in our country. When they arrived they, of course, asked for political asylum, and were given conditional entry into our country pending a decision on this application. I will never forget the tears of joy and relief that flooded down the faces of these refugees of Communist

tyranny as they realized at long last they had achieved the impossible dream of coming within the warm embrace of friends and relatives who live under a democratic system of government.

Mr. Speaker, I am appending to these remarks a very excellent account of this event by Barbara Lonnberg of the Rockford newspapers entitled "A Nation Celebrates Its Birth; One Family Its Hard-Won Freedom."

**A NATION CELEBRATES ITS BIRTH; ONE FAMILY ITS HARD-WON FREEDOM**  
(By Barbara Lonnberg)

One Hungarian family and two American families celebrated the 4th of July holiday by proving that love and ingenuity can still conquer fear, police states and border guards.

Three members of the Laszlo Marton family escaped from Hungary last week and Sunday evening arrived in Chicago via Yugoslavia and Italy.

Monday they celebrated their new-found freedom with the traditional American turkey dinner at the home of Marton's cousin, Mrs. Eva Williams, 4884 Brook View Road.

Mrs. Williams' brother, Karl Igloi, formerly of Rockford, who engineered the escape told the story for the Martons who do not speak English:

Igloi, his sister and parents escaped from Hungary in November of 1956 during the revolution. Several years earlier, Marton—at the time unmarried—attempted to leave the country with seven other university students. They were betrayed, and when they arrived at the airport in Budapest the police were waiting for them.

All were sentenced to prison terms, Marton served 4½ years in a labor camp.

The Marton and Igloi family had lost contact in Budapest during the revolution and had not communicated since then.

Then, in March of this year, Igloi and his wife, Kiri, who live in San Francisco, went to Hungary "on a personal holiday but with a vague idea to see if we could locate any relatives."

They found Marton, his wife, Erzsebet; son Peter, 14, and daughter Marta, 6. "They were in Budapest operating a grocery store for the government. Laszlo was classified as a political unreliable. They were living in poverty and fear," said Igloi.

"There was no hope or opportunity for them—no future for their children. We re-established the family relationship and sense of responsibility. They are here now because we willed it," he said.

The Iglais and Martons began formulating plans. "When you walk in Hungary and talk with someone, you constantly look over your shoulder. All Laszlo's mail was opened so we had to talk directly. Every room in our hotel was bugged with hidden microphones. The safest conversation we had was when we drove rented cars," related Igloi.

The Martons arranged to have Peter "vacation" with the Williamses in Rockford for the summer, Igloi explained, "The authorities were sure Peter would come back because his father would be returned to prison if he didn't."

Peter was not told his parents would soon try to follow him. "But his friends asked him if he was going to stay here and they told him he should," said Mrs. Williams.

Thursday, about a month after Peter's arrival, Igloi traveled back to Eastern Europe, this time to Yugoslavia to meet the Martons and their daughter in the resort city of Rijeka. He carried with him falsified documents they all hoped would satisfy Yugoslavian and Italian border guards.

"Hungarians may travel to other Communist countries, provided they leave a member of the family behind. The Martons had three permits left over from the year before. We counted on the fact that the bureaucracy is so complex. They were not aware that the

other child was in the United States," said Igloi.

He and the Martons left Rijeka and traveled to the Italian border by automobile. As border guards inspected their documents, Marton said later, his heart was pounding.

Igloi said, "We've been confident since three months ago we could do it. But right there, I was just as scared as they were."

Previously, the families had decided not to reveal themselves to Italian authorities. "It would have taken two months to get through a mess of bureaucratic red tape, during which time they would have had to live in a camp," said Igloi.

In Rome he telephoned the Williamses, telling them which flight they were arriving on. After Igloi's departure and until his call, the Williams family "just sat here and shook," said Mrs. Williams.

Williams began telephoning attorneys and U.S. Rep. John B. Anderson, R-Rockford. Anderson cancelled his plans to speak at Stockton holiday festivities and joined the local family at Chicago O'Hare airport.

"With his help, we got through customs and immigration in 25 minutes. I think we were finished before the regular passengers," Igloi said. The family has asked the government for political asylum.

With his cousin translating, Marton said, "I became terribly relaxed. We stepped off the plane and the fear was gone. There's no threat here, no sense of insecurity."

The Martons plan to stay in Rockford. "I just want the opportunity to work hard for a happy home and life without fear," said Marton.

"The overriding reason they wanted to get out of Hungary was to have a better life. Both Laszlo and his wife were working 10 hours a day, but there, unless you're connected with the party, you never get ahead. They lived in a tiny place and ate potatoes and cucumbers for dinner—meat, if they were lucky, twice a week," said Mrs. Igloi.

Peter already is thoroughly Americanized, according to Mrs. Williams. He looked it, as he sat carefully listening to the English conversation, dressed in striped bell-bottom pants.

Six-year-old, blonde Marta scrambled from lap to lap and played with the two Williams' children and ignored the "language barrier."

"To Marta, we might be in the next town from Budapest," said Mrs. Williams. "She doesn't realize she's 6,000 miles away."

#### SUBVERSION AND VIOLENCE ON EVERY CONTINENT

### HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. ICHORD. Mr. Speaker, I rise to address this House with a heavy heart.

Throughout the world, leftist terrorism continues to plague those who want to be free and to remain independent of Communist totalitarianism. There seems to be no end to subversion and violence on every continent.

The latest incident involves two of my fellow Missourians, Mr. and Mrs. Paul Potter of Marshfield, Mo. They were Baptist missionaries who had devoted a good portion of their lives to helping people to educational opportunities.

Often we hear the glib suggestion that it is not of our concern what happens to the people of other countries. Mr. Speaker, the name of the game in Communist

conquest is atrocity and no self-respecting citizen can find any solace or comfort in the knowledge that innocent people are being or will be brutally tortured and destroyed wherever Communist terrorism occurs.

I insert the account of the murder of Mr. and Mrs. Potter in the RECORD as a chilling remainder to us all that the free world is in a grim battle of survival at every level of society and no one is immune from the danger posed by leftist extremists today:

[Washington Daily News, July 8, 1971]

#### TERRORISTS KILL TWO MISSIONARIES

**SANTO DOMINGO.** (UPI)—An American Baptist missionary couple were beaten and slashed to death at their home in Santiago de los Caballeros early yesterday by suspected terrorists.

National Police said Paul Potter, 39, and his wife, Nancy, 36, of Marshfield, Mo., were found by their son, David, 10.

The couple ran a Baptist school in Santiago, 110 miles north of Santo Domingo and had established four churches on the island.

The family, including Susan, 12, had returned to the Dominican Republic eight days ago after spending a year in the U.S. They had been here four years previously.

The killers apparently broke into the house thru a kitchen window, police said. They are holding a maid, identified only as Nedreyda, for questioning.

Police said the Potters' station wagon was smeared with anti-American slogans. Some drawers in the house had been ransacked but nothing appeared to be missing.

The American embassy said U.S. officials were also conducting an investigation.

Mrs. Potter's parents, Mr. and Mrs. Francis Roper, of Marshfield, left yesterday to bring the children back to the U.S. They said the bodies of the slain couple would be brought to Marshfield.

#### ILWU EMPLOYERS AND UNION LEADERS SHOULD NEGOTIATE DIFFERENCES

### HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1971

Mr. PELLY. Mr. Speaker, the strike of the ILWU on the west coast which began July 1 is causing costly congestion, artificial price increases, and doing irreparable economic damage to labor business, and the general public, already suffering from high unemployment. As I understand there are not even bargaining sessions going on.

Meanwhile, the Secretary of Labor and the administration take the position that the Government will not interfere with collective bargaining.

Mr. Speaker, I am not familiar with the differences, although I am told both sides to this dispute are far apart. So while I am not taking sides I do say there should be no delay in the process of collective bargaining. The public interest demands an early settlement, but if there are no bargaining talks how will there be a settlement?

I am communicating with the leaders on both sides, strongly protesting the delay and urging an expeditious settlement in the interest of the public.