

## EXTENSIONS OF REMARKS

TESTIMONY OF DR. JAMES F. HAMMARSTEN ON H.R. 10681 AND S. 1828

**HON. CARL ALBERT**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ALBERT. Mr. Speaker, on September 29, 1971, Dr. James F. Hammarsten, professor of medicine at the University of Oklahoma and a board member of the National Tuberculosis and Respiratory Disease Association, appeared before the Subcommittee of Public Health and Environment of the House Interstate and Foreign Commerce Committee to testify on H.R. 10681 and S. 1828, proposals now pending before that committee.

These bills have the objective of increasing the national effort to conquer cancer and other major diseases through increased research. The substantive information contained in Dr. Hammarsten's report is impressive. He has provided some fairly astonishing statistics about major diseases, at least astonishing to laymen who are apt to be only generally aware of what is happening in the health field. Dr. Hammarsten has provided not only information, however, but well-based recommendations which, in gist, point to the urgent need for a broad and coordinated research program to provide the proper foundation for preventive medicine, diagnosis, and treatment as well as expansion of programs to provide necessary supportive medical personnel in nursing and technical fields. I think Members will find Dr. Hammarsten's comments will give them an overview of the medical situation involving major diseases in this country and perhaps enable them to make a better informed judgment when pertinent legislation comes to the floor of the House for consideration. Dr. Hammarsten's statement follows:

STATEMENT OF THE NATIONAL TUBERCULOSIS AND RESPIRATORY DISEASE ASSOCIATION, TO THE SUBCOMMITTEE ON PUBLIC HEALTH AND ENVIRONMENT OF THE HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, ON H.R. 10681 AND S. 1828

(Testimony presented by James F. Hammarsten, M.D., board member, professor of medicine, University of Oklahoma)

The NTRDA is pleased to be invited to present testimony on H.R. 10681 and S. 1828, proposals now before this Committee.

The significant thing about both H.R. 10681 and S. 1828 is that they recognize that the research attack on major diseases should be increased significantly. At the same time that attention is given to the needs for health manpower and medical care services, it is essential that the research base for better methods of prevention, diagnosis and treatment of these major diseases be nurtured. Between 1967 and 1971, support for NIH remained almost stationary. The increase for the 1972 fiscal year will do little more than enable NIH to compensate for the inflationary inroads of the past five years.

The United States has become the acknowledged leader in biomedical science largely as a result of the program of the

National Institutes of Health supported by Congress. Our people have benefitted enormously from medical discoveries of both the intramural program of NIH and of the outside medical research community supported by NIH programs. Advances in prevention, diagnosis and treatment are especially important today because they can lessen the growing burden of medical care.

The drugs used in the prevention and treatment of tuberculosis, which have revolutionized tuberculosis control, are an example in our own field. They have made possible the widespread outpatient treatment of a disease which formerly could be cared for only within expensive institutions. Today there are 24,000 beds for tuberculosis compared with more than 45,000 only five years ago. Outpatient care made possible by new drugs brought about most of this reduction; the numbers of people needing treatment have not declined at that rate.

**THE MAJOR DISEASES**

S. 1828 reflects the concern of Congress with the toll taken by cancer, an insidious and major disease, and as such is a commendable effort to reduce that threat. However, it is important to remember that our efforts must be directed primarily at the causes of disability and premature mortality. Heart and lung diseases, in combination with stroke, account for the major losses in manpower days, and cause the premature death of the greatest number of people. Cardiovascular diseases are the first, and emphysema the second cause of disability, for which workers are retired prematurely under the Social Security program. Benefits to workers and their families who are on disability rolls because of some form of respiratory disease are estimated to approximate \$400 million annually. If black lung benefits are included, this total exceeds half a billion dollars.

Disability from cardiovascular and pulmonary conditions is often prolonged and can therefore very expensive. Emphysema patients can survive for long periods of time but in such a disabled state that they are hardly able to do more than struggle to breathe. The President's Commission on Heart Disease, Cancer and Stroke noted that about 8 out of every 10 stroke victims survive the acute initial phase of the disease, most of them living for some years thereafter, often in a seriously disabled condition. These victims account for a large proportion of nursing home populations.

Obviously if we could obtain more knowledge of how to prevent these various conditions or substantially reduce their disabling effects, it would have vast benefits for the overtaxed medical care system. Therefore we would like to record our approval for what seems to us to be the general objectives of H.R. 10681—advancing the national research programs carried on by the National Heart and Lung Institute, the National Cancer Institute, and the National Institute of Neurological Diseases and Stroke.

It seems to us that the responsibilities of Congress are to provide to the National Institutes of Health the dollars, the personnel, the contractual and administrative mechanisms whereby the potentials of medical research can be achieved.

We would like to record our opposition to removing from the NIH administrative framework a single major disease program as proposed in S. 1828. In May 1971 our organization went on record to this effect:

"The Administration proposal for a new initiative for cancer research is applauded. The NTRDA is deeply concerned about the increase in prevalence, mortality and morbidity from lung cancer. Studies on the eti-

ology, pathogenesis and therapy of cancer are urgently needed. These studies will require basic and clinical research with the involvement of scientists from many disciplines. We believe that such research can best be accomplished under the auspices of the National Institutes of Health.

"Now, therefore, the NTRDA resolves that the new cancer effort should be under the direction of the National Cancer Institute and included as a program of the NIH."

It was with gratification that we finally saw the expansion of the authority of the National Heart Institute to encompass pulmonary conditions in a discrete program late in 1969. Because of the recency of increased efforts, it is still far from an adequate program and, unfortunately, many years behind what it should be.

The delays in giving to the respiratory disease problem attention commensurate with its importance as a disabling condition have caused great hardships for patients afflicted with these conditions. Resources for the diagnosis and care of these people are extremely limited.

Research in the causation of chronic obstructive lung disease needs to be greatly increased for there is little that can be offered in preventive programs at the present time. The needs in training are equally urgent. In June 1970, a survey of medical authorities attending a meeting at NIH showed that of 72 medical schools represented, 48 had a total of 85 unfilled funded pulmonary disease faculty positions. The situation with regard to nurses and technicians is even more distressing.

A recent survey by the Regional Medical Programs Service showed that almost 30 percent of all short-term general hospitals lack mechanical respirators, a basic therapeutic service for persons with respiratory insufficiency. Much of the lack in respiratory disease services is due to the deficiency in trained manpower.

It is essential that diseases of the lung have a significant role within the National Heart and Lung Institute and that coordination of the various Federal agencies involved with lung disorders finally take place. Federal responsibility for the Occupational Safety and Health Program and the Coal Mine Safety and Health Program, both of which are in early operational stages, make this more urgent than ever; a high proportion of occupational hazards are those affecting the lung. The need for coordination within NIH proper is demonstrated by the fact that research in lung cancer, a major cause or mortality, is handled by the National Cancer Institute.

Epidemiological research should be given full attention in the pulmonary program being developed by the National Heart and Lung Institute. The NHLI has authority to conduct such work but it has not been fully utilized in the expanded pulmonary program. Emphysema is one of the nation's most disabling illnesses, yet the causes are still so obscure that the disease needs extensive epidemiological study as well as study within the laboratory and within the clinical setting.

There is also a need for community projects to demonstrate the clinical application of knowledge gained through research. This need, which has been critical for years, was beginning to be met in a minimal fashion by the Chronic Respiratory Disease Program when it was disbanded in 1969 as part of the Administration's dissolution of categorical disease programs in the Department of HEW.

Present plans of the National Heart and Lung Institute for pulmonary disease study are ambitious. However, we believe that the

proposals for new and expanded activities will be realized only if overall support for the Institute is of a degree to allow this expansion without jeopardizing the heart program, which, by tradition, has been the major interest of the Institute. H.R. 10681, if it were revised to include specific and expanded authorities for the National Heart and Lung Institute, would permit the Institute to accomplish a comprehensive lung program.

#### CONCLUSION

We welcome additional attention to the research area, for it is only through the results of research that many of our medical problems will be alleviated. Emphasis on the illnesses which cause most of the disability and premature death in our population is surely a logical priority in any expanded research effort.

#### AMERICAN MEDICINE

### HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CORMAN. Mr. Speaker, the fallacy of those who would justify the status quo in health care in the United States by pointing to the defects of health systems in other nations, has been exposed once again.

Despite the distress shown recently by American Medical Association President Wesley Hall, M.D., at the "tragic" health care afforded British citizens under their National Health Service, the facts mock his tears. Writing in the New York Times, Anthony Lewis points out that in every one of the seven leading causes of death, the British death rate is lower than the American. In maternal and child care, the British enjoy a greatly lower death rate than in the United States.

Lewis acknowledges:

At its best, American medicine is superb.

The trouble is, he says, too few Americans get the best:

That is why the United States is down farther than might be expected in world health tables, not only in comparison with Britain.

Lewis then notes that in infant mortality, for example, a 1969 United Nations report showed 22 countries with a lower rate than ours.

As the Ways and Means Committee begins its public hearings on the many health proposals pending before Congress, we would do well to recall Lewis' admonition that—

What needs to be changed is the system of delivering medical care to the individual American. It is, as a British medical writer put it, "a desperately inefficient as well as a heartless way of bringing the benefits of modern medicine to the population: despite its wealth the health of America is poor."

Mr. Speaker, the article follows:

PHYSICIAN, HEAL THYSELF—I

(By Anthony Lewis)

LONDON, October 1.—Wesley Hall, M.D., the president of the American Medical Association, visited Britain last summer and went away distressed. He observed the National Health Service in a small mining town in Scotland and found it so bad that Americans would never tolerate it.

"The people over there don't know any better," Dr. Hall told the National Press Club in Washington on his return. "It is tragic."

Before Americans shed too many tears for the health of their British friends, it seemed wise to look at a statistic or two. The result of this check shows that Dr. Hall is faithfully maintaining the A.M.A.'s well-known reputation for accuracy and fair-mindedness.

Infant mortality is one widely accepted test of a society's standard of health. In 1969 the rate in Britain per 1,000 live births was 18 infant deaths; in the United States, 20.7.

Then there is the maternal death rate. In Britain the 1969 figure per 100,000 births was 19, the American 27.4.

Not only are those British figures significantly better today. They were achieved, over one generation, from a starting point much worse than America's. In 1945 the infant mortality rate was 46 in Britain, 38 in the U.S. The maternal death rate was an appalling 1,260 in Britain, 207 in the U.S.

That generation is the one during which the British National Health Service, the system of tax-supported medicine for all, was created and grew up. Of course that is not the only reason for the spectacular changes in the figures. But it is certainly not irrelevant that the British standard of infant and maternal survival caught up with America's, and passed it, precisely during the years of the Health Service's development.

Outside the maternal-infant area, Britain publishes death rates for men and women from a number of diseases. A table published in Social Trends, a statistical annual, uses the 1950-52 average as a base of 100. If the rate is up by 10 per cent in a later year, for example, the table would show 110.

Seven leading causes of death were chosen completely at random for comparison with American trends: respiratory tuberculosis, diabetes, arteriosclerotic heart disease including coronary, hypertensive heart disease, influenza, pneumonia and bronchitis. With the same 1950-52 base as 100, these were the U.S. and British death rates for men in 1967, the last year available:

	U.S.	Britain
Tuberculosis.....	25	15
Diabetes.....	150	112
Arterio.....	160	158
Hyperten.....	55	40
Influenza.....	20	9
Pneumonia.....	135	118
Bronchitis.....	253	91

In every one of those randomly selected categories, then, the British figure is lower: the death rate has risen less since 1950-52 than the American, or fallen farther. A similar table for women shows exactly the same phenomenon, except that the British figures are comparatively even better.

Now there naturally may be many causes for the comparative death rate trends. American pollution could be growing worse faster, or family tensions increasing. But not even the sophists of the A.M.A. could read those figures to prove that Britons get inferior medical care.

Dr. Hall should stop shedding tears for the British and start worrying about the real problem. That is the inadequate medical care provided in the richest nation on earth.

At its best American medicine is superb, as British doctors often admiringly remark. But too few Americans get the best. That is why the United States is down farther than might be expected in world health tables, not only in comparison with Britain. In infant mortality, for example, a 1969 United Nations report showed 22 countries with a lower rate than ours.

The characteristic, generous answer to such evident national failings is to spend more money. But we know by now that in the medical field that alone is no solution. The

United States spends about 6.9 per cent of its gross national product on health and medical care, Britain only 4.9.

What needs to be changed is the system of delivering medical care to the individual American. It is, as a British medical writer put it, "a desperately inefficient as well as a heartless way of bringing the benefits of modern medicine to the population: despite its wealth the health of America is poor."

#### HEART THEORY UP IN SMOKE?

### HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. FUQUA. Mr. Speaker, the Washington Evening Star carried an interesting newspaper article this weekend. It was a small article about the thoughts of one heart physician who said that he felt that the stress and strain of modern life continues to be the cause of heart attacks among physicians.

His thoughts again brought to mind the unfairness with which some elements have attacked the tobacco industry.

Here is what the article, written by Delos Smith, has to say:

STRESS CALLED VILLAIN: HEART THEORY UP IN SMOKE?

(By Delos Smith)

NEW YORK.—Dr. Henry I. Russek, a heart specialist, used to tick off the advances of the last 20 years in preventing and treating coronary heart disease—until he reminded himself of a shattering fact.

The fact is the disease disables or kills as many Americans as ever. That realization gave him pause, he says. In his view it raises this question: "Are these 'advances' therefore inconsequential, or has progress been counterbalanced by the growth of etiologic (causative) influence about which we have done or can do little?"

The advances are important, he concluded, but paralleling them have been the intensifying stresses of day-by-day living. For example, take hardening of the arteries which is the underlying cause of coronary heart disease.

In underdeveloped countries, it is seen only in aged persons, the consequences of their many years. But in U.S. society, it arises almost as a childhood disorder, he said. And no wonder, when you look at the pressures put on children by their educators and the system of "unrelenting competition," he said.

As for the association of cigarette smoking with an increased proneness to coronary heart disease, "It is well known that stress results in compulsive smoking in many persons as compensation for anxiety," he said.

"Even the statistical relationship between smoking and coronary heart disease may reflect the importance of emotional stress rather than cigarettes per se."

Because of reports that 100,000 American doctors have given up smoking, he has checked the obituary notices in the Journal of the American Medical Association for 16 years. He was "disappointed," he said, by the discovery that doctors still die of heart attacks at the same ages. Many have given up smoking but few have given up stressful living.

Russek is senior attending cardiologist at St. Barnabas Hospital in New York and a professor at Hahnemann Medical College, Philadelphia. He made his observations in the medical journal, "American Family Physician."



REPORT FROM CONGRESSMAN  
ED ESHLEMAN

## HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ESHLEMAN. Mr. Speaker, I have just recently sent my constituents a newsletter. I am including the contents of that newsletter in the RECORD at this point:

## REPORT FROM YOUR CONGRESSMAN

ED ESHLEMAN

## Going to China

Although no one should hold any illusions about the President's trip to Red China ushering in an era of peace and good will between our nation and theirs, it is possible that a shift in the international order could result from this trip. There is no doubt that there is less chance for peace so long as one of the world's major powers remains largely outside the world community and hostile towards it. The President's trip to Peking may do little to make the Red Chinese friendlier to us, but it is almost certain to result in mainland China making more effort to rejoin the world. And that effort at least should enable us to know our enemy somewhat better.

## Foot-draggers philosophy

Congress has been dragging its feet on major Nixon Administration proposals for nearly three years. You almost get the idea that the Congressional leadership has adopted the thinking of a British philosopher who once said, "There is no fun in having nothing to do; the fun is having lots to do and not doing it."

## It's a fact

During my recuperation, I've been doing a good deal of reading. In the book, *The Real Majority*, I ran across this bit of political logic which makes some sense. "The average electorate is un-young, un-poor and un-Black; but this does not mean they are anti-young, anti-poor or anti-Black. To illustrate: Women's suffrage was voted in by men. They were un-female but not anti-female."

## Job opportunities

Since school let out in June, dozens of young people have visited my offices hoping that I might be able to help them in finding a job. The employment situation is tight for new graduates, and we have tried to aid them where we could, but in many cases I'm afraid that our sources have been pretty discouraging too. However, the Department of State has asked me to inform my constituents that they have career opportunities available in the Foreign Service. Of course, these are highly competitive positions and the four part examination procedure is known for its rigorous nature. But, opportunities are there, and for qualified persons, they are very exciting and challenging opportunities.

## Just supposing

What if you woke up one morning to find the following things had happened overnight: All paychecks slashed seventy-five percent. Forty million television sets destroyed. Fourteen out of every fifteen miles of paved road torn up. Sixty million Americans transferred back to farms. Sixty percent of our steel-making capacity abandoned. Two-thirds of our petroleum industry discarded. Nineteen out of every twenty cars junked. Two out of every three miles of railroad track torn up. Nine out of every ten telephones ripped out. And seven out of every ten houses torn down. On that morning the United States would be the equal of the Soviet Union. The point is simply that we must be doing something right.

## Worldwide inflation

The chart at the left shows (chart not printed in RECORD) that inflation is a problem in every major industrialized nation of the Free World. In fact, it shows that our problems are not as severe as those of some of our friends. To point out that misery has company does not take away from the seriousness of our own situation, but it does help show why President Nixon's economic initiatives needed to have international as well as national ramifications.

## Seasonal statement

The scene is a living room where a man stands with his hand on a TV knob. The statement is directed toward his wife. "Helen, do you have anything to say before the football season starts?"

## Big Year for schools

To hear some of the testimony before the Education and Labor Committee, one would think that our schools are operating at almost a pauper level. The public often is led to believe that education is not getting its fair share of the tax dollar. There is no doubt that we should find all the money we can to invest in our children's future, but the fact is also clear that we are already spending record amounts on our schools. The Department of Health, Education and Welfare points out that during the school year that just began, Americans will spend \$85 billion on the education of 60.2 million students. That is a new record high and an increase of \$7.5 billion over last year.

## Modern message

To err is human, but only a computer can foul things up royally.

## SOME THINGS I'VE BEEN SAYING

## About profits during the freeze

The only way that big profits can be made during a freeze is to substantially increase productivity. And substantially increased productivity means more jobs. Therefore, the profit incentive during a freeze period should not be limited because the end result is more jobs for an economy in need of more jobs. Radio Program—September 14, 1971

## About the Supreme Court

Probably one of President Nixon's main contributions will be his appointments to the Supreme Court. Several speeches since 1969

## About the President and Congress

President Nixon, perhaps more than any other Chief Executive, has attempted to meet the times we live in by reforming Government. He recognizes that our Federal system has operated for decades with rigid procedures that do not work well in our swift-changing society of the 1970s. But the President's recognition of the problems and his proposals for reform have had no apparent effect on Capitol Hill. The reforms are meeting with delay, are being ignored, or are being twisted into programs that do not fill the bill. The impression of many observers is that the majority of Congress is unwilling to act even in areas where action is greatly needed. Newspaper Column—August 11, 1971

## About teacher pay raises

I would have to agree with ruling out all salary increases during the 90-day period. However, I believe there is an alternative in the case of educators since their contracts are based on annual compensation. If raises are not paid during the freeze period, I believe that the extra money that would have been paid should be granted retroactively at the end of the freeze. In other words, the total obligation of the annual contract should be fulfilled even though the increased wages are not paid during the 90-day freeze. Letter to a constituent—August 24, 1971

## About welfare

It's significant, I think, that some welfare belt-tightening can result in reducing the welfare burden. This is not belt-tightening

which deprives the needy of life's necessities. It is belt-tightening which recognizes that not everyone who claims to need welfare really does. There are some people who could make do on their own if there was not the easy route of welfare available to them. Those people should be cut off the welfare rolls not only for the good of society but for their own good, too. Radio program—August 3, 1971

## About Vietnam

Just because we are sick and tired of war does not mean that we can walk away from it without paying an exorbitant price. Modern diplomatic history reveals that we have veered between seeking our national security in alliances or seeking it in isolation. Isolation avoids such early involvements, but often at the cost of facing large-scale conflicts under more unfavorable circumstances later on. Letter to a constituent—August 26, 1971

## Dollars for deficits

In the time it takes to read this item, the interest on the national debt will total another \$10,000. Interest takes a dollar out of every ten collected in Federal taxes. This situation gets worse and worse as the Government rings up more and more in budget deficits. And the hugeness of the figures involved helps explain why I oppose the deficit concept—whether it's Democrat or Republican in origin.

## To tell the truth

A few weeks ago comedian George Jessel was thrown off NBC-TV's "Today Show" for suggesting that two newspapers—the *New York Times* and the *Washington Post*—were indistinguishable from the Russian newspaper *Pravda*. Jessel's statement, meant in jest but taken seriously by the network, caused quite a commotion for a couple of days, and both the *Times* and the *Post* refused to comment on it. However, *Pravda's* New York correspondent did comment, and what he had to say should be noted, I think, particularly in light of *Pravda's* two-day delay in reporting something as non-controversial as the death of Nikita Khrushchev. Said he, "Why, there is a big difference between the way you publish the news and the way we do it." And that's no joke!

## Welfare here and there

In New York City the first welfare recipient put to work under a "no work or no check program" was asked by a TV reporter why he hadn't been able to find a job before. "Well," he answered, "I wasn't looking." In Philadelphia, the police raided the home of a suspected drug pusher. In his \$235-a-month apartment they found thirty suits, 135 shirts, eighteen pairs of shoes, purchase papers for an \$8,500 Cadillac, enough narcotics to indicate that the suspect was doing a \$10,000-a-week business, and an uncashed \$69 check made out to the suspect. You guessed it—the check was a welfare payment. And then back in New York City, the taxpayers footed the bill for a family, whose apartment burned out a year and a half before, to live in a downtown hotel at a cost of \$469 per week. In all, the bill came to more than \$47,500 which is a lot more than most of us paid for our own homes. Each of these cases represent the abuses of the present welfare system which make it so unacceptable to the vast majority of Americans.

## Bureaucratic boo-boo

The Postal Service came up with a gem recently when they instructed employees applying for end-of-service awards that the requests should be put in "three weeks prior to death or retirement."

## Economic footnote

Activity in the construction industry often indicates the state of the Nation's economy. New housing starts hit a record high in August for the second straight month, a good sign that an economic upswing is in the offing.

HON. WILBUR MILLS ADDRESSES  
THE GREATER BOSTON CHAMBER  
OF COMMERCE

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, it was my privilege to accompany the chairman of the Ways and Means Committee, the Honorable WILBUR D. MILLS on his recent visit to Massachusetts. It was probably the chairman's first visit of any length to the Boston area since his days as a student at Harvard Law School. Everywhere he went, the chairman met with overflow crowds and a degree of enthusiasm totally out of keeping with the reputation New Englanders have for being reserved. During his visit the chairman touched base with every major group in Massachusetts including receptions with the leaders of organized labor, the political leaders of the Commonwealth, and the leaders of finance and industry. The highlight of his visit was two major addresses: One at noon to the Greater Boston Chamber of Commerce and the Tri-Community Chamber of Commerce in Dudley, Mass. in the evening. In view of the fact that the luncheon at the Greater Boston Chamber of Commerce produced the largest turnout in recent memory, I thought it would be worthwhile to include in the RECORD at this time the remarks of the chairman delivered on that occasion. I do this out of a conviction that quite apart from the honor accorded Boston with the chairman's visit, the message itself is one of extreme importance to a nation beset with the gravest economic problems since World War II.

REMARKS OF THE HONORABLE WILBUR D. MILLS  
BEFORE THE GREATER BOSTON CHAMBER OF  
COMMERCE, BOSTON, MASS., SEPTEMBER 24,  
1971

I am always happy for the opportunity to come back to Boston. I must confess that the trip to Boston is much shorter than it was years ago when I traveled from Hendrix College to Harvard Law School. The years that I spent at Harvard gave me a lasting appreciation for the historical setting which is Boston—the Boston Harbor, the Charles River, the Commons, and the many other landmarks which bring very close the realization that the spirit of liberty and freedom we cherish as Americans had its beginning here. I wish I had the time to renew my memories of this area by taking advantage of the New Freedom Trail. However, time does not permit. Next best are the arrangements that have been made for Mrs. Mills to make the trip, and I am sure she will give me a full report.

In considering Boston's historical precedents, its many fine institutions of higher learning, its role of a premier center for medical research and treatment, its manufactures and its trade and distribution facilities, as well as its ocean port facilities and the Logan Airport, one realizes that the phrase "the hub of the universe" as it applies to Boston, yesterday and today, contains at least as much truth as poetry.

If you will permit a few more very personal comments, I would like to mention the close personal friendship I have enjoyed with many of the government officials from Boston and Massachusetts. I, of course, cannot fail to mention Speaker McCormack with

whom I have shared a deep personal friendship over the years, and whose service in the Congress is ever an example of what integrity and devotion to duty really mean.

Having served under a number of Presidents, I can only say that there is none whom I admired more or enjoyed a more warm personal friendship with than President John F. Kennedy. I am sure, too, that Governor Herter holds a special place in the hearts of the citizens of Boston. I can assure you that those of us in Washington who worked with Chris Herter in all his various capacities in government came to hold him in the same esteem.

Indeed, the national leadership that has been provided by citizens of Massachusetts in the Congress and in the Federal Government is well recorded in the history of this country. I would observe that the present Massachusetts Delegation in the House upholds this fine tradition.

I do not have the time to mention each and every Member of the House from Massachusetts and to note their own unique contributions to the work of the Congress. However, neither could I afford not to, nor would I fail to single out my colleague, the Honorable James A. Burke, who is third ranking majority member of my own Committee on Ways and Means. Not only are Boston and Massachusetts fortunate to have Jim Burke in the Congress, but, based on experience, I can tell you that in Jim Burke, all of New England has an effective spokesman for the economic interests of this area.

The same is true of my good friend, the Honorable Thomas P. "Tip" O'Neill, who in this Congress was duly recognized as a real leader in the House by his election to the position of Majority Whip. Suffice it to say that the whole Massachusetts Delegation in the Congress does a fine job in representing the interests of their own constituents and those of the entire State in their work in the Congress.

When one does have the opportunity to get out of Washington to visit the cities and countryside and to meet with the people, one is reminded of the real purposes of those peculiar institutions which occupy so much of our time in Washington. The Committee on Ways and Means with its jurisdiction over tax legislation and, in addition, social security and welfare, and tariff and trade legislation, is constantly confronted with many of the major issues facing this nation and its citizens.

After many months of deliberation on the maze of welfare systems which have become more and more burdensome to the taxpayer as they have become more complex, the Committee on Ways and Means reported and the House passed the Social Security Amendments of 1971. Despite the delay recently suggested by the President on the welfare reforms contained in that bill, I am hopeful that the Senate will act on this measure since the needs with which the bill deals still exist.

Long a major international port, and a gateway to the whole Northeast marketing community, Boston and its economy have a great stake in the sound expansion of international commerce. Needless to say, the new challenges that this country faces in searching for the right mix of trade and monetary policy to keep pace with a dynamically changing world economy were demonstrated in the deliberation of the Committee on Ways and Means on the trade legislation last year. These concerns reached a new dramatic level in the actions stemming from the President's address of August 15. I would like to return to this area of trade a little later.

As to the Committee's concern with tax policy and economic conditions in general, we have for the past two weeks been engaged in both public hearing, and in executive sessions on the tax proposals recently made by

the President under the new economic program he outlined in his address on August 15.

The President has asked for and, insofar as the Committee on Ways and Means is concerned, is being given cooperation by early action on those parts of this program which require Congressional action. Of course, the Committee reserved its right to make changes in these proposals more in keeping with its own knowledge of the requirement of appropriate tax policy—and it did make certain very significant changes.

As you will recall, the President took a number of actions, with both domestic and international implications, by imposing a wage-price freeze for 90 days, by suspending the convertibility of the dollar into gold and by imposing an additional duty of 10 percent on most dutiable imports. In addition, the President requested that the Congress approve a restitution of the investment tax credit, a speeding up of the income tax relief for individuals already provided in the Tax Reform Act of 1969, a repeal of the excise tax on automobiles, and a new provision providing a deferral of income tax resulting from export sales under certain circumstances. In view of the revenue losses involved in these tax proposals, the President also proposed that government expenditures be reduced by \$4.7 billion.

The Committee on Ways and Means has, as of Wednesday, reached all of its basic decisions with respect to the tax proposals made by the President. Considering the size of the proposals, this is probably something of a speed record. While the details of the changes proposed in these measures are, I am sure, of interest to you, I believe it important to examine first the general approach that colored much of my own thinking in the Committee's deliberations.

At the time of the President's action, this country was experiencing a pervasive and destructive inflation. The period of watchful waiting maintained by the Administration was not resulting in any discernible decline in inflationary pressures. Nor were there any sound indications that the level of economic activity would pick up enough to result in meaningful reduction in unemployment. In view of the lack of improvement in the economy, that is, continued price increases and continued low levels of economic activity with high levels of unemployment, the incomes policy urged by many, including myself, became almost inevitable.

Regarding inflation, it is not at all clear what will follow the end of the 90-day period of wage-price freeze. It is my personal belief that the President gave up too much of his possible influence on price trends after the middle of November by indicating at too early a date that the wage-price freeze would not be continued beyond the 90-day period. It would be difficult in any event for the Government to indicate what controls might be necessary after the initial 90-day period. I believe, however, that it would have been preferable that the President reserve his options thereby enhancing the effectiveness of whatever controls are decided upon at the end of the 90-day period.

The revival of the investment credit can, and I believe will, serve as a stimulus to the economy, and hopefully a stimulus that is economically healthy over the long-run in terms of holding down price increases and assuring that U.S. producers are more competitive in the world markets. Not only can new investment increase job opportunities and reduce unemployment, but the investment credit will also provide American industry with a greater equality of treatment in terms of income tax burdens with that enjoyed by industries in other industrialized nations.

The elimination of the excise tax on automobiles will also provide stimulation to one of the basic industries in our country, and it will also complete the elimination of an excise tax which was scheduled for termina-



tion in 1965 but which has been continued in order to meet revenue needs over the past number of years. The Committee action regarding reduction of tax liabilities for individual taxpayers provides a better balance to the tax package proposed by the President and, in particular, reduces or removes tax liability for most individuals in the low-income groups. The people that will benefit from these tax reductions are those who have suffered more than any other group from the price increases we have experienced over the past several years. These tax reductions will also provide a stimulus to the economy.

Of course, the tax proposals adopted by the Committee will result in the loss of substantial revenues to the Federal Government. I believe, therefore, that expenditure controls of the magnitude proposed by the President and possibly even more reductions in Federal expenditures are necessary in order that all of the measures will provide for a balanced growth and not set the stage for further inflationary pressures.

I wish that I were more convinced that the measures proposed by the President, as they will emerge from the Congress, will be sufficient to achieve a sound economic recovery.

As representatives of the business community of the greater Boston area, all of you, I am sure, have been concerned with economic developments since the unemployment rate in Boston and in Massachusetts has exceeded the national rate. This is only one indication of the decline in economic activity. I think it is time for greater concern than has been evident when as diverse an economy as is present in the Boston area experiences a decline in manufacturing and stagnation in wholesale and retail trade which cannot be explained away by such complex theories as a "surplus" in the national full employment budget.

Whatever action the government takes in encouraging investment toward greater productivity or reducing the burden of taxes for some groups among our taxpayers, what must be restored is confidence in the private sector of the economy. Sound business conditions cannot be restored just through increased government spending, but through greater encouragement to and expansion of the private sector of the economy. This is why I think it important that there be an effective follow-through of an incomes policy. Moreover, effective follow-through must involve policies which do not result in unequal sacrifices among the various economic interests. We have waited too long to restore business confidence, and we cannot afford hesitant and inconsistent actions which raise questions among our consumers and workers as to the equity of government policy regarding further price increases.

I think it reasonable to assume, given the long delay on the part of the Administration in taking action, that the program presently being considered in the Congress may not have been proposed had the international economic situation not degenerated so precipitously over the summer.

The balance of payments deficits that the United States has experienced over the past two decades have from time to time evoked interim measures. These measures, in the past, merely served to ameliorate the deficits until the hoped-for structural changes could restore the United States to a more sound balance in its international transactions. Thus, the controls on direct investment, the interest equalization tax to discourage adverse short-term flows, and less dramatic measures to stem the dollar flow have really not attacked the basic imbalance that has developed in United States international economic relations.

Fortunately, for a time our trade balance served to reduce the seriousness of the overall payments deficit. In more recent years, income from foreign investment has replaced

our trade balance as the most favorable factor. However, in this year, long-term dollar outflows of funds involving our defense operations abroad and short-term flows caused to a large extent by the lack of confidence in the stability of the dollar created a deficit in our international payments position which could not be supported. In addition to a deficit in our balance of payments of over \$20 billion at an annual rate in the second quarter of 1971, there is every indication that the trade balance for the United States will be in deficit during calendar year 1971 for the first time in many decades.

Such a dramatic shift in the strength and the stability of the dollar in world markets has been difficult for all of us to assimilate. While we have been generally aware of the increases in imports and the huge flow of dollars abroad at a magnitude that finally made the dollar unwanted, it appeared that we were on the horns of a dilemma.

On the one hand, since the monetary system, with the dollar at its center, was dependent upon United States willingness to buy and sell gold at \$35 an ounce, it seemed hardly possible to obtain a meaningful realignment of the currencies. That is, should the United States choose to devalue the dollar by increasing the price of gold, other countries would similarly devalue their currencies so that the United States would be no better off than it was before.

On the other hand, the trading rules apparently did not permit the United States to take action in imposing temporary trade restraints in the form of an additional tax on imports, even though other countries had availed themselves of such measures in the face of their own balance of payments problems.

Despite this assumed lack of flexibility on the part of the United States, it had long been recognized that the currencies of some of the industrialized countries were undervalued in terms of the dollar. Such undervalued currencies not only made more serious the continued dollar outflow but placed the United States exporters and domestic producers in this country who must compete with imports at a serious disadvantage.

Thus, I fully support the President's action in suspending the convertibility of the dollar into gold and imposing an additional tax of 10 percent on imports. I am hopeful that in the very short-run the additional duty of 10 percent can bring about a quick realignment of international currencies which will restore equity to the international economic position of this country. Moreover, there must be positive movement abroad toward dismantling trade barriers which both restrict United States exports and divert an inordinate volume of exports to the United States.

All of this will involve serious hard bargaining and a skill and sound perspective on the part of our negotiators which, quite frankly, have been lacking in many of our economic negotiations in recent years.

The nature of the actions that we have taken has serious implications despite the real needs to which they are addressed. It may well be that the whole framework of international economic cooperation is at stake. What is essential is that we keep our eyes on the major goal of restoring equity to the competitive position of our own producers. To be successful, we must have an understanding of the position in which we are placing our major trading partners. More than this, however, whatever actions we take must be responsive to the total needs of our economy. In the context in which we are dealing, which calls for the cooperation and understanding of our trading partners, we cannot hope to solve our basic problems through divergent actions in special problem areas.

We should never have needed to impose an additional duty on imports in order to

successfully obtain actions on the part of our trading partners that they should be willing to take in the light of their international obligations and the economic strengths they have achieved. Nor can we give way to their own special interests when so much is at stake in continuing international cooperation toward an expansion of international commerce. Thus, here again, we need an effective follow-through on international economic policy.

In both our domestic programs and in our international negotiations, there will be a continuing need to deal evenhandedly with the economic tools that are available. All of the many problems that face us as a nation—the decline of our cities, urban plight, pollution, the lack of economic opportunity for the disadvantaged—can only be dealt with effectively in the context of a sound and expanding economy. In implementing these policies, there is a very great need to follow through in a manner which will assure that all sectors of our economy participate equally in sound economic expansion.

### DEDICATE A MEMORIAL TO REPRESENTATIVE WATTS

#### HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. MILLS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article regarding the dedication of a memorial to the late Honorable John C. Watts:

#### DEDICATE A MEMORIAL TO REPRESENTATIVE WATTS

Regardless of party affiliation, the people of Central Kentucky had a hard-working public servant in John C. Watts who served Kentucky's Sixth Congressional District with distinction for two decades.

Although he served in a national setting, he clearly represented the people and the interests of Central Kentucky fully. He never forgot the people who put him in office nor those who lived in his district.

His death represents more than the passing of a single individual; it also marks a major loss in power to the people in Central Kentucky. Through the seniority system in Congress, Rep. Watts had achieved a position of tremendous power, which he had used wisely to aid his home district.

No successor will have such power.

Because Congressman Watts performed such distinguished service for so long in this district, we think it would be fitting and appropriate to name some major public building or highway in his honor.

Perhaps the new post office building in Lexington should be called the John C. Watts Federal Building, to remember the man who worked so long and hard to bring the facility here. When it is built, he should be remembered in it.

Or perhaps, one of the buildings at the University of Kentucky should bear his name, for his contributions to UK were many. Maybe the tobacco research facility should be named to honor the late Congressman Watts—for no man has done more in protecting the tobacco industry than our own distinguished Congressman.

Thoroughbred racing also should consider paying tribute to this distinguished Congressman from Kentucky who did much to aid the "Sport of Kings." Either a race track building or a race should bear his name, for he did much during his years on Capitol Hill to enact favorable legislation for the horse interests in the nation.

Then again, maybe a major street in each of the communities of the Sixth District should be renamed to commemorate Congressman Watts.

He served us so long and well, he should be honored by the public.

#### A TRIBUTE TO WAYNE GIBSON

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ANDERSON of California. Mr. Speaker, an act of swift and skillful handling of an emergency has recently been brought to my attention. I would like to share it with my colleagues because it demonstrates the value of training and advance preparedness in dealing with such emergencies.

On August 17, 1971, the Sea Explorer Ship 727, the *Dragnet II*, of San Pedro, Calif., was on an extended cruise to Mexico. That evening, while the boat's skipper, J. L. Gleason, was making the hourly safety checks of the engines and auxiliary equipment, his foot slipped. His trouser leg was snagged by the whirling propeller shaft, dragging his leg toward the shaft coupling and inflicting a compound fracture. Pulling with both hands, Gleason was able to wrench his leg free, crawl from the engine room, and shout for help.

Executive Officer Wayne Gibson responded immediately and with unfailing correctness to the emergency. He instantly placed both hands over the wound, applying pressure to control the bleeding. When one of the Explorers arrived a few seconds later with the first aid kit in response to Gibson's order, Gibson applied a gauze pressure bandage and was able to halt the flow of blood.

Meanwhile, Gibson had already given emergency helm orders to steer the *Dragnet II* toward the nearest port—13 hours away on the coast of Baja California, Mexico—and had directed the crew to radio for assistance from the Sea Explorer ship *Volunteer* which was in the immediate vicinity. By the time the other ship was able to rendezvous with the *Dragnet II*, Gibson and the crew had already transferred their injured skipper from the weather deck to his bunk in the aft cabin and no emergency assistance was needed from the sister ship.

Skipper Gleason reported later—

Wayne's mature attitude and prompt action in applying his knowledge of first aid and issuing necessary orders for the safe operation of the vessel under extreme emergency conditions saved my left leg and no doubt saved my life.

To a degree, this fast and correct action by Gibson was a reflection of the excellent training he had received from Gleason 7 years before while Gibson was a member of the unit for which he is now an adult adviser.

In addition to his Sea Explorer training in first aid and seamanship, Gibson was further prepared to meet this emergency during his active duty service with the U.S. Naval Reserve aboard the U.S.S.

Bradley (DE 1041). A 1965 graduate of San Pedro High School, Gibson is an employee of the Pacific Telephone Co., and his employers are also to be commended for their community service in having authorized a leave of absence so he could participate in that extended training cruise for the Sea Explorer unit.

Mr. Speaker, I find it a distinct pleasure to be able to report this example of the outstanding training in meeting emergencies provided both by the U.S. Navy and the Sea Explorers. BSA. I heartily commend Executive Officer Wayne Gibson for his cool, clear-headed action.

#### MORE ON THE PRAYER AMENDMENT

#### HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. SCHWENGEL. Mr. Speaker, the interest and concern about the prayer amendment to the Constitution is growing. As the interested parties think on the effects, they are having second thoughts about the wisdom of tampering with the Bill of Rights.

Mr. Speaker, our forefathers did this Nation a great favor when they included the Bill of Rights in the Constitution. This set the stage for the church to become more powerful and influential here than in any other part of the world. They reasoned that the church must not only be free, but independent and the result has been a very happy development in our country where any group that has special ideas about moral questions can band together to promote the moral ideals that seem most important to them and in various ways the churches have undergirded and supported our basic freedoms. It is my hope that all of the colleagues will recognize the kind of religious atmosphere that has prevailed here because we had religious liberty and freedom of religion.

Mr. Speaker, recently the Washington Post carried an excellent editorial entitled "The Wall That Shields Religion" and I commend it to all my colleagues and all those who are interested in this question. The editorial follows:

#### THE WALL THAT SHIELDS RELIGION

Although there are those who seem to regard it as a restraint on religious worship, the First Amendment is, above all else, a guarantor of religious liberty. It reflects a recognition, as Mr. Justice Clark once put it for the Supreme Court that "the place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind." The Justice continued, however, with a reminder: "We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relation between man and religion, the State is firmly committed to a position of neutrality."

Justice Clark wrote those words in an opinion for the court holding that the First Amendment, by virtue of the Fourteenth, forbade a Baltimore school board to require

the use of the Lord's Prayer, or any other prescribed form of worship, in public schools. This is to say simply that schools supported by public money and used by children of every faith and of no faith at all are not appropriate places for religious worship. Use of them for worship, even if participation be nominally voluntary, imposes on children a kind of coercion, a pressure toward conformity, wholly alien to the First Amendment's spirit of complete toleration. The appropriate places for worship are "the home, the church and the inviolable citadel of the individual heart and mind."

Yet today a majority of the House of Representatives seems disposed to repeal the religious freedom clause of the First Amendment. They have signed a discharge petition to bring from the Judiciary Committee to the floor of the House a proposed constitutional amendment designed to authorize public school prayers. Devout and well-meaning these men may be; but understanding of their country's history and institutions they are surely not. They would give away, for the sake of a shallow show of religious devotion, the great constitutional bulwark against governmental control of religion that has kept America for nearly two centuries the world's foremost bastion of religious liberty. What folly it would be to breach the wall that shields conscience from the reach of secular authority.

When men seek to use the public schools, which children attend by the requirement of law, to propagate faith, they confess a loss of faith in the home, the church and the inviolable citadel of the individual heart and mind. When men strive, in the name of divine worship, to impose religion by rote, they perpetuate what is, in truth, a sacrilege. Genuine religion germinates only in the soil of freedom.

#### HON. WILLIAM O. COWGER

#### HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. SNYDER. Mr. Speaker, earlier today I spoke of the loss to my home community occasioned by the death of our former colleague, and of my personal respect for William O. Cowger. Subsequently, I asked a former employee of Bill's what his impressions of Bill Cowger really were.

This former employee, George Yenowine, sat down at a typewriter and this is what he wrote:

I leave the citation of his voluminous accomplishments in government and society to others as I choose to observe and honor the character of the man.

His record in both local and national office showed he cared about people and their individual problems as well as our Nation and its problems. Bill faced every issue squarely and judged it on its own merits. He was driven by a general dissatisfaction with a bureaucracy's inability to cope with problems and its insensitivity to people.

His work for his fellow man—interracially, locally, nationally and internationally—earned him the National Conference of Christians and Jews "Brotherhood Award."

As mayor of Louisville, Ky., Bill had an outstanding record of accomplishments. Through his determination he created a new spirit in his community. His guideline for his administration of the city's affairs was, "Service to my community will transcend all other considerations."

This spirit did not apply solely to public service alone. When Bill set a goal, nothing



was impossible. He always left an impression of a job well done.

After coming to Congress Bill was quickly labeled by observers as a "new breed" of Congressman. He could not be categorized. He was liberal in terms of human needs and conservative about fiscal matters and management. Most important, he always looked for the good rather than the negative in a situation as well as in people.

He continued to accent what he wanted to accomplish rather than avoiding solutions because of an obsession with the pitfalls along the way.

I do not believe Bill ever sought power for the sake of power itself but for the satisfaction of helping others acquire the benefits of that power.

Finally, Bill Cowger always gave you straight answers and was a man of his word. That, in a single phrase, is the highest tribute I can pay Bill Cowger.

It will feel very strange for a long time when returning to Kentucky to know that Bill's fine, guiding touch is missing in our community and nation.

However, as a consolation to his other friends and most especially his family, Bill Cowger has truly left his "footprints in the sands of time".

#### POW RESOLUTION

**HON. ANDREW JACOBS, JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. JACOBS. Mr. Speaker, I was wondering, in view of the events of the past few weeks in Saigon, if any Member of Congress or any member of the executive branch would care to say he or she is willing, from this day forward, to give his or her life, limb, sanity or freedom—POW even for another day—further to prop up the Saigon dictatorship. Other Americans are being ordered to do so today.

Following is the language of House Resolution 630, which I introduced on September 30, 1971:

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 Madame Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on July 1, 1971, that the policy of her government is: "If the United States Government sets a terminal date for the withdrawal from South Vietnam in 1971 of the totality of United States forces and those of the other foreign countries in the United States camp, the parties will at the same time agree on the modalities:

"A. Of the withdrawal in safety from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp;

"B. Of the release of the totality of military men of all parties and the civilians captured in the war (including American pilots captured in North Vietnam), so that they may all rapidly return to their homes.

"These two operations will begin on the same date and will end on the same date.

"A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces and the Armed Forces of the United

States and of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp."

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 South 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 Provisional Revolutionary Government of the Republic of South Vietnam of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

#### A LITTLE BOY'S ESSAY ON ANATOMY

**HON. TIM LEE CARTER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CARTER. Mr. Speaker, recently, I read a rather interesting essay on anatomy by a youngster evidently enrolled in one of our Kentucky schools. It was taken from Taylor Tales, a column published weekly by the Glasgow Republican in Glasgow, Ky. Because of its unusual and interesting descriptions, I am including this essay in the RECORD for the perusal of the Members.

I also include a poem from the same column which might be of interest to those of us who come from small rural communities.

The article follows:

#### LITTLE BOY'S ESSAY ON ANATOMY

"Your head is kinda of round and hard and your brain is in it, and your hair is on it. Your face is in front of your head where you eat and make faces. Your neck is what keeps your head out of your collar. Its hard to keep clean. Your shoulders are sorta of shelves to hook your suspenders. Your stummick is something that if you don't eat enough of it hurts and spinach don't help none. Your spine is always behind you, no matter how quick you turn around. Your arms you got to have to pitch with and also to reach the butter. Your fingers stick out of your hands so you can throw a curve and add up arithmetic. Your legs is what if you haven't got two of, you can't get to first base. Your feet are what you run on, and your toes are what always get stubed. And that's all there is to you, cep't what's inside you, and I ain't seen that yet."

"I like to live in a little town,

Where the trees meet across the street.

"Where you wave your hand and say,

'Hello!'"

To everyone you meet.

"I like to stand for a moment

Outside the grocery store

And listen to the friendly gossip

Of the folks that live next door.

"For life is interwoven

With the friends we learn to know;

And we hear their joy and sorrows

As we daily come and go.

"So I like to live in a little town,

I care no more to roam,

For every house in a little town

Is more than a house, It's home."

—Author unknown.

#### FEDERAL CIVILIAN EMPLOYMENT, AUGUST 1971

**HON. GEORGE H. MAHON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. MAHON. Mr. Speaker, I include a release highlighting the August 1971 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures:

#### JOINT COMMITTEE ON REDUCTION OF FEDERAL EXPENDITURES

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in the month of August was 2,930,487 as compared with 2,943,609 in the preceding month of July. This was a net decrease of 13,122, due primarily to seasonal employment and summer employment of the "disadvantaged" under youth opportunity programs.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

#### EXECUTIVE BRANCH

Civilian employment in the Executive Branch in the month of August totaled 2,890,104. This was a net decrease of 13,054 as compared with employment reported in the preceding month of July. Employment by months in fiscal 1972, which began July 1, 1971, follows:

Month of July 1971; employment, 2,903,158; increase, 20,153; decrease, none.

Month of August; employment, 2,890,104; increase, none; decrease, 13,054.

Total employment in Civilian Agencies of the Executive Branch for the month of August was 1,740,448, a decrease of 2,665 as compared with the July total of 1,743,113. Total civilian employment in the Military Agencies in August was 1,149,656, a decrease of 10,389 as compared with 1,160,045 in July.

The civilian agencies of the Executive Branch reporting the largest net decreases were Veterans' Administration with 1,697 and Treasury Department with 1,318. The largest increase was reported by Postal Service with 3,313.

In the Department of Defense the largest decreases in civilian employment were reported by the Air Force with 3,320, the Navy with 3,236, the Army with 2,183 and Defense Supply Agency with 1,451.

Total Executive Branch employment inside the United States in August was 2,693,796, a decrease of 15,296 as compared with July. Total employment outside the United States in August was 191,308, an increase of 2,242 as compared with July.

The total of 2,890,104 civilian employees of the Executive Branch reported for the month of August 1971 includes 2,526,300 full time employees in permanent positions. This represents an increase of 2,554 in such employment from the preceding month of July. (See table 2 of accompanying report.)

The Executive Branch employment total of 2,890,104 includes some foreign nationals employed abroad, but in addition there were 97,714 foreign nationals working for U.S. agencies overseas during August who were not counted in the usual personnel reports. The number in July was 97,645.

#### LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative Branch in the month of August totaled 32,506, a decrease of 51 as compared with the preceding month of July. Employment in the Judicial Branch in the month of August totaled 7,877, a decrease of 17 as compared with July.

October 5, 1971

## DISADVANTAGED PERSONS

The total of 2,930,487 reported by the Committee for August includes 48,837 disadvantaged persons employed under federal opportunity programs, a decrease of 17,513

over the preceding month of July. (See table 4 of the accompanying report.)

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel

employed full time in positions by executive branch agencies during August 1971, showing comparisons with June 1970, June 1971, and the budget estimates for June 1972:

## FULL-TIME PERMANENT EMPLOYMENT

Major Agencies	June 1970	June 1971	August 1971	Estimated June 30, 1972 <sup>1</sup>	Major Agencies	June 1970	June 1971	August 1971	Estimated June 30, 1972 <sup>1</sup>
Agriculture	82,912	84,252	84,698	87,300	National Aeronautics and Space Administration	31,223	29,478	29,300	28,400
Commerce	25,427	28,435	28,310	29,600	Office of Economic Opportunity	2,387	2,478	2,141	2,500
Defense:					Panama Canal	14,635	13,967	14,007	14,900
Civil functions	30,297	30,063	30,248	31,300	Selective Service System	6,665	5,569	5,659	6,500
Military functions	1,129,642	1,062,741	1,062,053	1,061,600	Small Business Administration	4,015	4,004	4,034	4,200
Health, Education, and Welfare	102,297	104,283	106,388	102,100	Tennessee Valley Authority	12,657	13,612	13,743	13,300
Housing and Urban Development	14,681	16,030	15,979	16,700	U.S. Information Agency	9,989	9,773	9,768	9,900
Interior	53,349	57,570	57,844	59,100	U.S. Postal Service	565,618	564,782	563,275	590,500
Justice	38,013	42,662	43,272	46,800	Veterans' Administration	148,497	158,635	158,878	160,800
Labor	10,217	11,352	11,737	12,100	All other agencies	27,420	28,838	29,715	31,200
State	23,618	23,398	23,376	23,700	Contingencies				10,000
Agency for International Development	14,486	13,477	13,310	11,100	Total	2,552,571	2,520,302	2,524,101	* 2,589,300
Transportation	63,879	68,489	68,691	71,900	Public Service Careers (Disadvantaged persons in Federal opportunity programs—see table 4, p. 14)		1,899	2,199	
Treasury	86,020	90,135	91,054	100,400	Total	2,552,571	2,522,201	2,526,300	
Atomic Energy Commission	7,033	6,920	6,930	7,000					
Civil Service Commission	5,214	5,324	5,332	5,900					
Environmental Protection Agency <sup>2</sup>		5,959	6,196	8,900					
General Services Administration	36,400	38,076	38,163	41,600					

<sup>1</sup> Source: As projected in 1972 budget document; figures rounded to nearest hundred.

<sup>2</sup> Established as of Dec. 2, 1970, by transfer of functions and personnel from Interior, HEW, Agriculture, Federal Radiation Council and Atomic Energy Commission.

<sup>3</sup> Does not reflect Presidential order of Aug. 15, 1971 for 5 percent personnel reduction estimated by the Director of Office of Management and Budget on Sept. 9, 1971 at 100,000 government-wide, exclusive of the Postal Service.

## PRESIDENT NIXON SUPPORTS ERA

## HON. ROBERT McCLODY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. McCLODY. Mr. Speaker, over the past several weeks I have been reminding my colleagues that the equal rights amendment to the Constitution—in its original unamended form—has received the unqualified backing of the Republican National Committee as recently as July 24, 1971.

Those who are familiar with the traditional goals of the Republican Party are also aware that equality of treatment under the law for all persons—regardless of sex—has been an official dogma of the Republican Party for over three decades.

By words and actions, President Nixon has demonstrated his support for nothing less than full equality for women, and he has used the vast powers of the Presidency numerous times to further this goal. On August 8, 1969, the President issued Executive order 11478 restating in the strongest terms the principle of equal employment in the Federal Government.

Mr. Speaker, as an example of President Nixon's dedication to this principle I am inserting a statement which was made by candidate Nixon prior to the 1968 elections. That statement follows in the hope that those who read it will come to a full appreciation of the importance of casting a resounding vote for the equal rights amendment—in its original form—when it comes before this House next Thursday, October 7:

Forty-eight years ago, American women were given the Constitutional right to vote. Today it is accepted as a matter of course that men and women have an equal electoral franchise in this country and that American men and women will have an equal voice in choosing a new President, a Congress and state and local governing officials and bodies.

But the task of achieving Constitutional equality between the sexes still is not com-

pleted. All Republican National Conventions since 1940 have supported the long-time movement for such equality.

It is my hope that there will be widespread support for the Equal Rights for Women Amendment to our Constitution, which would add equality between the sexes to the freedoms and liberties guaranteed to all Americans.

## WORLD CIVIL SERVANT

## HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, the cause of world peace and international understanding, has had, in Dr. Ralph Bunche, presently retired from his post of Under Secretary General of the United Nations, a most compassionate and dedicated advocate. It is with much pride that all our people can look to his extraordinary achievements, and the debt of gratitude the Nation owes for his services is very large. It is a pleasure for me to include in my remarks an eloquent tribute to Dr. Bunche, which appeared on the editorial page of the Christian Science Monitor on Saturday, October 2:

## WORLD CIVIL SERVANT

Probably no one at the United Nations has such intimate knowledge of the Middle East crisis and its manifold intricacies as does Ralph Bunche.

He was the man who shepherded the Rhodes talks to a successful conclusion after the first Arab-Israeli war in 1948. For this achievement he was awarded the Nobel Peace Prize.

Should Dr. Bunche remain in his current retired status from the post of Under Secretary-General the UN would lose a valuable skilled negotiator. But it would mean much more too.

Dr. Bunche was the first American Negro to attain such high international status. Deeply conscious of the problems of his race, he has never been a militant, but has pre-

ferred the path of patience and conciliation. It is these qualities which have made him an outstanding public servant. We deeply regret that ill health has kept him from his duties at the UN, and we extend to him our gratitude for his courage and devotion.

## STATEMENT OF JOHN ROONEY ON HIS INVESTITURE AS HONORARY FELLOW OF THE HEBREW UNIVERSITY OF JERUSALEM

## HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CELLER. Mr. Speaker, the very thoughtful address of our colleague, JOHN ROONEY upon the occasion of his investiture on September 26, 1971, as honorary fellow of the Hebrew University of Jerusalem merits the attention of all of us. I therefore, include his incisive statement:

Messrs. co-chairmen, my friends, councilman Scholnick and Judge Silver; ambassador and Madam Avraham Harman, president of the Hebrew University; my colleagues, Congressman Emanuel Celler, the beloved dean of us all, Congressman Brasco and Congressman Podell who while in Ottawa, Canada, tonight on official business sent his lovely wife here to represent him; Mr. Yosef Tekoah, the Israeli ambassador to the United Nations; economic minister of the Embassy of Israel in Washington, Mr. Alexandroni; the consul general of Israel at New York, Mr. Rivlin; Dr. Henry Sonneborn; Mr. Samuel Rothberg, chairman, the board of governors, the Hebrew University of Jerusalem; Mr. Seymour Fishman, executive vice president of the American friends of the Hebrew University; his associate Mr. A. R. Gruber; Rabbi Joseph H. Lookstein, chancellor of Bar-Ilan University; the comptroller of the city of New York Abe Beame; the minority leader of the New York State assembly in Albany Stanley Steingut; ladies and gentlemen:

I am deeply moved by the great honor



that the Hebrew University of Jerusalem has bestowed on me tonight, investing me as an Honorary Fellow of this great institution.

In these days, as the young democracy of Israel struggles to right itself and become free of the menace all around her and at a time when the accelerated Soviet involvement and additional military aid to Egypt is turning the entire region into a dangerous volcano, not only for the antagonists but for humanity, my remarks on the importance of education and in particular higher education may sound somewhat out of context. I believe, however, that no matter what the present circumstances are, the road to peace leads through education, and even more higher education, education is no longer only national—it is an international ray of hope for better and more peaceful days to come. It extends beyond the reaches of the State or Nation.

The exchange program of students and faculty among great colleges and universities of many countries are a vital part of our contemporary life.

I am, therefore, proud to receive the honorary fellowship from the Hebrew University of Jerusalem knowing what this institution is presently doing not only for Israel but for the world-at-large and particularly for the many developing nations benefiting from her scientific and technical aid. I have been fascinated by the close cooperation between the American scientific community and the Israeli institutions of higher learning and in particular the Hebrew University of Jerusalem. I could cite many cross-cultural and cross-scientific achievements benefiting our country and making solid contributions to important areas such as medicine, with particular emphasis on immunology, agriculture, with special emphasis on irrigation for the world's arid areas and poultry and animal sciences. However, I wish to sum up that it is a fact of life that the survival of a nation today involves a great number of factors aside from military alertness and technological preparedness. Unlocking the secrets of science harbors tremendous consequences for the security, health and well-being of mankind.

The Hebrew University's key role is to make the life of the people of Israel better, longer and more secure. Its research specialists wrest the salt from the sea and bring water to the desolate deserts, thus converting them into fertile soil capable of growing more food for an increasing population.

Therefore, interested as I am in higher education and education in general, and knowing of the Hebrew University's endeavors particularly in bridging the gap in their melting-pot-country for the culturally disadvantaged, I also know that this vital experimentation serves as a microcosmic laboratory for humanity including our own country. And so, I am even more proud to be associated with this important institution of higher learning which in contemporary academe is coming forth as one of the major institutions of our day.

Learning for learning's sake is the quintessence of the Jewish philosophy of life. This philosophy, developed over thousands of years, created many scholastic sanctuaries isolated from the daily realism of our very surroundings. Our generation facing new problems must speak in today's language. We have to direct our efforts to serve contemporary society. There is a multitude of ways in which this is being achieved every minute, every hour, every day.

To continue its progress as a viable, self-sustaining democracy Israel must have a sustained flow of highly skilled leadership for social, political, economic and research programs. The Hebrew University, as you know, is the country's most treasured reservoir for this indispensable manpower.

Bound together by our love of America and dedication to Israel, we have to continue this

noble trend. Let us help give Israel's youth the best of Jewish heritage—education.

In these quickly changing times of amazing progress, man's spurring ahead to the moon, man's learning the secrets of life, nothing remains isolated. By helping Israel, we are also contributing to our own community. The cross fertilization of the highest principles of Judaism and the American way of life is mutually and eminently beneficial to us and to them.

The history of the Hebrew University and the vitality of its teaching and research programs, justify our anticipation of even greater achievements. The pre-academic courses of the Hebrew University which offer a new dimension for the disadvantaged, could be a good lesson for us here in the United States and an additional link between the two countries.

In the eight years since they were originated these pre-academic courses for disadvantaged students have emerged as a significant step that has solved many problems, especially for the Shephardim and the Yemenites. They take on added importance today in view of Israel's current internal conflicts.

After completing intensive pre-university courses, these students from disadvantaged backgrounds, receive scholarship help as well as personal counseling and tutoring during their first years in the regular university courses. The results, according to surveys, have been dramatic. Moreover, the dropout rate, once at an alarming 40 to 50 percent, has diminished to near zero.

Among the most crucial of Israel's social problems is that of relations between those of European and so-called oriental origins. The two are almost equally divided in population, but in terms of occupation, income and education, those of the oriental community constitute a deprived segment and create a potentially dangerous stress.

Formerly, only 10 percent of those youngsters reached the university, and what followed was an unusually high dropout rate. The majority came from backgrounds of minimal education. Their homes were in development towns, immigrant *Moshavim*, or the poorest urban districts. Those attempting to pursue studies had simultaneously to bear the financial burdens of the family. And the families because of lack of appreciation for the values of education, offered little in the way of encouragement or support.

For these youths the pre-academic scholarship meant a turning point in their lives. It was a way to help themselves and their people. They now had the chance to be trained as leaders of their people—in short, a new dimension had been added.

Israel has legitimate interests—survival and self-defense, first of all, of course. But justice and morality are national interests too, and they too demand high priority. Education and the quality of life are national interests.

Israel's recognition of all these factors had made it great. For almost a quarter of a century it has been a constantly threatened beachhead among a hundred million enemies sworn to its destruction. Yet it has not learned to hate. Instead it remains firm in its conviction that war is not the only thing—that its future is on the slopes of Mount Scopus and not on the banks of Suez.

We Americans see our own early struggle for independence and survival mirrored in the story of modern Israel. We too were a nation of free citizens who fought because we had to, but built because we wanted to. Our founders, too, were great leaders and soldiers, but are better remembered as architects of peace than as wagers of war. In our Declaration of Independence, Thomas Jefferson wrote, "we the people"—not we the colonels, we the junta, we the dictators. The Constitution produced by the founders in 1787 was an unprecedented document of freedom—but it could not be accepted until

we had a Bill of Rights guaranteeing personal freedom to every single solitary human being. That love of freedom and uncompromising dedication to democracy exists now in Israel as in few other countries on earth. Small wonder then that Americans and Israelis are natural friends and brothers.

This is the national interest that places America on the side of Israel. Global politics could not have made us Israel's ally at the cost of alienating so many nations and losing so much oil. We are committed to Israel's survival because justice, morality, and decency dictate it. And that is why the American people—sick though they are of war and foreign involvement—are still ready to support Israel with whatever means may be necessary to insure its survival.

Five Presidents—Truman, Eisenhower, Kennedy, Johnson and now President Nixon—have cast America's lot with Israel. In the 1970's this means the risk of open confrontation with Soviet Russia and all the horrors such a confrontation implies. But as long as Israel stands firm on the side of freedom and progress, America will stand firmly with her.

In the spirit of the high holidays which in the Judeo-Christian spirit proclaims peace on earth and goodwill to mankind, the Hebrew University is aiming at—

Increased support.  
Intensified intercultural exchange between the United States and Israel.

Further reinforcement, the cause of peace, understanding and amity among nations through the Harry S. Truman Research Institute and other equally outstanding projects.

In summarizing, may the Hebrew University of Jerusalem, the spiritual sanctuary of the Jewish people, go from strength to strength, uplifting "the poor man's head and setting him among princes," lighting the darkness of contemporary evils with new lights of hope and salvation.

I am proud to join the ranks of the honorary fellows of the Hebrew University. Let us follow the prophet in pledging, "If I forget Thee, O Jerusalem, let my right hand wither."

#### THE PENDULUM IS SWINGING

### HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CEDERBERG. Mr. Speaker, I think we too often overlook the progress which we are making in the effort to resolve some of the very pressing problems facing our great Nation today. In the process of identifying many of the pressing needs of America we have overlooked the successes which have resulted from our determined work to meet those needs.

I would like to bring to the attention of my colleagues a very fine presentation on this area by the former Deputy Assistant to the Secretary of Defense, now a vice president at Copley Newspapers, Mr. Richard Capen. I believe that we will all find a great deal of value in his message:

#### THE PENDULUM IS SWINGING

(By Richard G. Capen, Jr.)

This is my first speech in the Bay Area since returning to California after serving two and a half years as an appointee in the Department of Defense.

Like my associates at the Pentagon, I was proud and honored to serve under the dy-

namic leadership of Secretary of Defense Melvin Laird. President Nixon could not have selected a better prepared, more dedicated or more effective leader for that demanding post.

It takes much more than computers to run the wide-spread Defense Department, as complex as it is. Secretary Laird inspired a teamwork approach and dedication to service unmatched in the Pentagon's history.

His understanding of key defense issues, his ability as a persuasive communicator, and his style of leadership have contributed significantly to improved understanding of critical national security issues—particularly those beyond Vietnam.

And, all this has been accomplished at a time when the Defense Department has been under constant criticism—some constructive, much of it irresponsible.

From the outset, the Nixon Administration made it clear that it would avoid debating whether the United States should have gone into Vietnam in the first place, or once doing so, whether our professional military leaders were given proper authority to execute that war as promptly and successfully as our capabilities would have permitted in the early 1960s.

President Nixon's goal was to conclude American presence in Southeast Asia. That objective is rapidly being met as we move toward a generation of peace.

I believe President Nixon and Secretary Laird have been imminently successful in terminating our country's involvement in Vietnam—given the rather sad circumstances they inherited in January 1969.

What were those circumstances? First, there was no plan for ending the war other than through negotiations. No one understood that reality better than the enemy, and the pathetic record in Paris is testimony to the other side's lack of incentive for serious negotiations.

By January 1969 we had cashed in a key military chip when President Johnson halted the bombing of North Vietnam—just four days before the 1968 Presidential election—with little in return from the enemy.

When President Nixon came into office, the American troop ceiling in Vietnam was 549,500, and increasing rapidly. As many as 500 Americans were dying each week and the war was costing in excess of \$28 billion a year.

These were the sad realities in January 1969. The options to President Nixon were extremely limited, to say the least. But what has happened since that time?

First, we are getting out of Vietnam. By this fall, more than 365,000 Americans will have been withdrawn, a figure representing more than two-thirds of the American troop strength that existed when President Nixon took office.

At the same time, U.S. casualties have been cut from some 500 a week to less than 15 a week. Even one casualty is too many, but I believe this progress is significant.

With these substantial troop cuts the cost of the war has been reduced by 75 per cent thus permitting a reordering of priorities at home.

Today, national polls indicate that the war is fading rapidly as an issue in America. Unfortunately, those who have built their national reputations as obstructionists, linger on the sidelines, trying to keep the war issue alive for their own selfish goals. Tragically, their only result has been to give aid and comfort to the enemy.

Congressional critics meet with the other side in Paris, issue reports on alleged conditions for peace, only to have them immediately rejected by the enemy.

It is a simple matter to pass resolutions, to make sweeping pronouncements, or to write editorials calling for more rapid withdrawal rates and fixed deadlines.

Certainly, it is easier to demagogue national policy from the sidelines, but it takes

real courage to face up to reality with constructive solutions that will contribute to lasting peace, not political expediency.

Time and again President Nixon and Secretary Laird have shown that courage.

How ironic it is that some of those who have led the criticism of President Nixon's Vietnamization program were the very policy makers who got us into the war, who did not have a program for ending it while they were in office, but who now expound all the answers from the privacy of their law offices or from some far-off campus.

In the early 1960s our country had the tools to win the war decisively. But our elected leadership was unwilling to generate the national will to do so.

We fought that war on a "business as usual" basis, building up huge deficits each year because our government was unwilling to establish national spending priorities. Many of today's economic problems are a direct result of that policy of the mid-1960s.

At this point history will judge those who got our country into Vietnam, just as that history will also judge whether the Nixon Administration took the responsible course to get us out.

In either instance, the ultimate responsibility must be assumed by our elected civilian leadership, not by our armed forces. Our military leaders implement national policy, not set it. For too long the man in uniform has been made the scapegoat for decisions made by civilians.

Our dedicated men and women in uniform provide the backbone of our national security and they deserve our respect.

Only through sufficient military strength can we hope to deter reckless acts by potential adversaries. They must clearly understand and respect that we have the will to win and the tools to do the job. It is pure folly to believe that once the last American has left Vietnam, our problems are over and further cuts in defense spending possible.

Despite what some suggest, we cannot legislate peace by unilaterally crippling our defense posture in Congress. Why? Because our adversaries are moving in exactly the opposite direction.

Today, the Soviets are moving ahead of us in virtually every category: missiles, aircraft, ships, military research and conventional forces.

While we were bogged down in Vietnam—at a total cost of \$125 billion—the Soviets were able to sustain North Vietnam for something less than \$12 billion. They did not use that ten to one difference, however, to fund domestic programs in Russia. All during the 1960s Soviet military budgets were roughly at the same level as defense spending in America which included the burden of Vietnam. Just look at the record.

The Soviets increased their submarine force by more than 400 per cent. They have increased ICBM launchers by over 500 per cent and are currently 45 per cent ahead of the U.S. in total number of ICBM nuclear launchers.

They built a modern Navy that now shows the Soviet flag in the Mediterranean, the Indian Ocean, off our Atlantic and Pacific coasts, in and out of Cuba, and around Hawaii.

In the Mediterranean, for example, the Soviet Navy will steam some 18,000 ship days this year. In 1966 they were present a total of 750 days.

In military research and development, the Soviets are spending at about twice the rate as we in the United States. This trend should be of grave concern to all Americans because it measures the importance the Soviets place on reducing our technological lead within the next five to seven years.

Even while the Soviets push this military and political expansion policy, the U.S. moves to curtail its overseas commitments, partly as a result of our national weariness over a long and costly war.

The Nixon Administration is facing up to

this disturbing Soviet military buildup by insisting on sufficient funding of defense programs while insisting that our allies contribute more to their own national security requirements. The latter philosophy is part of the Nixon Doctrine whose goal is a generation of peace through partnership, strength and a willingness to negotiate.

The United States can no longer serve as policeman of the world. Our needs at home are too high and the demand for our material resources too great.

Since the end of World War II we have operated on the philosophy that the United States could do more for its allies than they could do for themselves. We have literally rebuilt economies of the victorious and vanquished alike. We have given billions of dollars in foreign aid and have sent thousands of troops in scores of countries around the globe.

Through the Nixon Doctrine we have insisted that our allies assume more of these mutual security burdens, particularly in the area of military manpower.

As a result of this philosophy, more than 400,000 American troops have been withdrawn from overseas. The bulk, of course, have come from Vietnam. But, the Nixon Doctrine has been applied elsewhere as well.

In Korea, U.S. troop strength has been dropped by over 20,000 men. This is a reversal of a commitment to that country where we have maintained more than 60,000 Americans for some eighteen years.

Likewise, reductions in U.S. forces have been carried out in Japan, Thailand and the Philippines. In NATO the concept of burden sharing is being developed, again on the principle that our allies must assume a greater defense responsibility.

An important element of the Nixon Doctrine has been a willingness to negotiate, doing so from a position of sufficient strength. Again, the record of accomplishment has been impressive.

The United States is pursuing a delicate course of negotiation in the volatile Middle East crisis. We have negotiated the turn-over to Japan of Okinawa, a most sensitive issue for the Japanese.

The President has proposed new treaty provisions to prohibit the placement of nuclear weapons on the ocean floor. He has carried the nuclear non-proliferation treaty through to ratification and he has renounced the use of biological weapons.

In addition, the Nixon Administration is vigorously pursuing a successful conclusion to the SALT talks. The goal of these important negotiations is to curtail the arms race which as I indicated earlier has been rapidly accelerated by the Soviet Union.

And most dramatically, in this spirit of negotiations, the President has moved forward to revive our country's relationship with Mainland China, an area involving one-fourth the world's population.

Certainly we hope for success in these diplomatic efforts to limit the arms race and to improve relationships with our potential adversaries. That success will come, however, only if those who oppose us respect our national determination to remain strong militarily.

I believe most Americans not only support a strong U.S. defense posture but will insist upon it in the years ahead. However, our voices must be heard.

That is not to say the strength of the United States depends solely on its men in uniform or on its weapons, as important as those capabilities are. I believe the strength of our nation in the 1970s must be based also on the wisdom of our foreign policy, on the strength of our economy, and on the will of our people.

The day is past when we can hope to provide most of the defense for our allies. They must share in this burden.

The day is past when we can afford to assume the primary role in solving all of the problems of the Western World. That re-



sponsibility also must be shared more equally with our allies.

This does not suggest that we can afford to build a wall around our country, withdrawing from the competition and security needs of the world. Those who clamor to bring all American troops home forget that their very presence abroad has not caused war but rather has helped to maintain peace.

During my service in Washington, I was involved in some of the most complex, difficult problems faced by this country. But it was a source of inspiration to be surrounded by those who were confident in their course, and who respected a higher national priority extending beyond any temporary expediency.

The negative thinkers have had their day. They have marched in the streets. They have built false hopes. And they have confronted our detractors at home and adversaries abroad.

Those who have built their national image on such obstructionist attitudes are finding it difficult to shift away from the tired, divisive approach of the past.

Young people today cry out for constructive leadership in an atmosphere of optimism. They seek positive approaches and personal involvement in efforts to build a better America.

Like you and me, they resent the tarring of all America because of a few shortcomings. How ridiculous it is, for example, to charge—as one senator recently did—that all America is sick because our prisons are sick. We have had too much of that destructive approach in the past.

One of our greatest national strengths is our ability to face up to problems openly and candidly. We banner our shortcomings across our newspapers and TV sets for the whole world to see.

Our critics at home and abroad delight in exploiting these weaknesses as a symbol of a crumbling America.

What these critics forget, however, is that as we identify a problem, as we debate it publicly, we work to solve it—and succeed in doing so. As a result, we have built, on balance, the best and most successful way of life ever known to man.

We have been confident that our problems could be corrected; that dreams could be embodied in action, and that a better life would be achieved. But we have always known, as we do today, that we would have to work for it.

Over the years, we have been successful, not by thinking we would lose but rather by believing we would win. Too often we have sold our country short with an almost national guilt complex.

I have little tolerance for those who thrive on self pity or who drop out of society in protest against problems they say they did not create.

Dreams of self fulfillment cannot be found through heroin, in a commune or on a wrecking crew. Most young people know that.

Today's young generation no longer lives in an overwhelming atmosphere of war and violence. Our task is to capture their imagination and involvement in our endless search for a better America. There are new goals to set, new records to break, new problems to solve. A new day is dawning and America's optimism to meet those opportunities is building.

Yes, the pendulum is swinging.

#### NIH TRAVEL FUND PLACED IN ESCROW

**HON. TIM LEE CARTER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CARTER. Mr. Speaker, Congressman L. H. FOUNTAIN, of North Carolina,

digs deeply into the weaknesses of our bureaucrats. A very interesting finding has been reported concerning the actions of the Director of the National Institute of Neurological Diseases and Stroke. Continual surveillance is necessary to keep entrenched bureaucrats on the path of fiscal honesty and responsibility.

The article follows:

#### NIH TRAVEL FUND PLACED IN ESCROW

A federal scientific administrator said yesterday he has placed in escrow several thousand dollars in travel expenses questioned by the General Accounting Office.

Dr. Edward F. MacNichol Jr., director of the National Institute of Neurological Diseases and Stroke, established what he termed a suspense fund after disclosures he has run his \$116.5 million a year agency for two months each year from a summer home on Cape Cod, drawing \$25 a day in government travel expenses while doing it.

The GAO, at the request of Rep. L. H. Fountain (D-N.C.), chairman of a House government operations subcommittee, is probing.

MacNichol's use of travel funds while he lives in his own house at Woods Hole, Mass. He does not use vacation leave for the time he is there.

#### THE MENACE OF PCB'S

**HON. WILLIAM F. RYAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RYAN. Mr. Speaker, during the past few years, the American public has become increasingly aware of the long list of chemical contaminants that plague our environment and our food supply—contaminants such as lead, mercury, phosphates, and DDT. Now yet another name must be added to that list: polychlorinated biphenyls—PCB's.

This highly persistent, extremely toxic industrial chemical poses a severe threat to the integrity of our food supply and to our very health. In recent months we have witnessed massive contamination from PCB's of fish, chickens, turkeys, shell eggs, broken egg products, and a wide variety of packaged foods.

Perhaps the most tragic aspect of this contamination is that it was totally preventable. For the past 2 years I have repeatedly urged the appropriate Federal agencies to undertake administrative actions that would have forestalled these occurrences. Yet, in an almost unprecedented disregard for the welfare of the public, those actions were not forthcoming.

Therefore, I have introduced legislation—H.R. 10085—to ban the distribution of PCB's in interstate commerce, thus insuring that the public would be safeguarded against the dangers of this chemical in the future. And I expect to reintroduce this legislation with co-sponsors later this week.

Hopefully, the Congress will act soon to protect the integrity of our food and our environment from the hazards of PCB's.

At this point, I include in the RECORD two articles detailing the menace of PCB's. The first appears in the October 11 edition of Time magazine. The second is from the October 11 Newsweek. I com-

mend these articles to the attention of my colleagues.

[From Time magazine, Oct. 11, 1971]

#### THE MENACE OF PCB

Environmentalists were confident that they had ferreted out the nation's major pollutants after they put the finger on substances like DDT, mercury, lead and phosphates. Now an important newcomer has cropped up in the form of polychlorinated biphenyls (PCBs), colorless, odorless, syrupy chemicals that are manufactured in the U.S. under the trade name Aroclor by the Monsanto Co. Until recently, PCBs were used in industry in many ways for instance as softeners in plastics, paints and rubber, as additives in printing inks and papers. Although they are now used primarily as agents in heat exchangers, there is growing evidence that alarming quantities of PCBs have found their way into living organisms and that they pose a potent new threat to the environment.

Two years ago, New York Democratic Congressman William F. Ryan was told by a constituent about the dangers of PCB. Checking further, Ryan found studies showing that large amounts of PCBs had been discovered in the fish and sea birds of several countries. The studies also revealed that the compounds can cause liver damage in mice and disrupt the calcium metabolism of birds, which then lay thin-shelled eggs. Alarmed by the findings, Ryan delivered a House speech on PCBs. The Department of Agriculture responded by halting the use of PCBs—but only in pesticides. Then, despite complaints from customers, Monsanto announced that, as of September 1970, it would stop sales of PCBs except for "absolutely essential" use in electrical equipment.

#### POLLUTED POULTRY

To the public, however, PCB was still largely unknown—until the disclosure, in December 1970, that Campbell Soup had found high PCB levels in some New York State chickens destined for its products. Once notified, the New York and federal departments of agriculture stopped poultry shipments from the three counties supplying Campbell and ordered the burial of 146,000 contaminated birds. Where did the PCB come from? Officials speculated that it had been transmitted by chicken feed made from stale bakery goods that had been wrapped in PCB-coated plastic bags.

One of the worst instances of PCB pollution occurred last spring. A North Carolina poultry raiser, worried over the low hatching rate of his chickens, ran independent tests and found that the fatty tissue of the birds contained up to 40 p.p.m. of PCBs (the federal limit for poultry is 5 p.p.m.). The contamination was traced to a Wilmington, N.C., fish-meal plant where PCBs were leaking from a pipe in a heating system into the meal. Officials were dismayed to learn that the leak had gone undiscovered for nearly two months and that 13,000 tons of tainted feed had been sent to 64 customers in twelve Southern and Midwestern states.

Ryan was furious. "The Federal Government's actions are inexcusable," he said. "This entire incident could have been prevented if the Department of Agriculture and the Food and Drug Administration had lived up to their responsibilities to protect the public." He then introduced legislation that would totally ban PCBs from interstate commerce.

#### OFFICIAL GOOF

Still, evidence of PCB pollution continued to crop up, probably because markets were already saturated with PCB products. In mid-August, FDA disclosed that it had seized more than 75,000 fresh eggs from wholesalers in Norfolk, Va., because the chickens that laid them had eaten feed containing the tainted fish meal. Though the agency assured the public that no tainted food would leak out, it later admitted an official goof: a ship-

ment of 60,000 eggs had somehow got through federal inspectors and, presumably, into the stomachs of Washington, D.C. residents.

Two weeks ago, the Department of Agriculture announced that "unacceptable levels of the poison PCB" had been found in turkeys processed by a Minnesota subsidiary of Swift & Co. About 50,000 birds were voluntarily withheld from the market while agriculture experts searched for the source of the contamination. Around the same time, Michigan Governor William Milliken ordered a halt to the commercial sale of coho salmon after PCB was found in salmon taken from Lake Michigan. Last week FDA disclosed that PCBs had also been found in several different kinds of dried foods, including baby cereals and shredded wheat. The PCB source has been traced to the cardboard packaging material, which was made partly of recycled PCB-treated copying paper.

PCBs are difficult to cope with for a number of reasons, first of all because the chemicals are hard to identify. They so closely resemble DDT they can be differentiated only by spectrographic analysis. PCBs are long-lived and, like DDT, their potency is multiplied as they work their way up the food chain. Unlike DDT, however, these chemicals are not sprayed but get into the environment accidentally, which makes them even harder to trace and control.

For all the grim warning signs, there is as yet no proof that PCBs at present low levels are harmful to humans. Most scientists, and critics like Congressman Ryan, however, feel that the safest course is to treat PCBs just as though they were the most potent of pollutants, until tests determine exactly what the long-term effects may be.

[From Newsweek magazine, Oct. 11, 1971]

#### THE PCB CRISIS

For the past several years, the pesticide DDT has been Public Environmental Enemy No. 1. It has been blamed for the decimation of a score of bird species, suspected of causing cancer in humans, and damned for disrupting the balance of nature. But now it appears that some of this damage may actually have been inflicted by a class of liquid chemical look-alikes that are used in a variety of consumer goods and industrial processes: these are polychlorinated biphenyls, or PCB as they are known collectively.

PCB has an amazingly wide range of industrial uses. Manufacturers of inks and pesticides use it as a solvent or additive, producers of sealants use it to make their product less brittle; because the compound can withstand very high temperatures, it is also used as a coolant in industrial transformers. Other products whose manufacturing process make use of PCB include automobile tires, brake linings and paints.

Recently, because of the current interest in recycling waste products, the compound has been showing up in increasing amounts in cardboard packages made from discarded paper and other printed matter whose inks presumably used PCB as a solvent. Already, U.S. Food and Drug Administration investigators have found PCB in 36 to 60 sampled boxes containing such diverse foodstuffs as breakfast cereals, crackers and bread crumbs, macaroni and noodles, snack chips, chocolate, cocoa and dried-milk products.

The chemical has also been found in commercial poultry and wildlife; in the past three months, some 50,000 turkeys, 80,000 chickens and 60,000 eggs have had to be destroyed because they contained PCB levels far in excess of the federally allowable standard of 5 parts per million. In Michigan, tourist and sports-industry entrepreneurs are concerned that the six to seventeen parts per million of PCB being found in Coho salmon may discourage people from coming to that state—and spending money in quest of the fish. In California, investigators claim to

have found a correlation between high levels of PCB in adult female sea lions and aborted fetuses; about 1,000 aborted pups have washed up on California shores over the last two years.

Interestingly, PCB is not a wonder chemical of the postwar chemical boom. The odorless, colorless and virtually nonflammable chemical was first identified in 1881 and has been mass-produced by the Monsanto Co. in the U.S. since the 1930s (it is also manufactured in large quantities in four other nations—France, Germany, Japan and the Soviet Union).

#### SAMPLES

Then in 1966, Swedish chemist Sören Jensen used a gas chromatograph (an instrument that can separate complex chemicals into constituent parts) and made the first identifications of PCB in tissue samples of fish and birds and in human hair. Two years later, five Japanese died after eating food cooked in an oil heavily laced with PCB, and in 1970, after 146,000 New York State chickens had to be destroyed because of PCB contamination, scientists began taking another look at the substances. "It's possible," says Dr. Milton Friend, a research biologist at the U.S. Fisheries and Wildlife Center in Denver, "that much of the environmental contamination once attributed to DDT has actually been caused by PCB, or PCB in combination with DDT." He was quick to add, however, that DDT remains definitely on the list of dangerous contaminants.

For the moment, the FDA said, there is no indication that PCB in the containers is contaminating the contents. The FDA thinks that probably the only way humans could be afflicted by the chemical would be by consuming inordinately large quantities of animal or vegetable products that had somehow absorbed PCB through their own food chains. The 80,000 chickens destroyed a few weeks ago, for instance, got their PCB from contaminated fish meal.

Inevitably, the emergence of PCB as a new source of hazardous pollution made for some headlines, but the FDA seemed to feel that the crisis was minimal. "Public confusion has created public alarm and a feeling of still another crisis in the food supply," said FDA administrator Dr. Charles Edwards. "I know the confusion is unnecessary and I believe the alarm is greater than the facts will justify."

But by no means everyone agreed with this assessment. "Unfortunately," said Rep. William F. Ryan, Democrat of New York, in introducing a bill that would ban PCB, "the FDA seems to be more concerned about the image of American industry than the level of public knowledge of its food supply." Meanwhile, a number of scientists made it clear that they are worried about both the short- and long-term effects of PCB. They point out that large doses of the chemical can be fatal and that lesser amounts are known to result in acne, impaired vision, abdominal pains and liver ailments. Laboratory tests with animals have also given rise to fears of genetic defects in future generations.

#### DOVES

In one experiment conducted with ring doves, Cornell University scientists discovered an unusually high rate of embryonic deaths in the second generation of birds raised from a colony of PCB-fed doves. And in another experiment carried out by the U.S. Fisheries' Milton Friend and Dr. Daniel O. Trainer, dean of the University of Wisconsin's College of Natural Resources, ducklings were given food containing varying amounts of PCB. When later exposed to duck hepatitis, the PCB-fed ducklings had mortality rates three to five times greater than a control group of PCB-free ducklings. The researchers concluded that the sub-lethal doses of PCB sharply reduced the ducklings'

natural body defensive mechanisms against disease.

For its part, Monsanto says it has discontinued sales of PCB to users for whom suitable substitutes could be found. But for some heavy-duty industrial applications (notably as an insulator in capacitors), no alternate compounds have proved satisfactory, and so PCB continues to be used. As a result, public confusion and apprehension about the compound seems likely to continue. At one point last week, Edwards and other FDA officials insisted that an outright ban on PCB would not be feasible.

They then were startled when told by reporters that a voluntary ban has been in force in England since March. "I hate to say this," said one FDA scientist later in private, "but PCB is everywhere. And we really don't know if we should—or should not—be alarmed."

#### THIEU'S PRIMER ON ELECTION-RIGGING

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RANGEL. Mr. Speaker, South Vietnamese President Nguyen Van Thieu has, as expected, won a landslide victory in his one-man pseudo-democratic race for reelection.

The results were never in doubt. Despite the clumsy attempts of the U.S. Embassy in Saigon to persuade two other South Vietnamese leaders to play the role of sacrificial lambs in a farcical campaign, Thieu's triumph was no surprise.

Thieu has failed to act decisively to stop the flow of heroin to American servicemen stationed in Southeast Asia. Some of his top military officials and governmental supporters have become rich through their unrestricted drug-trafficking activity while Thieu has made no attempt to punish them.

Thieu has been too busy plotting his reelection to bother with cracking down on his friends who are murdering American GI's with drugs. Now, with the help of Gen. Duong Van Minh and the Indochina Resource Center, we know exactly how Thieu has arranged his electoral victory.

His top-secret "Instructions for Presidential Election Campaign Strategy" were reprinted in the September 15 issue of the Indochina Chronicle. I strongly urge any of my colleagues who still believe that Americans are dying to protect a democracy in Saigon to read the Thieu primer on election-rigging.

The article follows:

#### INSTRUCTIONS FOR PRESIDENTIAL ELECTION CAMPAIGN STRATEGY "TOP SECRET"

##### HOW TO RIG AN ELECTION

On August 12, 1971 General Duong Van Minh turned over to the American Charge d'Affairs in Saigon a copy of a document said to have been sent by President Nguyen Van Thieu to all province chiefs in South Vietnam. Gen. Minh subsequently provided copies to other individuals and organizations when on August 20th he withdrew from the presidential race.

Entitled "Instructions for Presidential Election Campaign Strategy," the document is a simple, direct manual on how to employ the entire South Vietnamese governmental and military apparatus to absolutely insure



a victory for Thieu. On the basis of both external and internal evidence, we believe the document to be genuine, although it is probable the initiative for circulation came from a subordinate rather than from the much more byzantine Pres. Thieu himself.

The document without a question demonstrates how the Thieu regime, having failed totally in four years to develop an effective political party, has had to depend entirely on the official hierarchy to keep their man in power. Some U.S. officials and news commentators blandly equate this with normal machine politics in America, *a la* Mayor Daley. While admittedly there are some interesting parallels, we thought people might like to read a translation of the document for themselves, and make their own judgments. In particular, one may note a difference in the degree and obviousness of brute force and coercion employed, not to mention the fact that Thieu is relying on guns, money, personnel and ingenuity that is specifically foreign, not domestic in origin.

#### INSTRUCTIONS FOR PRESIDENTIAL ELECTION CAMPAIGN STRATEGY

##### TOP SECRET

These instructions are for the use of province chiefs in making election campaign strategy in their own province.

The strategy is two parts:

1. *The legal aspect* which consists of lawful means such as the use of tracts, posters, meetings, radio and television broadcasts, etc. . . The Central Campaign Committee will give specific instructions to the representatives of the Presidential Slate in each province. The role of province chiefs is to support these provincial representatives of the Presidential Slate to provide the necessary means to achieve their goals and to see to it that they follow the instructions strictly.

2. *The secret aspect* which consists of secret means within the different sections of the population, including religious, military, montagnard groups, etc. . . aiming at winning the support of our side and to divide and paralyze the opposition.

The following strategies will determine the outcome of the elections and province chiefs are to carry them out by themselves. The basic principles are:

To prepare carefully for the election campaign

- To set up concrete strategies
- To organize scientifically
- To select the cadres carefully
- To use cadres intelligently
- To control tightly

Working on these instructions and on the local situation, province chiefs should:

- a. Analyze the situation and find out the political tendency of each voter
- b. Set up a campaign strategy for their own province
- c. Determine the number of votes we have to obtain
- d. Organize the campaign and appoint personnel in operating the campaign
- e. Estimate the cost of the campaign
- f. Set up a time-table for the campaign activities

Part one: To analyze the Situation and to Find Out the Political Tendency of Each Voter

#### A. GENERAL INSTRUCTIONS

1. The province strategy committee will be responsible for this mission instead of the Province Executive Chamber as in usual cases.

2. The analysis of the present situation of the province should be based on the outcome of the recent elections of half the Senate and of the Province Municipal Council.

3. Attention to be focussed on the outcome of the recent elections of half the Senate by the processes of studying each ballot box in order to find out the political tendency of voters in each hamlet and village. From the

level of hamlets, this will go to the level of districts and finally to the level of provinces. The result of this analysis should be reported to Saigon before the end of May 1971.

#### B. NOTES CONCERNING THE ANALYSIS

1. All political groupings which have a known position and whose members follow instructions from their superiors should be tabulated in their respective religious and ethnic groups. The rest of the voters including civilians, militaries and civil servants who have no political affiliation and who may not follow the advice of their superiors in voting will be tabulated as "Independent voters."

2. The leader of the local strategy committee will be the head of the local party or community chapter, such as secretary of the province party chapter, the Rev. Father head of the diocese, etc. . . In the case where these personalities are only figureheads, real leaders should be approached to take care of the mission.

3. We need to know the number of voters only in three categories: 1) Those who support us; 2) Those who do not have a stand; and 3) Those who oppose us.

#### C. THE DETAILED ANALYSIS OF THE SITUATION IN HAMLETS AND VILLAGES

The work should be divided in two phases:

*Phase I:* To be achieved before the deadline of June 30, 1971: the report on the mere number of voters of each hamlet and village, classified as indicated above, and based on the analysis of each ballot-box during the recent Senate elections.

*Phase II:* (From July 1, 1971 to July 15, 1971) Under the guidance of district and inter-village cadres, and under the direction of the district chiefs, campaign workers of the hamlets and villages will have to supply us with the analysis of voters, not in mere numbers, but giving the names and surnames of voters. Each campaign worker has to take charge of from 300 to 400 voters, have in his hands names of these voters and the number of their voting cards—all of them classified in the three categories mentioned i.e. 1) supporting us 2) not having a stand and 3) opposing us, and with their religious, political and ethnic groupings indicated. The purposes of this analysis is:

To know clearly the political tendency of each voter

To show campaign workers where to attack

To control the degree of effectiveness of each campaign worker

*Part Two:* To Set Up Concrete Strategies  
Province chiefs will personally set up secret campaign strategies aiming at persuading political, religious, military and civilian groups to vote for us and to paralyze the activities of the opposition slates.

Province chiefs and the Special Local Strategy Committee will set up detailed strategies to be applied to each village, district and organization, etc. . . based on the following instructions:

#### A. HOW TO WIN VOTERS

1. *Strengthen the sympathizing forces by:*  
Giving them aid  
Preventing the infiltration of opposition elements

2. *Winning the non-committed voters:*  
strategies have to aim at specific organizations, villages, districts in a very concrete and detailed manner.

3. *Dividing and paralyzing the opposition:*  
Analyze all opposition organizations:

Find out who their leaders are  
What their vulnerable points are at district and village level

Discover which means can divide and paralyze the opposition forces at the district and village levels

*For instance:* is it possible to infiltrate into these opposition organizations in order to sow doubt and to divide them?

Is it possible to buy their leaders? and by what methods? detention of pro-communist

elements? close surveillance of the most important leaders? removal of these leaders from their community? (Workers at the village level might be transferred to the province level, so as to prevent them from being able to work for the opposition.)

#### B. ORGANIZING WELL TO WIN

1. To study thoroughly the location of the polling booths, the personnel in charge of the polls, the methods of operating the polls, and to train personnel in charge of the polls.

2. To survey the activities of the opposition in order to be able to cope with them.

*Part three:* Determine the Number of Votes We Have To Obtain.

Based on the number of voters who went to the polls during the recent half-the-Senate elections and on the number of new refugees, if there are any, you should be able to establish the percentage and the number of votes we have to obtain.

These votes comprise those which will be cast: 1) by our supporters; 2) by the uncommitted voters we shall persuade to vote for us and the votes we shall obtain from elements in the opposition. The percentage and number of votes we have to obtain will be established from the village level to the province level.

*Part four:* Organize the Campaign and Appoint Personnel To Operate It.

A. *The Province Direction Committee* consists of three elements:

1. *The Supporting System:* Province chiefs will be responsible for this. A Special Strategy Committee will be established immediately after the receipt of these instructions.

a. The role of the Special Strategy Committee is to:

Make the analysis of the political tendency of voters from the village level to the district and province level

Organize official and secret networks  
Watch the developments concerning the elections in both the supporting and opposing forces

Set up projects and tactics

Supervise and control the whole campaign system

b. Members of the Special Strategy Committee should be selected among able military and civil servants who are serving in the provincial government, in police departments, in military police departments, in the intelligence service, and in Operation Phoenix Campaign, etc. . . Absolute secrecy should be observed concerning both documents and activities.

c. The supporting work at the district level will be taken care of by district chiefs, and the village level by village chiefs (in the case where the village chief is not loyal to us, another member of the village council will be selected).

2. *The Secret System:* The provincial associate representative of our slate will be responsible for this. If he is judged not to be effective, an able military or civil servant should be asked to do the job. He must have relations with political, religious and military groups in order to be able to carry on the duty.

Affiliated to this secret system are special cadres described as follows:

a. *The person in charge of the regular armed forces* should be the commander of the local military unit. He is assisted by his political warfare officer. They have to organize up to the level of the battalion in which all unit commanders and political warfare officers have to be involved.

b. *The person in charge of the civil guards and militia units* should be the military Deputy of the province chief. He must be in charge of the civil guards and militia units affiliated with his Platoon. The campaign includes commanders of all militia units up to the level of the platoon. The chief of the platoon will determine the number of votes that must be won for each unit.

c. *The person in charge of political, re-*

ligious and civilian groups should be a capable civil servant, such as the office Head-Secretary of the Province. The basic condition in his loyalty to us.

d. *The person in charge of bureaux and departments* will be the heads of these bureaux and departments if they are loyal to us. If not, a powerful member of the staff of these bureaux will be selected to do the job.

Special attention should be focussed on the national police forces, rural development forces, information officers and elementary teachers. The principle to be followed in operating this secret network is that the persons in charge of the secret system in one branch should not know their counterparts in other branches.

3. *The Legal System:* The province representative of the Slate will be responsible for this. His role is:

To represent the candidates at the local election campaign committee and to the people

To be the spokesman of the candidates at the province capital

To perform the lawful actions of election campaign: distributing posters and leaflets, broadcasting and speaking to the electorate

To train campaign workers and supervise their work at the hamlet, village and district levels

To discuss and denounce to the government violations by the opposition slates of the election laws

The Central Strategy Committee will supply you with documents and methods.

B. *The campaign at the district level:* Cadres and workers for our slate at all levels have to work both in the legal system and in the secret system. The secret system is most important. They have to contact voters to persuade them to vote for us and to paralyze all activities of the opposition. The District Chiefs will have to superintend all our workers and cadres. They are responsible for our reaching the number of votes which we have to obtain.

Each district will have an official District Campaign Manager. He is there, but the District Chief should do all the work in his name because there are things that officially a District Chief cannot do in his own name. The district cadres are also in charge of the work in the inter-village organizations. There may be from 3 to 6 cadres, each taking care of 3 or 4 inter-village organizations. These cadres will receive orders from the District Chief and work within the framework of the inter-village organization of which he is responsible. All these cadres and workers form the District Strategy Committee under the direction of the District Chief.

C. *Campaign workers at the village level:* work at this level is most important as it determines the degree of our success. For that reason Province and District Chiefs should give workers very specific instructions, strategies, guidance and supervision. Our workers will have to do the job both legally and secretly in order to win votes by any means possible.

*Note:* In Provinces where there is a City, only one Strategy Committee is established for both the City and the Province.

D. *Criteria for the Selection of Personnel:*

1. Workers who are in the campaign committees:

a. *The representatives of the Slate:* The Representative of the Slate and his Deputy should fulfill the following conditions:

Not being a candidate for the Lower House

Not having an evident political affiliation

Not being vulnerable to attacks by the opposition

Having the courage and the imagination to act (avoid ex-civil servants)

Supporting without reserve our Slate

Not having direct contact with the opposition

They are to be selected among members of the Province Municipal Council, respectable citizens, civil or military servants. In

areas where a majority of the voters belong to religious communities of which leaders are our sympathizers, let us select the official religious leader of the area (for instance, the Cao Dai at Tay Ninh Province, the Hoa Hao at Long Xuyen Province).

The Deputy Representative should be selected among the younger ones who have imagination and loyalty so that he may help the Province Chief in the Secret network. However in an area where minority ethnic groups are important, their representatives should be selected for this job.

In Provinces where Province Chiefs assume the role of Mayor of the City, the Representative of the Slate and his Deputy will be in charge of both the Province and the City.

b. *The campaign Manager in charge of the district level.* We should select the member of the municipal Council that was chosen with the highest number of votes, or a respected citizen in the District. Avoid using a civil servant or a military man, because he will be described as being used and paid by the government budget to work for us.

c. *District cadres in charge of inter-village communities.* They are to be selected among military commanders, Information Service Officers, heads of National Police Forces or Military Police Chiefs, etc. . . in other words, those who have been in permanent contact with the villages and who have authority over the village officers.

d. *The heads of workers at the village level.* The Chairman of the village Council, the village Chief, a respected member of the village Council or the deputy Chief of the village in charge of security will be selected for this job. In other words, the person has to possess authority.

e. *Workers in the villages.* We must have in each hamlet at least one worker who takes charge of about 300 voters with sure knowledge of their names. The worker is to be selected among: the head of the hamlet, the head of the Civil Guards, the cadre for Rural Development, the hamlet military Officer, the school teacher.

E. *The work carried out in other National Ministries.* Civil servants and military servants could be used to work in either the legal system or the secret system.

Example:

1. *The Ministry for Information.* The National Radio may frequently broadcast news bulletins and commentaries aiming at the arguments of our opponents who advocate "Peace Now" etc. . . at creating hatred and fear vis-a-vis Communist atrocities, by telling people about the results of the Pacification Program, of social reform, etc. . . and by answering questions people ask these days concerning the economic situation. The Ministry may help financially with the publication of books, magazines and brochures by organizations which are doing the things stated above.

2. *The Ministry of Rural Development:* The cadres for Rural Development can be used to distribute leaflets, posters, to listen and to watch the people, to create obstacles for the opposition and to examine voters at the polls. However a number of Rural Development cadres should be warned of their being unpopular to the peasants.

3. *The Ministry of Defense.* Village officers and militiamen should be used to the full because they are closest to the people who are illiterate and who are not politically mature.

*Part five: Estimate the Cost of the Campaign*

A. *Financial Support* (will be determined and supplied by the Central Strategy Committee).

B. *Supplies of personnel and means:* The role of Provincial Chiefs is:

To secretly appoint civil and military servants to work for the campaign

To use political warfare cadres in distribut-

ing leaflets, sticking up posters at military units and military family camps

To provide the local representatives of the Slate: one typist, two drivers, one clerk, and four security men guarding the office.

To provide the local representative office of the Slate with cars, telephone, typewriters, mimeograph machines and stationery.

#### C. MORAL SUPPORT

1. To deal expeditiously with a number of complaints of injustice and to punish a number of corrupt civil servants in order to create an impression favorable to the Government.

2. To give quicker service to the people. Avoid bureaucracy and suppression.

3. To initiate rapidly a number of social services such as digging of wells, road repairs, etc. . . in order to impress people. Besides the means provided by the Government, civilian organizations should be encouraged to help.

The Central Strategy Committee will supply local committees with means to implement the program. Please send us your project and estimate of costs. We need a clear and concrete time-table.

*Part six:* Set up a time-table for the campaign activities:

1. A Special Strategy Committee should be formed upon receipt of these instructions.

2. The analysis of the situation of voters and the local campaign Strategy Committee should reach us before June 30, 1971.

3. The legal and secret systems of the campaign should be ready to operate before June 30, 1971. The list of campaign managers and workers of the district, inter-village and village level should also reach us before June 30, 1971.

4. The name for the local Representative of the Slate and his Deputy should also be proposed before June 30, 1971. We shall inform you before July 15, 1971 whether their names have been accepted.

5. The study of the location of the polling booths, the selection and training of the workers at the polls should be achieved by July 15, 1971.

6. The purification of the Civil Service should be achieved before June 20, 1971.

7. The campaign network will begin to operate on August 1, 1971.

8. Reports on the campaign situation and the activities of the religious and political groups and by senators, deputies and others should be sent to us monthly.

9. Reports on the progress of the Campaign should be sent twice a month to the District and Province Strategy Committee.

#### SPECIAL ATTENTION

1. Local governments of all level should not promise to support anyone in the coming election if they do not receive instructions to do so from the province chiefs.

2. It is forbidden to reproduce and photocopy this document by any means whatsoever.

3. This document is to be returned to us after the October 3, 1971 election.

#### HARTFORD CHAPTER OF UNICO NATIONAL MARKS ITS 25TH ANNIVERSARY

#### HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. COTTER. Mr. Speaker, this coming Friday the Hartford Chapter of Unico National will mark its 25th anniversary with a celebration at the Wampanoag Country Club in West Hartford.

Over the past quarter century the



Hartford chapter has dispensed more than \$30,000 in scholarships to deserving young men and women. More recently, the local chapter has expanded its scholarship program, scholarships of varying sizes to 13 young people annually. And while Unico is a service club for men of Italian birth or ancestry, the local chapter awards scholarships to young scholars of all nationalities and has made particular efforts to select deserving black and Puerto Rican recipients.

The list of Unico's services to Greater Hartford is too lengthy to include here. Suffice it to say that the men of Unico have truly lived up to their motto, "Service Above Self."

The local chapter has much to be proud of as it looks back over the past 25 years. It has much to look forward to, as well. For the next quarter century will start with the expected election of Dr. John X. R. Basile, a Hartford neurosurgeon, as national president of Unico National.

I am sure that my colleagues will join me in wishing this outstanding service organization great success in the next quarter century.

#### ATTICA IS SAFER THAN WASHINGTON

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RARICK. Mr. Speaker, the extent of the degradation rampant in our Nation's Capital—that "show place of democracy"—is constantly amazing. A man is simply not safe on the streets of Washington. There have been 206 murders in this city so far this year—a total of 31 remain unsolved. Even the Chief Justice of the Supreme Court has been conditioned to answer his door at night with "pistol in hand, not knowing what might be lurking on his steps."

What has occurred here in Washington is but prolog. It will recur with increasing terror in the cities of this country unless something is done to free our police and let them do their job unencumbered by judicial decisions that hinder their every move, giving the known criminal virtually free rein to attack the society that guarantees him his freedoms.

Yet while the criminal atrocities continue to increase in our Nation's Capital with little national coverage from the press, the public attention is focused on the guaranteed rights of the criminal population at Attica.

I ask that a series of related news articles be inserted in the RECORD at this point.

The articles follow:

[From the Evening Star, Oct. 4, 1971]

#### POLICE PUSH ON SLAYINGS

An autopsy has shown that Linda Ammidown, 47, one of three slaying victims here Friday, was raped and was shot twice in the skull, police said today.

A determination of whether 12-year-old Nenomoshia Yates was raped will be made by a Baltimore medical examiner today.

District police announced this morning

that more than 50 detectives will work in three task forces day and night on the Ammidown and Yates cases and on the slaying of Ritchie H. Reed, 30, in the New Executive Office Building a few steps from the White House.

The three deaths Friday swell the total of unsolved District killings to 31. There have been 206 murders here this year, compared with 170 at the same time last year, police said.

Deputy Chief Mahlon Pitts, head of the Criminal Investigation Division said each of the 7 police districts in the city has released three of its detectives to work on the Friday cases. Three unspecified "specialists" will also report to the Homicide Squad today. All days off on the squad have been canceled.

Pitts said, "Just about every available investigator is to concentrate on these three cases at this time." Asst. Chief George Donahue, himself a former Homicide Squad detective, has offered the resources of the whole department to Pitts, police said.

There have been no arrests, and in an unusual move police did not broadcast "look-outs" or descriptions of suspects sought in the investigations. Significant leads have developed in at least two of the cases, police said today.

#### HUSBAND WENT FOR HELP

Mrs. Ammidown, a government worker who was dining out with her husband Friday evening at a Southwest Washington restaurant, the Flagship, was found slain and raped under the East Capitol Street Bridge.

She and her husband had been forced at gunpoint to their parked car after leaving the restaurant at 8:15 p.m. and their lone assailant made the couple drive across the bridge and then under it. The intruder then took Mrs. Ammidown from the car, raped and killed her, police said. The husband, unharmed, drove to seek help.

Ritchie Reed of Cheverly, Md., was about to join his wife Friday at 4 p.m. for a weekend camping trip when he was accosted by an assailant in the fifth floor washroom of the new federal office building, where he worked as an economist for the Commission on Population Growth and the American Future.

After a struggle that police said left the washroom smeared with blood, Reed died of numerous stab wounds. The body was found minutes after the attack, and Reed's wallet was missing. Reed's killer apparently walked past Executive Protection Service guards who were stationed at the building's entrance.

Nenomoshia Yates, of the 4900 block of Benning Road, had been sent to her neighborhood Safeway store at 7:30 p.m. by her father, a construction worker. She never returned, and by the time the family grew anxious, her body had been found, without visible marks, alongside Pennsylvania Avenue extended, three-tenths of a mile on the Maryland side of the District line.

D.C. and Maryland police were working today in conjunction on the Yates case, which is similar to other recent cases involving young girls whose bodies have been dumped near major highways.

[From the Manchester Union Leader,  
July 24, 1971]

#### CHIEF JUSTICE AT BAY

When the Chief Justice of the United States feels so insecure in Washington, D.C., that he greets reporters who call at his door in the evening with a loaded gun in his hands, this tells us more about conditions in our nation's capital than 10,000 words on the subject. It is certainly ironical that it is previous decisions of the same Supreme Court over which Chief Justice Burger now presides that are in large part responsible for the increase of crime in this nation.

At the top of our back page today we reprint a column from the Hampton Union entitled "The Big Wheels." This column gives

not only an account of Chief Burger's gun toting but describes also two terrible events which recently happened, one of them, incidentally, while this writer was in Washington.

The rape and murder of the young woman took place not in some slum area of Washington, but instead in the parking lot of one of the best eating places in Washington. The murder of the naval officer and his son took place on a much traveled and well known public highway.

Sentimental judges and juries who have more sympathy for the wrong-doer than the victim, and the philosophy that it is not the criminal but society which is in the wrong, all have contributed to the freedom from fear which criminals in the United States now feel and this, of course, has led to increased crime.

This newspaper repeats, when the Chief Justice of the United States feels so unsafe in his own home that he has to come to the door with a gun in his hands, it is time for a change—and a mighty big change.

WILLIAM LOEB,  
Publisher.

[From the Manchester Union Leader, July 24, 1971]

COLUMNIST WRITES ABOUT LIFE IN THE NATION'S CAPITAL: RAPE, MURDER, AND THE ARMED CHIEF JUSTICE

(By A. Spokesman)

Hogate's is one of the famous restaurants in Washington. It is on Maine Avenue which runs along the Potomac River just a few blocks from the White House and the Capitol.

On a recent evening a couple married only two years and in their 20s finished dinner and left the restaurant for its parking lot to ride home in their car.

Only a few paces from the door they were accosted by two men, one of whom put a gun to the couple. The young man and his wife were forced into their auto and forced to drive a short distance to an alley. There the young wife was brutally raped repeatedly, and murdered. The young husband had been bound and forced to witness this heinous crime.

A few evenings later a Naval Commander took his wife and children to see the fireworks on the Washington Monument grounds. Enroute home in their station wagon, the Commander was needlessly harassed by a tail-gating vehicle carrying several persons, including one female. As the Commander's wagon approached a traffic light the other vehicle sped around it and drew up sharply in front of it. The Commander got out of his car to protest the actions of these devils and was immediately pounced upon. His 16-year-old son ran to the rescue whereupon one of the hoodlums drew a pistol and killed the Commander and his boy in cold blood.

On another recent evening two newspaper reporters knocked at the door of one Warren Burger, Chief Justice of the Supreme Court of the United States of America. The Chief Justice opened the door cautiously with pistol in hand, not knowing what might be lurking on his steps. As awful as are the foregoing facts, they relate the times as they are in the city which is the home of our federal government.

You can't tell us such a condition is necessary if the people who run that government—all of them—were all doing their job. And if the leaders of government were truly marshalling the decent citizens of the land to do away with permissiveness and tolerance of wrong and lenience of punishment.

Samuel Leibowitz was a tough New York judge for some 30 years. He protected the innocent but meted out severe punishment to the scum guilty of crimes against public safety and public order.

The other night retired Judge Leibowitz

was on the Dave Susskind show. He called for a return to respect for parents, and to fear of God, and to effective punishment of the guilty.

It's too bad New York can't return the Judge to the bench. It's too bad the City of Washington and the 50 states don't have many judges like Leibowitz.

#### DUTIES ON U.S. CARS IN EUROPE ADD MORE THAN 30 PERCENT TO PRICE

**HON. CHARLES E. CHAMBERLAIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CHAMBERLAIN. Mr. Speaker, in recent days our Government has come under increasing pressure to rescind the 10 percent surcharge on imports imposed by President Nixon on August 15. There are those who would have us believe that President Nixon's action is highly discriminatory against foreign goods, particularly automobiles. With regard to the automotive trade, the facts, however, are quite the opposite. Too often overlooked are the incredibly high tax and tariff barriers that have been imposed for years against the sale of American cars in foreign countries. In his syndicated Los Angeles Times column, appearing in the State Journal of Lansing, Mich., October 2, 1971, Robert S. Elegant gives some of the shocking facts and figures about the nature and extent of this undesirable as well as unjustifiable discrimination, and I commend it to the attention of my colleagues:

#### DUTIES ON U.S. CARS IN EUROPE ADD MORE THAN 30 PERCENT TO PRICE

(By Robert S. Elegant)

MUNICH.—"Why," asked Munich's leading Chrysler dealer, "Do you want an American Chrysler? Why not a nice French Chrysler-Simca?"

"There is a difference," I replied.

"Not at all," Herr Gruber said. "It's the same car—only smaller."

Considering the six Common Market countries demand that the United States cancel its emergency 10 per cent duty on imports. I was looking into duties, availability, and prices of American automobiles in Europe. Foreign automobiles are, after all, chief among imports affected.

#### ODIOUS COMPARISON

Comparison turned out to be odious indeed—as indicated by the rest of the conversation. "But, I want an American car."

Gruber (reluctantly): "I suppose I could get you a Chrysler for about 30,000 marks (\$8,955).

"What kind of Chrysler?"

Gruber: "A Chrysler is a Chrysler."

"Not necessarily. Can't you give some more details of a car that costs 30,000 marks?"

Gruber: "Well, it could be a Dodge or something like that. Anyway, we couldn't deliver before next spring. But I can let you have a Simca right away."

General Motors and Ford dealers were more responsive. The earliest delivery possible was, however, three to four months later. In fairness, it might be noted that delivery of some more expensive European makes also takes a while.

#### NOT IMPORTED

Still, Herr Baumgarten of GM set the tone when I asked about the Vegas. He laughed:

"That is a really comical little auto. Small, like our Volkswagen and, anyway, absolutely not imported."

One note before attempting to map the labyrinth of duties and taxes imposed on American cars: Ford's Pinto is also totally unavailable. Companies are obviously not anxious to import smaller vehicles which fit European conditions and pocketbooks. They might compete with the same firm's local products.

It would, in any event, be almost impossible to sell them at competitive prices. Extensive discussion with dealers and customs generated as much confusion as information. They did yield one conclusion: total duty is somewhere between 30 and 33½ per cent compared to the 10 per cent American duty against which Europeans rail.

Varying duties are, incidentally, supplied to almost every American import from socks to computers. They are rarely below 10 per cent and, usually, much higher.

#### ACTUAL PRICES

Therefore these prices for American automobiles—when available: Mustang—\$8,060, Lincoln Continental—\$19,105, Cadillac Fleetwood—\$16,090, and Oldsmobile (model unspecified)—\$11,900. (For comparison, Mercedes 280 SE—\$6,444.

About 40 per cent of the price of U.S. cars is duties and excise taxes.

Although the details might puzzle teams of cost accountants, duties about one-third the total cost, break down this way. Tariff on the automobile and shipping cost paid at any Common Market port of entry: 13.2 per cent. German "import duty" on the total cost of the car, including tariff and additional freight and delivery costs: 11 per cent. Since that 11 per cent applies to freight, delivery, and tariff, the total is nearer 30 per cent of the original cost than the 24.2 per cent simple addition yields.

Subsequently, an 11 per cent excise ("added value") tax is levied on the total cost of the car, including original tariff and import duty. If you're still following and we're going in the right direction, that means an additional 3½ per cent of their original value and shipping costs.

#### CONVERSION COSTS

In addition, there's the cost of converting American models to German standards: \$240 to \$900, depending on the car. Because European manufacturers—unlike American manufacturers—produce specifically for foreign markets, those costs don't apply to your Volkswagen or Mercedes. But that, at least, is not the Common Market's fault.

There is one small note of cheer for Europeans who buy American cars despite their high gasoline consumption—as do many Swiss, living outside Common Market barriers.

"Maybe next year," said Herr Baumgarten, "the cost will be lower because of the dollar devaluation."

He sounded neither optimistic nor enthusiastic about selling more American cars. After all, the tariffs will remain.

#### PRESIDENT NIXON IS KEEPING HIS WORD

**HON. ROBERT McCLORY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. McCLORY. Mr. Speaker, last week the President of the United States withdrew an additional 1,400 soldiers from Vietnam.

On January 20, 1969, there were 532,500

Americans enduring the perils of an Asian war. Today, there are 212,500 Americans in Vietnam who are planning to come home.

Mr. Speaker, President Nixon is keeping his word.

#### THE NORTHERN IRELAND SITUATION: A REPORT, NO. 9

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BIAGGI. Mr. Speaker, in my continuing series on the Northern Ireland situation, I have included statements from the Ardoyne Relief Committee on the problems experienced by the oppressed minority in that province. Today I would like to provide a little more information on this group of dedicated Irishmen who are trying to hold together what is left of their community.

The problems in Northern Ireland cry out for solution. As the leading nation in the free world, we must protest the trampling of human rights that daily occurs in that beleaguered province. What right has a nation to ignore the basic needs of a segment of its population? What right has an army to destroy the will and the life of a people? What right have we to stand by while such affronts to basic human rights and dignity continue?

#### THE ARDOYNE RELIEF COMMITTEE

On August 9, as a result of an incredible act of arson, 230 houses in the Ardoyne area were burned down, 180 families found themselves homeless, and desperate little groups of people who had been unable to salvage even the smallest of personal possessions, roamed the streets seeking shelter, of any kind.

The Ardoyne Relief Committee, based at Holy Cross Boys' School, operating on a shoestring and receiving only reluctant and minimal recognition from the local authorities, at once went into action and attempted in some measure to alleviate the sufferings of the homeless.

The refugees were taken to the Holy Cross School and provided with food and blankets, while members of the Committee and other volunteers foraged throughout the city for food and clothing.

The generous response of people in some of the most deprived areas of the city was as moving as it was expected.

A large number of Ardoyne children were taken to Carrickmore where the people involved have done, and are doing a magnificent job.

On August 10, a body of volunteers with building experience approached the Ardoyne Relief Committee and offered their services.

Since that date, these volunteers have been repairing those houses still left standing. They have made over 70 houses as habitable as possible under the circumstances—replacing toilets, electric switches, cookers and other essentials.

The Ardoyne Relief Committee was originally formed in 1969 and though the membership Committee has changed from time to time, its function and intentions has remained unaltered. All workers are unpaid volunteers, dedicated to relieving the distressed and suffering of people who, in these



troubled times, find themselves in a walking nightmare.

The Relief Committee have never before faced such an enormous task. Any donation no matter how small will be gratefully received. Donations should be sent to: The Relief Committee; Holy Cross School, Butler Street, Belfast, N. Ireland; or The Ardoyne Relief Committees account at the Belfast Savings Bank.

#### DETAILS OF DESTRUCTION OF PROPERTY IN PARISH

Total number houses	Burnt out
(A) Cranbrook Gardens:	
105	44
(B) Farrington Gardens:	
119	80
(C) Velsheda Park:	
114	68
338	192

(A) *Farrington Gardens*. A street containing 119 Terrence Houses, 80 were completely gutted.

(B) *Velsheda Park*. Similarly affected 114 houses, 68 completely destroyed.

(C) *Cranbrook Gardens*. Again a case of repetition similar took place, of 105 houses 68 suffered the same fate.

The loss in value of property and personal possessions could be estimated in the region of ½ million pounds.

The cost of restoration must be considerably higher but things such as years of hard work building up a home. Articles of sentimental value and the mental torture can never be replaced or repaired in any amount of money.

#### DETAILS OF REGARDING RESTORATION WORK

Of the total 338 houses we have been left with 146 houses only 20 of which did not need repairs. The remainder have been practically wrecked in an attempt to make the houses habitable. Leaving us with a repair bill of a conservative estimate of £7,000 for materials as all work labour is voluntary.

Negotiations are at present are being held by governmental departments to have the completely gutted houses restored to their former condition but as houses are in short supply—time is of the essence.

If the committee consider that "Red Tape" is going to hinder them in their efforts to have these houses restored within a reasonable period of time, they will have no hesitation in undertaking the task themselves. It is imperative to have the families presently housed in the Relief Centre rehoused in suitable accommodation, in order to enable the school to reopen for the education of the children in the area.

THE HONORABLE JAMES S.  
GOLDEN

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 1971

Mr. PERKINS. Mr. Speaker, the death of James S. Golden on September 6 leaves Kentucky a poorer place, because he was surely one of our State's distinguished sons.

Jim Golden and I were elected to Congress on the same day back in 1948, and took our seats together on January 3, 1949.

Coming as we both did from the eastern or Appalachian end of our State, we worked closely together on the problems common to the people of both of our districts. He was a fairminded man, and a hard worker for his district. And he was widely respected in this House. Jim retired voluntarily in 1954, and resumed his law practice back home in his native district.

Jim Golden was only a few days short of 80 when he passed away last month. He could look back on a truly distinguished career as a county official, as a Member of Congress, and as an outstanding lawyer.

I am glad to have had him as a friend, and deeply regret his passing. Kentucky and the Nation must mourn a notable son.

#### WHAT HAPPENS WHEN A HERO ROCKS THE BOAT

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ROSTENKOWSKI. Mr. Speaker, as U.S. involvement in Vietnam trudges into its second decade, we see all around us reminders of what this tragic mistake has done to the morale of our country, both at home and abroad. Since 1961, this war has cost us over \$200 billion—at a rate of almost \$3 million an hour, every hour of the day, every day of the week.

It has produced over 54,000 American casualties and has maimed over 300,000 American boys; boys whose suffering has only just begun.

This gruesome litany of statistics could go on and on, but there is no need, for the point they make is clear. This war is taking the finest resources of our country and yielding us nothing positive in return.

Another casualty of the conflict in Southeast Asia which is not so easy to document, not so easy to measure, has been the significant drop in the morale of our Armed Forces. For in no time in our history have our own soldiers been so disillusioned and so disenchanted with their role of American fighting men as are our soldiers returning from Vietnam.

Mr. Speaker, recently an article in the Chicago Tribune was brought to my attention which vividly describes the problems of morale in today's Army. I insert it at this point in the RECORD for my colleagues' attention.

The article follows:

#### WHAT HAPPENS WHEN A HERO ROCKS THE BOAT

(By James T. Wooten)

In 1952, the United States Army decided that United Nations countries involved in the Korean police action might enjoy a glimpse of its most decorated enlisted soldier.

He would be an American, of course—the other contingents were not surveyed—and he would be a sort of latter-day Sgt. York or Audie Murphy, reflecting all this good nation's courage and strength.

The Pentagon files were exhaustively searched and it was determined that a skinny young man from the coal fields of Pennsylvania was precisely proper for the job.

He had been a teen-age dropout volunteer in 1947 and had been eager to get involved in the Korean conflict. He had survived, won his sergeant's stripes and, in the process, picked up a Bronze Star, three Silver Stars, four Purple Hearts and a glittering collection of lesser medals and awards from our government and others.

#### HE WAS A HERO

The Army's public relations people were ecstatic. They had a hero—a winner—and they knew it.

He was 22 years old then, and he set off on a whirlwind tour of the world capitals that had contributed men and money and materiel to Korea and he was all the Army could have wanted.

When he came back home to the coal fields, he married the pretty girl from down the street, finished his high school requirements and went off to college.

By 1956, he was back in service with a bachelor's degree in his pocket, second lieutenant's bars on his shoulders and a white-hot urge to do something and be somebody burning in his soul.

The promotions were steady, always early by the Army standards, and over the years he became an accomplished, astute man of war.

He was a Ranger, that tough epitome of military ruggedness, and then a Ranger instructor, and then commander of all Rangers stationed in Germany. He was a Pathfinder and a Green Beret. His profession took him from Europe to Africa to Canada to the Middle East to the Dominican Republic, and with each journey came more and more responsibility.

#### GETS A COMBAT COMMAND

Finally, in 1968, he went to Viet Nam. In early 1969, as a lieutenant colonel and a battalion commander in one of the Army's toughest outfits, he won another Silver Star, three more Bronze Stars, two Air Medals, the Army Commendation Medal for Valor, a recommendation for the Distinguished Service Cross—all in only 58 days of combat duty.

"The guy is absolutely incredible," one of the younger officers in his battalion wrote in a letter to his wife back home. "He is the perfect warrior—a supersoldier, if I ever saw one."

A general who knew him over there called him "one of the best, if not the best combat commander in the whole Army," and in early 1969 it was generally conceded that in a few years he would be wearing a star.

They were wrong.

On April 4, 1969, he was abruptly relieved of his command by the major general who commanded the brigade in which he served. The general recommended to the Pentagon that the most decorated enlisted man in the Korean War—the mustang everybody thought was the perfect combat commander—never be allowed to command in the U.S. Army again.

Nobody ever mistakes Lt. Col. Anthony Bernard Herbert for anything other than what he always dreamed he would be: the complete military man.

When Tony Herbert went to Viet Nam he was assigned to the 173d Airborne Brigade, an outfit known in military jargon as a "hot unit."

Herbert became the acting inspector general, a job similar to the chief of detectives on a small-town police force. Waiting for a combat command, he tackled his assignments with the enthusiasm that had characterized his approach to every responsibility the Army had given him over the years.

His task was, in general terms, to make official inquiries into alleged violations of military rules and regulations by men in the 173d.

Another Viet Nam colleague believes Herbert's style as the acting I.G. of the 173d was the beginning of what Herbert now believes to be the end of his military career.

"He was an unusual breed of soldier," the friend remembers. "A rule was a rule, and he didn't screw around. When something came to his desk, he, by God, investigated it. They knew, by God, that when it came right to the crunch, old Tony would investigate them, too, right on up to the old man."

In February, 1969, he got what he wanted: a combat command of the battalion. For the next two months, he and the 500 paratroopers under his command did their best to win the war there and then, and Herbert's reputation as a leader, strategist and fighter became the talk of the brigade.

On Feb. 14, two weeks after he took over the battalion, his men and a group of South Vietnamese troops engaged in a bloody battle with the Viet Cong near the village of Cu Loi.

"It was hot from the minute we got to the L.Z. [landing zone]. We killed about two dozen, and one of the platoons cornered a bunch who surrendered. Actually, they aren't really 'prisoners,' according to the book, not even if they're in their black pajamas or carrying weapons. They're 'detainees' and before they can be called 'prisoners' they have to be interrogated and processed by intelligence. They could be anything, you know, a double agent, or something," Herbert said.

"Anyway, after the firefight, I walked up on these detainees—there were about 15 of them—and they were in the custody of an ARVN [South Vietnamese] unit and an American lieutenant.

#### ORDERS THEM TO STOP

"There were four dead already, and when I walked up, they had a knife at the throat of a woman. Her baby—there were several kids in the bunch—her baby was screaming and grabbing at her leg, and her other child—I don't remember if it was a boy or a girl—anyway, her other kid was being suffocated by an ARVN who was pushing its face into the sand with his foot.

"I ordered them to stop, but with me just standing there looking, they proceeded to slit the woman's throat. I asked the lieutenant what was going on and then I ordered him to get out of the area and take his ARVN with him. They left and I sent one of my sergeants with the detainees to the L.Z. I told him to get them out and back so they could be processed.

"Well, it wasn't long after he left that I heard firing in the direction he'd taken them. He came running back, yelling and mad. He told me the American lieutenant and the ARVNs had jumped him, overpowered him and killed all the detainees. I followed him and found the bodies. All of them. The children, too."

When Herbert returned to brigade headquarters later that day, he reported the incident to Lt. Col. J. Ross Franklin, the deputy commander of the 173d. It was, Herbert says, simply a matter of doing what the Army prescribed.

"I assumed that the allegations would be properly forwarded to the I.G. and that an investigation would be ordered," he remembers. "But instead, Franklin called me a liar. He said the whole thing didn't happen and that I was exaggerating. Those were to become pretty familiar words for me."

#### REPORTS SEVEN INCIDENTS

Herbert claims he reported seven other incidents to Franklin over the next few weeks, including those to which he was an eyewitness. The others, he says, were reported to him and passed along to the deputy commander.

"One of them involved the use of water torture on a Vietnamese man by American military intelligence personnel. What they were doing was stuffing a wet rag down the guy's throat, trying to get him to talk. I stopped it and reported it to Franklin. He told me what they were doing was a 'legitimate field interrogation technique' and he also said it was none of my business how intelligence went after its people. He said if I was so morally offended by that I ought to think about leaving.

"Not long after that, a big bunch of people were captured in a major operation. Must have been at least 75 or maybe a 100 of them, and intelligence was pretty sure there were

some pretty important Viet Cong figures in the bunch.

"The ARVNs were handling them, and one afternoon an American sergeant came crying, actually crying—you ever see a sergeant cry?—and told me to come over to the compound where ARVN was holding these people. I went back with him to the fence. They had herded most of them into these metal containers the Navy uses for overseas shipping. It must have been 150 degrees inside and there was a lot of moaning and groaning from inside the containers.

#### ORDERED TO STAY AWAY

"But the sergeant said that wasn't what he came to get me for. He pointed to some ARVN people inside the wire and I saw they were flailing some women prisoners with bamboo rods that had been splayed at the end. That's a mean weapon. The bamboo cuts flesh like a razor. They were using it on the women's faces and hands, but there wasn't any way to stop it because the ARVNs were inside the fence—inside their own compound, you know. I guess I could have shot them. That would have stopped them.

"I went to Franklin again. Guess what? He gave me the 'decency' thing again. He said if my sense of decency was offended to just stay away from the ARVN compound. It was the same old hassle. Nothing was done. Franklin just always responded the same way. 'It's none of your business. Stay away if you're upset by that. If you're offended, maybe you ought to leave.'"

Lt. Col. J. Ross Franklin, like Herbert, was also a comer, but unlike Herbert, he had not risen thru the ranks. He was a West Point graduate "with general written all over him," one of his fellow officers says.

There were many in the 173d who believed Franklin would be the next commander of the proud outfit, succeeding Maj. Gen. John Barnes. Franklin is "in." His association with the higher brass was cordial and intimate.

Barnes was an old Viet Nam hand; before he got his star and command of the 173d, he had worked at various levels and in a variety of operations there. He was also said to be a "very close friend of President Nguyen Van Thieu."

Barnes' relationship with Herbert was less personal than his relationship with Franklin, but he was aware of Herbert's image in the brigade as a tough, shrewd combat commander.

In one document, he described Herbert as a "brilliant tactician," but sometime in early April another document arrived at brigade headquarters and moved thru to the general's desk. It was Herbert's officer's efficiency report, a kind of periodic report card on which an individual officer is evaluated. Herbert's O.E.R. had been prepared by Franklin.

#### EFFICIENCY REPORT IS DEVASTATING

The report was devastating for Herbert, whose official military records indicated a previous tradition of excellence and superior ratings.

Herbert, according to Franklin, had no ambition, a terrible appearance, was undependable, did not cooperate, had no integrity, moral courage, loyalty or will for self-improvement. Moreover, the report continued, he had a tendency to exaggerate and had on occasions deliberately lied as well as pitted himself against the brigade commander and his staff.

Based on those opinions, Gen. Barnes officially relieved Herbert of his battalion command and recommended that he should not be allowed to command ever again.

"It was like getting shot," Herbert says about the news that he was no longer a combat commander in the 173d. "Wham! Out of the blue. One day you are, the next you aren't."

Herbert went immediately to Saigon to contest Barnes' action on the grounds that

it was arbitrary, capricious and unwarranted.

Maj. Gen. Joseph R. Russ conducted the hearing on his appeal, and as its findings were read, Herbert was elated. He was being exonerated—and within the system, by the book.

There was no question, the hearing concluded, "as to Herbert's personal bravery or leadership quality" and there was "no positive evidence presented reflecting on Herbert's loyalty."

"Some of the specifics that were told to Gen. Barnes have not been substantiated by evidence adduced in this investigation."

Herbert sighed with relief as he heard the words. It was going to be all right, he thought. There was, however, one more paragraph. In it, Gen. Russ concluded that "Gen. Barnes, as brigade commander, acted on the facts as he knew them..." and recommended that "no redress be granted concerning Herbert's relief from command."

No redress. It stood as it stood. "It almost blew my insides out," Herbert recalls. "It was incredible. They made the investigation, got the evidence, presented a firm case for redress and then—just like that—said no redress should be given. Unbelievable."

So, Tony Herbert came home. Twenty-one years in the Army, a chestful of medals and decorations and some deep friendships in the ranks weren't valueless, tho, he thought.

His orders were to report to the Command General Staff School at Fort Leavenworth. Maybe it was going to work out—but then the orders were inexplicably revised and he was assigned to the Third Army's recruiting office at Fort McPherson in Atlanta.

But Viet Nam gnawed at his stomach, day and night.

Barnes had been rotated to the Pentagon, and Franklin, after having taken command of a battalion in the 101st Airborne, had become a member of the prestigious Peers Commission. It was a group of senior officers, headed by Lt. Gen. William Peers and charged with investigating the alleged atrocities at My Lai in March, 1968.

Herbert began to discuss his experience with some Army lawyers at Fort McPherson. "They kept recommending that I'd better make sure those things I'd seen were investigated," he said. "It made sense to me to try to follow the book on this and clear myself."

In late 1970, he went to the Pentagon, and reported the incidents again—just as he had to Franklin. "I waited and waited and they told me the C.I.D. [Criminal Investigation Division] was working on it—but nothing happened," Herbert said. "I was threatened, cajoled and told to forget about the whole thing—and I was getting more and more frustrated."

#### HE PREFERS FORMAL CHARGES

Finally, on March 12, 1971, and less than a month before the expiration of the statute of limitations, Herbert preferred formal charges against Franklin and Barnes, accusing them of dereliction of duty, misprison [concealment] of a felony and failure to obey regulations.

By the time he preferred his charges, the C.I.D. was willing to admit confidentially that its investigation had confirmed that all of the incidents Herbert reported had in fact occurred.

But, at this point, the C.I.D. inquiry had not included an interview with Gen. Barnes in Washington. He responded to a reporter's questions by describing Herbert's charges as unfounded and saying that Herbert had not reported any alleged violations to him, so far as he could remember.

Franklin, still stationed in Viet Nam, has consistently declined to comment on Herbert's charges.

On the morning of April 15, Maj. Carl E. Hensley, the 56-year-old investigator who was supervising the inquiry into Herbert's



charges against Barnes and Franklin, walked into a bedroom of his home in Clinton, Md., and shot himself. He left no notes.

Herbert said he had been extremely dispondent about the case and that Hensley had told him he was under heavy pressure when they had met the previous month.

Now, six months after they were filed, the Army says it is still investigating Herbert's charges against Barnes. The investigation against Franklin has been dropped.

Pentagon insiders are giving odds that the other project will also be forgotten, altho a confidential source in the C.I.D. has disclosed that the incidents reported by Herbert have been verified.

"That's not much help," Herbert said not long ago. "I established that pretty quick. In fact, I don't think that was even really a legitimate question. The important issue is whether anything is going to be done about them or about the fact that senior officers who knew about them ignored them."

#### PREDICTS FORCED RETIREMENT

"They're going to get rid of me in February, I think," he says. "Forced retirement. A nice way of drumming you out, and I just don't understand."

"That's not true. I understand it, but I just don't want to admit that I'm being systematically screwed by the Army. I don't want to admit that. I chose the Army as the expression of my life. I gave to it, took from it, believed in it. Now this."

"But somebody has to follow through on this kind of thing. The Army has to purge itself from within of this kind of dirt. It has to be done by the book—and I'm going to keep trying to do it that way."

Last week, Lt. Col. Herbert was transferred to a new job—assistant in charge of industrial operations at Fort McPherson. He said he has been told "I'll be in charge of incinerators, trash cans, and telephones."

#### JAZZ ARTISTS PAY TRIBUTE TO "SATCHMO" AT KENNEDY CENTER

##### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RANGEL. Mr. Speaker, the spirit of Louis Armstrong came alive once again as several of America's top jazz artists paid tribute to him at the Kennedy Center on September 25.

As trumpeter Clark Terry and bass player Milt Hilton performed "Satchmo's" theme, "Sleepy Time Down South," the music that made Louis Armstrong America's best-loved good will ambassador filled the air. Gerry Mulligan, David Amram, Bill Watrous, and Carmen Legio then played the blues in a further salute to the "World's Greatest Trumpeter." Armstrong's long-time friend, Willis Conover, produced the memorial for the Kennedy Center's House of Sounds Festival.

Louis Armstrong will soon speak again to every corner of the globe in the international language of music that he knew so well when Conover's "Music, U.S.A." radio tribute is broadcast by the Voice of America.

"Satchmo's" voice rang loud and clear:

Well, it's really been a ball, and I'd like to say it's really been a pleasure, and before we close, you know, say hello and so long—well, not goodbye. I had such a pleasure playing and a wonderful time in London and Africa and everywhere, so I want to just say

"It's been a pleasure." And it's too bad I just can't sit here, but the time's gone, and, like we always said, "I'll see you all of a sudden." This is Louis Satchmo Armstrong getting ready to go and wait for the cats.

No, "Mr. Jazz" is not dead.

#### WATER PROJECT REVISITED

##### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. WALDIE. Mr. Speaker, next week the Governor of California will preside over a ceremony marking the first pumping of water over the Tehachapi Mountains to southern California.

This occasion is one that should be of great concern to all of the State. It would be the height of recklessness for anyone to believe that because the pumps are working the principal problems are over.

The California water project is manifestly faulty in concept and execution. There has been little in the way of proper planning to protect the estuarine environment of the San Francisco Bay and Sacramento-San Joaquin River Delta.

Presently, there are a number of independent studies either completed or planned on facets of bay-delta problems, but none really deal with the crux of the matter—what will occur when up to 80 percent of normal fresh water inflows into this system are diverted to the south?

A recent decision by the State water resources control board has given hope to those concerned about bay-delta water quality. The board maintained that the delta deserves protection and ruled that more fresh water should be released through the delta than has been provided for in previous plans of the U.S. Bureau of Reclamation and the State of California's Department of Water Resources.

However, Mr. Speaker, the fear that this vital natural resource will be exploited and ruined by water shipments to other areas of the State persists.

A recent editorial by San Francisco television station KPIX's general manager, William E. Osterhaus is an excellent example of that concern.

Mr. Osterhaus' comments are indicative of the growing concern regarding the California water project, not only in northern California, but in southern California as well:

The editorial follows:

#### WATER PROJECT REVISITED

In 1960, California voters narrowly approved the financing for the California Water Project. The idea was to gather vast amounts of fresh water from the rivers of Northern California and distribute it to Southern California. It would require the biggest water moving system ever built by man: dams, canals, tunnels and giant pumps which would carry water over 400 miles at a building cost originally estimated at about 2 billion dollars. So far, however, about 30% of the system has been completed and it appears that the full cost will be closer to 10 billion.

The project was conceived on some assumptions common in 1960. For instance, it

was assumed that urban population growth should be encouraged. It was assumed, too, that we could use all the agricultural land we could develop. It was assumed that Northern California rivers "wasted" fresh water by letting it flow, unused, out to sea. And it was assumed that Southern California had to depend upon these rivers for its water.

Today we know that uncontrolled population growth, as in Los Angeles, can be very bad, and that the old population projections for that area were greatly overestimated. Today we know that California has too much usable farm land and some farmers receive federal subsidies to not grow things. Today we know that fresh water flow in Northern Rivers is vital to the ecological life not only of those rivers, but the Delta, the Bay and the ocean itself. And we know that Southern California's real water needs can probably be met from present sources, along with the reclamation of used water and the desalinization of sea water.

In other words, the basic assumptions are being questioned, yet the State's engineers are determined to move ahead.

We at KPIX join those political leaders and conservation groups who feel that a complete reevaluation is in order. The complex technical, economic, and ecological factors involved in the California Water Project must be reassessed if we are to avoid what could be the biggest planning blunder in the history of California.

#### THE SOUTH VIETNAMESE ELECTION

##### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RARICK. Mr. Speaker, with the election returns from South Vietnam indicating that 87.7 percent of the 7.2 million South Vietnamese voters participated in an election that gave President Thieu 95 percent of the votes cast, the believability of the experts of the press is again exposed.

The overplayed exposé of South Vietnam holding an election for its top office with only one candidate was intended to raise many doubts. But it was the same opinionmakers who were responsible for the situation. They had made Mr. Thieu popular with his people by their repeated attacks on him and his policies, and who could be more responsible for the withdrawal or resignation of Vice President Ky than the same communications media blabbermouths who did not approve of his being a candidate because he was a military man? And who could be more responsible for the ridiculous actions of the Supreme Court of Vietnam in reversing themselves on the eligibility of Vice President Ky as a candidate than the manipulated public opinion by the pressure groups of the United States?

There are many one-man elections in Communist countries—in fact, in most there are no elections. The top spot is always occupied by the Chairman of the Communist Party. Yet many of the same communications people who have been so active in undermining the confidence of the American people in the public affairs of South Vietnam are seldom heard to complain of the lack of two parties or opposing candidates in the Communist "showcase" elections, or for that

matter in the so-called tribal elections in the many emerging nations in Africa.

Perhaps another correlation should be drawn between those in the opinion-molding profession who are so adamant in undercutting the right of self-government of the South Vietnamese and yet so positive of the right of the Washington ghetto community to have home rule here in the District.

Despite a nationwide campaign by the League of Women Voters and the Washington Post to procure 1,500,000 signatures nationwide calling on Congress to grant District of Columbia residents suffrage and to abolish District of Columbia as the last colony, in the first election held in the District to select a school board only 3 percent of the eligible voters cast ballots.

In a subsequent election, called to elect a highly touted citizens' board to handcuff local police, of the 70,000 eligible voters, only 2,300 or roughly 3 percent voted, even though the election was to slice a \$1.4 million pie given by OEO out of the pocketbooks of the Nation's taxpayers.

And in the more recent vote to select the first nonvoting Delegate to Congress, despite all of the fanfare, the generous publicity, and with six candidates running, only 43 percent of the registered voters saw fit to go vote. The victor won the race by receiving roughly 25.2 percent of the registered voters of the District.

It would appear that the citizen voters in South Vietnam give their leader far greater public support than has been displayed here in our Nation's Capital. The least our communications media could do to help bring our boys home would be to show a strong united and determined citizenry behind the re-elected Nguyen Van Thieu of South Vietnam.

I ask that a related news article follow:

[From the Sunday Oregonian, Oct. 3, 1971]

**MOST VIETS SHUN VOTING AMID VIOLENT PROTESTS**

SAIGON (AP)—Demonstration in Da Nang brought voting there in South Vietnam's one-man presidential election to a virtual standstill Sunday. Early reports from other parts of the country indicated a light and scattered turnout at the polls.

President Nguyen Van Thieu is the only candidate.

Election officials in the capital city of Saigon, where a Viet Cong rocket barrage killed three persons before the polls opened, reported a light early turnout which picked up by midmorning.

Rockets also were fired into three other cities, killing an additional six persons. The rocket attacks wounded 20 persons, including five in Saigon.

Associated Press Correspondent Holger Jensen reported that demonstrators in Da Nang, Vietnam's second largest city, were attempting to close all the polling places there.

Three hours after polls opened, unofficial election returns from half of the country's 44 provinces showed an average voter turnout of 14.4 per cent. The turnout ranged from a low of .3 per cent in the opposition stronghold of Hue, to 41.6 per cent in Phong Dinh province in the Mekong Delta.

In Da Nang, Buddhist monks and youths, students and veterans threw rocks and fire-bombs and blocked intersections near at

least nine major polling stations, Jensen said. They made it virtually impossible for voters to get in.

At least 12 persons, including three policemen, were wounded when disabled veterans threw hand grenades at police. The other nine wounded were student demonstrators.

Buddhist monks claimed two persons were killed and more than 20 wounded by police gunfire but this was not confirmed.

Minor terror incidents also broke out in Saigon, where police reported four explosions within an hour, and in the coastal city of Qui Nhon, 275 miles northeast of Saigon, where a bomb destroyed part of a bridge.

Officials at several polling places in Saigon said the midmorning turnout was similar to the Aug. 29 lower house election, when 78.5 per cent of the eligible voters cast ballots.

The early turnout at Saigon polling stations may have been lightened because of a Viet Cong rocket attack on the city two hours before the polls opened at 7 a.m.

Three Soviet-made 122 mm rockets slammed into Saigon before dawn, killing three Vietnamese and wounding five more.

[From the Evening Star, Oct. 3, 1971]

**THIEU GETS 95 PERCENT AS 87 PERCENT VOTE  
(By David Van Praagh)**

SAIGON.—President Nguyen Van Thieu basked today in a landslide of votes that saved him the trouble of deciding whether or not to resign, but may have left him open to renewed charges of election rigging because of the unexpected heavy vote.

Official returns showed that 87.7 percent of 7.2 million registered South Vietnamese voters went to the polls in yesterday's presidential election and about 95 percent of those who voted cast valid ballots for Thieu, the only candidate.

In solidly winning the referendum or vote of confidence he sought, Thieu obtained about 6 million votes—something like 80 percent of the registered voters.

He said he would resign if he received less than 50 percent of the votes cast and would consider doing so if he won only that amount.

Thieu is expected to announce his plans Wednesday, but acceptance of a second four-year term appears only a formality.

Thieu was elected with less than 35 percent of the votes cast in 1967 when there was an 83 percent turnout of voters. He ran then with Marshal Nguyen Cao Ky on one of eleven tickets. This time Thieu ran alone with former Premier Tran Van Huong as his vice presidential running mate and Ky calling for an election boycott.

The voting was punctuated by Communist rocket and mortar attacks on about a dozen cities, towns, and military installations and anti-Thieu demonstrations in Hue and Da Nang. At least 19 persons were killed by shellings, including three in Saigon, as a result of the first rocket fired on the capital since last December.

There were indications that some invalid ballots cast in Saigon and elsewhere against Thieu were not counted, or were counted for Thieu, and that voting in much of the countryside was more like a military drill than a democratic election.

It remains to be seen whether what some political observers were calling the latest example of overkill in an Asian election will discourage Thieu's opponents at home or stir them to better organized activity—and whether it will increase or lessen the chances for continued U.S. congressional support of major military and economic aid.

Grimacing and confident after he and his wife voted at Saigon's ornate city hall, Thieu told an impromptu press conference when asked if his one-man race was different from a contest with two or three candidates:

"The difference is nothing—the people have the right and freedom to vote. . . . I'm not disappointed."

Gen. Duong Van Minh withdrew from the race, charging it was rigged after a rigid new election law prevented Ky and other candidates from running. In a final speech Saturday night after the campaign legally ended, Thieu accused Ky and Buddhist leaders calling for election boycott of "agitating against the national cause."

Surrounded yesterday at city hall by gruff bodyguards, Thieu claimed Communist forces had been frustrated in planning to launch an attack near the DMZ to coincide with the election.

He said they had started an offensive instead northwest of Saigon on the Cambodian border, but this also had failed.

**SECURITY RELAXED**

Tight election day security was relaxed in the capital after the quiet and orderly polling.

Protesting students, disabled veterans and Buddhists disrupted the voting temporarily in Hue and Da Nang.

Tear gas, which police had been ordered not to use on election day so as not to drive voters away, finally dispersed angry students in both places.

Police also fired rifles over the heads of demonstrators in Da Nang.

Hue was almost the only place where the voting was slow at first—3 percent of the registered voters during first hour—but in the end, 67 percent voted in Hue and 76 percent in Da Nang. The figure for Saigon was 76.5 percent.

The number of registered voters who went to the polls was more than 90 percent in most Mekong Delta provinces—more than 99 percent was reported from Kien Giang—and between 80 and 90 percent in most other provinces.

The percentages of spoiled ballots were slow in reaching election headquarters here although most counting was believed completed within an hour or so after polls closed at 5 p.m. yesterday.

Of the ballots cast, 97 to 99 percent were reported valid for Thieu in many places including Qui Nhon City, an antigovernment stronghold. In Da Nang the figure was 68 percent, in Hue 85 percent and in Saigon 84 percent.

At one of six polling stations at a school near the U.S. Embassy here, 648 ballots were tallied for Thieu and 245 were counted as invalid.

The pattern of 25 to 30 percent invalid ballots of 600 to 900 votes held at each of three other polling stations. But at two others only 15 and 10 ballots respectively were reported as invalid.

Each voter was given a ballot with the names and pictures of Thieu and Huong. To validate it, he had to fold it and put it in envelope to be deposited in the ballot box. To invalidate it as a protest against Thieu, he either had to deposit the empty envelope or tear or otherwise deface the ballot before putting it in the envelope.

JAMES S. GOLDEN OF KENTUCKY

**HON. O. C. FISHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 1971

Mr. FISHER. Mr. Speaker, the recent death of former Congressman James S. Golden of Kentucky, brought back memories to many of us who had the pleasure of serving with him in the House. He was here for 6 years—1948 to 1954.

Mr. Golden was affable, alert, knowledgeable, and highly motivated. In the field of legislation affecting agriculture he soon established himself as an expert.



As I recall him, Mr. Golden insisted that such legislation be fair and in accord with the public interest. On this and other subjects, he was always well informed and provided responsible leadership and guidance on many occasions.

This departed statesman played the role of a perfect gentleman. He was a man of integrity and honor, and many of us who served with him will long remember those sterling qualities.

#### THE MILK MAN GOETH

### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ZWACH. Mr. Speaker, on September 4, some 30,000 members of the Associated Milk Producers, Inc., from north-central America met in Chicago for their second annual convention.

It was a pleasure for me to address one of the breakfast meetings of the group.

One of the speakers at the convention was Paul Harvey, well known radio commentator and less known as an operator of farms in Arizona and Missouri.

I would like to share Mr. Harvey's words with my colleagues and all of those who read the CONGRESSIONAL RECORD:

#### THE MILK MAN GOETH

Now—farmers:

You talk about a disadvantaged, underprivileged, discriminated against minority; you're it!

But that's changing.

The number of Americans living on farms has declined one-third in ten years. Our nation is down to ten million farmers. Less than five-percent of our population.

That five-percent vote has had little leverage in Washington but they're going to get some from another source.

Our American farmer has taken very good care of us, though we have been paying him half as much for his wheat and corn as 20 years ago.

City food bills are higher mostly because of the increasing cost of getting the food from the farmer to the housewife. That cost is up 160% in 20 years.

That increase notwithstanding, our store-bought food bill averages only 16½% of our take-home pay.

In Western Europe, 25% of your income would go for groceries.

In Russia, 50%. In the Far East, as much as 80%! Ours, 1½%.

So our farmers, constantly improving and increasing per-acre production, have taken good care of us.

Because of higher prices for everything they buy and lower prices for most everything they sell, farmers have had to consolidate. Small farmers were forced out of farming. Today it takes an investment of \$50,000 to create one farm job. So the trend to fewer and larger farms continues.

And pyramiding population, 90% of it concentrated on 8% of our land, is more and more spilling over onto the countryside.

Foolishly we are planting houses on much of our most desirable agricultural land. We should put houses on the hillsides and crops in the valleys, but it's easier for the bulldozers and builders to mass produce houses on the level land.

So 700,000 farms have "disappeared" since 1960.

Thus arable acres shrink. And soon, sooner than most realize, the era of food surpluses will come to an end.

That is going to put the shoe on the other foot.

As is, the farmers' average per-family income is \$5,401.

That is about half what the rest of us average.

His investment in starting capital is \$100,000 to \$200,000.

He deserves a proper return on that investment. When our increasing appetite catches up with his production, he's going to demand a fairer slice of the pie—or else.

And uninvited but inevitably—three billion people are coming to dinner.

We'd better pray that in the difficult years ahead, the farmer will be more considerate of us than we have been of him.

I'm not proud of some segments of the news media for their recent snide remarks about dairy men spending money to convene while asking higher dairy farm prices.

Unfortunately that is a typical however unbecoming attitude of some city dudes, demonstrating their utter lack of appreciation for the source of their sustenance.

There is not one newsman in this nation who works for less than you do.

They are guaranteed a minimum wage higher than yours.

Yet some would bite the hand that feeds them.

If they knew what they were talking about, you would be congratulated, praised, applauded—for straining your limited resources to mobilize your forces.

The Harveys farm. We've not earned the right to call ourselves farmers, but we do farm.

Angel and I operate a thousand red-ink acres in Arizona and run a barely black-ink White faced herd in Missouri, but I have to stay in the broadcasting business in order to afford to farm.

If I don't smell much sour silage, I do understand the bottom line.

Fortunately a few of today's Senators and Congressmen were farm boys, but the next generation there won't be many if any.

You're going to have to have some competent spokesmen in Washington to educate 'em.

#### ENERGY AND ZERO GROWTH

### HON. JAMES A. MCCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. MCCLURE. Mr. Speaker, the House Republican Task Force on Energy and Resources has resumed its investigations into the complex relationships governing national growth and energy production. As chairman of the task force, I am pleased to present a statement on this vital subject, received by the task force from the Honorable Frank N. Ikard, formerly a Member of Congress, now president of the American Petroleum Institute.

Together with an analysis of the national energy situation, Mr. Ikard discussed the advisability of a national policy for zero growth, particularly in the areas of energy production and resource development. The effects of such a policy on low-income families have not been fully studied, and I believe that Mr. Ikard's statement illustrates the need for a more thorough analysis.

Any national program concerning energy and resources should take into consideration the future needs of all members of our society, affluent or otherwise.

At this time, I submit for the RECORD Mr. Ikard's statement before the House Republican Task Force on Energy and Resources:

STATEMENT BY FRANK N. IKARD, BEFORE THE HOUSE REPUBLICAN TASK FORCE ON ENERGY AND RESOURCES

My name is Frank N. Ikard. I am president of the American Petroleum Institute, a national trade association representing all branches of the petroleum industry.

I wish to be as helpful as possible to this Task Force in its inquiry into the status of the nation's energy resources. However, I want to make it clear that I can speak for the petroleum industry only with respect to those matters that come within the scope of the Institute's program. I am not in a position to discuss any topic regarding the operations of individual companies.

The subject of our nation's energy resources is one of vital concern to every American. Energy is what keeps America going—and growing. In the last year, however, the question has arisen as to whether our country is going to be able to continue to meet those twin goals in the foreseeable future.

The question has become an urgent one, because all signs point toward an "energy gap." The gap is not yet serious, but it could become critical unless we assign top priority to the task of increasing energy supplies.

The "energy gap" does not mean that we cannot increase our production of energy fuels: oil, natural gas, and coal. What it does mean is that domestic supplies of some fuels are already running behind U.S. demand, which is increasing faster than new reserves are being found.

A potential energy shortage is something new in the experience of the American people. Except for a few years of gasoline rationing in World War II, consumers have always enjoyed adequate fuel supplies and taken it for granted that all their needs would be met. For decades, we were not only self-sufficient in energy production—but also had enough spare capacity to export more oil when needed to help Western Europe.

Our self-sufficiency has disappeared for oil. This nation has become dependent on foreign sources for 23% of its oil. On the East Coast this dependency exceeds 45%. The greater this dependency becomes, the graver the potential threat to our national security and to the welfare of consumers dependent on oil for heat and transportation.

It should be pointed out that while the "energy gap" became a phrase widely used in the language only within the last year, it didn't develop in so short a time. Some of the problems it involves might have been avoided had they received thoughtful consideration years ago.

The petroleum industry today finds itself in the unhappy position of seeing come to pass precisely those energy supply problems about which it had been warning the nation for years. Unfortunately, the motives behind such warnings were often misinterpreted and, as a result, they went unheeded.

Perhaps our predictions fell on deaf ears precisely because previous concerns about shortages of domestic oil, as in the mid 1920's and the early years after World War II, were dispelled by new discoveries and greater production. Now the problem of meeting rising demands is larger and more difficult. During the past 20 years, U.S. energy demand has doubled. At the rate of increase of the past decade it will double again in less than 15 more years—by 1985. By the end of this century, the American people may be consuming energy at approximately three times the present rate.

It is not too difficult to see how this unprecedented increase in our use of energy came about. In the past decade, for example, the number of homes with central air conditioning increased five-fold—with millions more expected to add air conditioning in the 70's. The number of families with two or more cars also has risen sharply during the last ten years. Innumerable other consumer and industrial uses of energy have shown comparable increases.

At present, the United States gets its energy from these sources: oil, 43 per cent; natural gas, 32 per cent; coal, 20 per cent; hydro-electric power, 4 per cent; nuclear power, less than one per cent.

The major portion of our energy—more than 95 per cent—is provided by the fossil fuels—oil, natural gas, and coal. These ratios are expected to change over the next 30 years, but the volume of energy required from each source will continue to increase.

To put this into sharper perspective, consider this fact: This year the United States will consume an average of more than 600 million gallons daily. That use means three gallons daily for every man, woman and child. This, of course, is oil alone. It does not include the vast daily consumption of natural gas, which is becoming almost as important as oil. Oil and gas together supply more than three-fourths of the nation's energy demands.

It is no coincidence that the United States, with the world's highest per capita energy consumption, also has the highest standard of living. Studies have shown a marked correlation between a nation's rate of energy consumption and its per capita income.

The importance of oil to our economy, to our security, and to the well-being of consumers makes any shortage of oil a serious matter. This is why there is so much concern over a potential energy shortage.

The problem is not that we are running out of fossil fuels. There are large potential resources of oil, natural gas, and coal still to be discovered and developed within the United States. A study by the National Petroleum Council, released in July, 1970, included the estimate that 55 per cent of the discoverable oil and 66 per cent of the discoverable gas in this country remain to be found.

Widely ranging estimates have been made about the size of petroleum demand over the coming years, but on one point there seems to be general agreement among all forecasters: as far ahead as anyone can see, oil and gas will continue to be the leading energy sources of the American people.

However, the cost of finding and developing domestic reserves is rising sharply. Deeper exploratory wells are required, and while a well around the 2,500-5,000-foot range costs only about \$10-per-foot to drill, a well that goes down 20,000 feet or more runs up a cost of almost \$72-per-foot.

Drilling for oil is a costly, high-risk business. For every 100 new-field wildcat wells drilled, only nine strike oil, and only two of those are of commercial significance. Furthermore, the most promising areas for important new petroleum finds—the outer continental shelf and the North Slope of Alaska—are the most difficult and expensive places of all in which to operate. Nevertheless, these potential resources must be tapped if the energy gap is to be narrowed.

The petroleum industry is well aware of its responsibility to meet the nation's energy needs. It also recognizes its corollary responsibility to protect the environment wherever it drills for oil or gas. It should be clear, however, that to conduct an intensified search for petroleum in remote and inaccessible regions, while taking every precaution to protect the air, water, and land from pollution or other long-term damage, will require massive amounts of venture capital.

Oil and gas producers will have to figure on the cost of environmental conservation as a basic factor in all their operations, currently, and in the years ahead. This is equally true for the refining, transportation, and marketing branches of the industry. In all these operations, heavy capital investments and high operating costs associated with environmental control technology have become the rule.

It should be noted, at this point, that despite our soaring demands for energy, the nation's proved reserves of oil—oil that is already discovered and available for use—have been declining. Excluding oil from the North Slope of Alaska, which cannot be of use until transportation facilities are approved and completed, little more than a 9-year supply of oil is available at current production rates, compared with a 12½-year supply in 1958. Exploratory drilling is at its lowest level in 22 years.

The decline in drilling came about because of a cost-price squeeze that has made it difficult to attract the huge amounts of capital needed to intensify the search for oil. Compared with the average for the years 1957 to 1959, crude oil prices had advanced less than 12 per cent by the end of 1970. During that same period, however, oil field wages rose 52 per cent, oil well casing went up 24 per cent, and the cost of oil field machinery increased 33 per cent.

In the 1960's the U.S. petroleum industry invested \$60 billion to develop domestic reserves of oil and gas. To meet the needs of the 1970's it will have to invest \$150 billion—2½ times as much. Yet instead of providing the incentives to encourage new investment, government policies have tended to do just the opposite. The 1969 Tax Reform Act, for example, is estimated to have added about \$700 million-a-year to the petroleum industry's tax bill.

There have been many policies and attitudes that have also contributed toward bringing about the present tightness in our energy supply. During the past 17 years, while discovery and production costs of natural gas soared, federal control of gas soared, federal control of gas prices held them at a low, unrealistic level. As a consequence, investors shied away from natural gas ventures because the prices were not realistically related to rising costs and the increasing need for gas to reduce air pollution.

Environmental control laws, with unrealistic compliance dates, placed restrictions on emissions of sulfur dioxide that forced many cities to switch from much of the available coal, because of its high sulfur content, to other fuels—particularly natural gas and residual fuel oil. The result has been further pressure on supplies of both these fuels.

Over-optimistic forecasts about the growth of nuclear power generation, and efforts to ban offshore drilling for oil and gas and block construction of the pipeline needed to transport Alaska's North Slope oil to market are just a few of the other factors that have led to the energy gap.

To bridge this gap, there are two alternatives: the American people can be required to alter drastically their energy-based standard of living or, more realistically, we can adopt national policies to insure adequate energy supplies for the future.

There are those, in growing numbers, who would have us choose the first alternative. They would have us declare a moratorium on all future progress. They want to set a national goal of zero growth—in our population, in our economy, in our use of energy. In their blind love of absolutes, they insist that growth makes the world a worse place in which to live.

The zero growth advocates, however, are guilty of a very real and callous complacency toward the genuine material needs of millions of Americans who have not yet

achieved their full share of American affluence. They show a cruel indifference to the 25 million men, women, and children who barely subsist in poverty on family incomes of less than \$4,000 a year. They ignore the pressing need for increased funds to rebuild, renovate, and repair the decay of decades in our major cities. They ignore the fact that it is going to take billions of dollars to provide the clean air and water that are every American's right, and to keep them that way.

Is the job of the oil industry—indeed, of every American industry—finished? Shall we now devote ourselves to merely managing the status quo?

Ask the people of Appalachia. Ask them in the dismal ghettos. Ask any black man. For that matter, ask the father of three or four children in any urban area who is earning less than \$10,000 a year. Ask him if he does not need more disposable income—to plan for the higher education of his children, if nothing else.

Is the job of America finished? The urgent needs of millions of Americans provide the answer in a resounding "No!"

Those who call for zero growth ignore the fact that the money needed to improve the earning power of the disadvantaged, to expand our social programs, to rebuild our cities, to enhance our natural environment in a world of technology can come from only one source—from the steady growth of our economy. It will come, especially, through the steady expansion of the petroleum industry, because we supply the energy for the increase in mechanical productivity that makes growth possible.

It should be obvious that continued economic growth is dependent on adequate energy supplies, but particularly those energy supplies that are secure. Yet some industry critics insist that the answer to the energy gap is to open the doors to unrestricted "cheap" oil imports. They ignore current history, which provides ample proof of the danger of becoming too dependent upon foreign oil.

In 1966, the Mandatory Oil Import Control Program was amended to allow unrestricted imports of heavy or residual fuel oil to the East Coast. By 1970, more than 90 per cent of East Coast residual fuel oil was imported. U.S. refiners, unable to compete with low-cost imports, cut back their output of this fuel in favor of other, more profitable, products. Last year, demand for residual fuel oil rose sharply, in part because of environmental restrictions on the use of coal. Because of the tanker shortage and other factors, foreign suppliers were unable to meet the increased demand. The price of residual oil rose sharply, and for a time it appeared that there would be a major shortage of this vital product on the East Coast. The impending crisis was averted when U.S. refiners rapidly increased their output of residual oil—even though this action was costly and unprofitable.

More recently, in early 1971, six Persian Gulf nations, Libya, and Algeria obtained substantial increases in crude oil prices in bargaining with U.S. and Western European oil companies. Most oil exporting nations are underdeveloped and rely on oil revenues to finance economic development and raise living standards. Their desire for higher prices is understandable. But it should be clear that foreign oil, instead of remaining cheap and plentiful, is becoming more expensive and supplies are uncertain.

The well known international petroleum consultant, Walter J. Levy, described the present situation quite well in an article in the July issue of the magazine, *Foreign Affairs*. Levy said:

"The United States must now be convinced that control over oil imports and support for indigenous energy resources is vital to its security and credibility as a world power. If implemented, the recommendations of the



Cabinet Task Force on Oil Import Policy—to replace the present import control system by a tariff system and allow domestic crude oil prices to decline so as to take economic advantage of low-cost foreign oil—could have been a disaster.”

Foreign nations will continue to be an important source of oil for the United States. Past events, however, would seem to convey this clear message: our nation's wisest course would be to give the highest priority to encouraging exploration for new domestic petroleum reserves.

By all indications, there are substantial amounts of oil and gas still to be discovered within the boundaries of the United States. However, in the National Petroleum Council's 1970 study, previously referred to, the NPC noted: "The discovery and commercial development of these potential resources will . . . take many decades and require major improvements in economic incentives." Equally long periods of time are likely to pass before the potential of synthetic oil and gas from our vast domestic reserves of coal and oil shale is realized. Furthermore, if the United States lets itself become excessively dependent upon foreign oil, it will discourage not only the search for and development of our domestic petroleum potential, but the development of the technology needed to supply some of the future energy we will need from oil shale and coal gasification and liquefaction, as well.

The current energy gap must not be allowed to widen into an energy crisis. To prevent this, we need a national energy policy—a policy that will replace the short-sighted measures of the past with a long-range, balanced view of the energy situation.

Such a policy must promote, first of all, a strong domestic petroleum industry in order to insure a dependable supply of energy resources. It also must consistently and coherently relate all the factors of our energy system—the well-head price of natural gas, the requirements for safeguarding our natural environment, the development of nuclear power sources—to name just a few.

In short, we need a national energy policy created out of the understanding that we are dealing with a major problem—of providing adequate supplies of all forms of energy.

This policy must be written not by the government alone, but with the help of people who have practical, first-hand knowledge and experience concerning the energy business. If government and industry will work together in harmony to frame realistic new policies, our nation's energy needs will be met—not just today and tomorrow, but in the years and decades to come.

**VETERANS OF FOREIGN WARS COMMANDER IN CHIEF JOSEPH L. VICITES KEYNOTES VETERANS OF FOREIGN WARS PROGRAMS FOR 1971-72**

**HON. OLIN E. TEAGUE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. TEAGUE of Texas. Mr. Speaker, on September 18 and 19, 1971, the Legislative, National Security, and Employment Committees of the Veterans of Foreign Wars of the United States met here in Washington. These three key committees of the 1,700,000-member veterans' organization drew leaders from throughout the country to review hundreds of resolutions approved by delegates to the Dallas, Tex., VFW National

Convention last August. It was at this convention that the more than 12,000 delegates elected Joseph L. Vicites of Uniontown, Pa., as their national commander in chief for 1971-72.

The new VFW national leader has made it abundantly clear that during his year in office he will direct the major portion of his endeavors toward improving the comprehensive veteran benefit programs for those who have served and died for our country during wartime and times of great peril.

In a speech during the joint opening session of the three top VFW committees, Commander in Chief Vicites pointed out the greatest threat to the veterans' programs today is spiraling inflation. He cited four programs involving over 6 million veterans and their families which are critically in need of substantial cost-of-living increases.

This dramatic speech is in itself a challenge to the more than 1.7 million members of the Veterans of Foreign Wars, to the Congress, and to the American people. I commend it to my colleagues:

**KEYNOTE ADDRESS TO JOINT MEETING OF NATIONAL LEGISLATIVE, NATIONAL SECURITY AND FOREIGN AFFAIRS, AND NATIONAL CIVIL SERVICE AND EMPLOYMENT COMMITTEES OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, WASHINGTON, D.C., SEPTEMBER 18, 1971**

Good morning comrades and welcome to the nation's capital. Every organization has a group of dedicated men. Sometimes they are referred to as "prime movers" or "key people." But no matter what they are called, these are the men who make any organization what it is. That is why it is with real pleasure that I address you today for you are truly the moving force behind the Veterans of Foreign Wars.

The decisions you will make in the next two days will formulate our policy statements and main goals for the year ahead. It will be a critical year for the nation and for the nation's veterans. That is why, what you decide today and tomorrow here in Washington is of extreme importance to the V.F.W.

As I stated in my acceptance speech at Dallas, "veterans benefits will be our battle cry." We must put a more productive effort into preserving and liberalizing veterans rights and benefits which have been authorized by a grateful Congress down through the years in recognition of service to the nation in its time of need.

By far the greatest battle facing our country today regarding these veterans programs is spiraling inflation. Four programs involving over six million veterans and their families are critically in need of substantial cost of living increases.

I am referring to the two million Vietnam veterans who are taking GI Bill training. I am referring to the more than two million veterans who were wounded on the battlefield or suffer from service connected disabilities and are receiving VA compensation payments. I am referring to the approximately two million veterans and their families who are receiving a VA pension because of permanent and total disabilities and, I might add, a substantial number of these are World War I veterans and their widows. Finally and most important, I am referring to the widows and children of servicemen who were killed on the battlefield or died of service connected causes.

I fully appreciate and applaud the efforts of the Veterans of Foreign Wars in obtaining Congressional approval of a three-quarters of a billion dollar increase in cost of living

payments for these four programs during the previous session, but inflation has taken its toll. All of these programs must be increased to keep up with sky rocketing inflation costs.

Adequate funds and staff for VA hospitals will be among my primary concerns this year. National Health Insurance programs are under consideration by Congress. We do not know yet what the role of the VA will be. I have heard very disturbing reports that our old Nemesis, the Office of Management and Budget, is presently considering what the VA's contribution will be if Congress approves some kind of National Health Insurance program.

So that there will be no misunderstanding, let me make this very clear at the outset of this new year: The Veterans of Foreign Wars will fight to the last ditch any and all efforts to merge the VA hospital system and medical care program into a general national health program. Other legislation of paramount concern to the Veterans of Foreign Wars will be improving and liberalizing the VA pension program for older veterans, especially our World War I comrades.

We must not forget that another veteran problem facing us is the frightening increase in the use of harmful drugs. The V.F.W. will be using all of its resources to support legislation aimed at solving the drug problem among our veterans.

We must be seeking new and different approaches to help our younger veterans in their efforts to once again adjust to civilian life.

I am hopeful that Congress will move on V.F.W. sponsored bills to transfer the National Cemetery System to the Veterans Administration. This is a necessary step if we are to win our long-time goal of having at least one National Cemetery in every state.

These are just a few of the legislative goals which will be continuing to receive our primary attention. I know that you will recommend a hard-hitting priority legislative program which will warrant the attention of Congress and will continue our reputation as the number one veterans leader in behalf of rights and assistance for our comrades and their families.

You comrades serving on the National Civil Service and Employment Committee face a great challenge. Jobs are not plentiful. This condition will likely continue, with winding down of the Vietnam War and the phasing down of the nation's space programs.

The lack of need of defense supporting industries and business is inevitable, and is already apparent. Also apparent is the reduced activity, and in many cases, the complete closing down of many defense facilities.

At the time when the number of jobs is growing smaller, the number of job-seeking veterans is growing larger. We are aware that the Federal Government has taken positive action, including statutory employment programs which you will hear more about during your meetings.

In announcing these programs, President Nixon has stated that "I expect definite goals of reducing veteran unemployment by specific target date, together with regular reports of accomplishments. Each returning veteran must be reached and served by this effort."

In spite of such pronouncements by the President, strong pressures have been exerted to give equal and in some cases greater priorities to job-seeking "disadvantaged", "underprivileged", and "minority group" candidates, rather than to job-seeking veterans.

It appears, comrades, that our battleground, and the battleground of this committee in particular, is on the field where we must obtain true, meaningful job preference for veterans. "48 hour preference" is not enough. "Special consideration" is not enough. A "fixed percentage" of jobs is not enough. High sounding promises about fa-

voring veterans are not enough. We cannot be satisfied until every veteran has employment commensurate with his needs and abilities. I know you can meet the challenge.

Although I promised you that I would devote much of my effort during the coming year to our problems at home and to veterans benefits, I do not in any sense mean that I will neglect the problems our nation faces throughout the world—the communist threat, attacks on our military, the rapidly rising superiority of Russia's war-making capability, the war in Southeast Asia and American prisoners of war—just to name a few.

We are heading into a political year—the election of 72—and we will see unscrupulous politicians attempting to grab headlines and capitalize on our country's involvement in Vietnam. There are those who talk with the enemy while Americans are dying in the rice paddies and jungles of Vietnam and then come home to tell us everything is wrong with our country. I say they should be soundly condemned by the American people. There are even some officials holding high government office who would have us pull our troops out of Southeast Asia and leave American prisoners of war to the mercy of those they consider the victors in Vietnam.

But this I can promise you, and let it serve as a warning to some who would use American lives in their conquest for political power, that as long as one American is held captive in Vietnam, we in the Veterans of Foreign Wars shall insist that there are other Americans there fighting for his freedom.

Let there be no mistake, in any negotiations for the settlement of the Vietnam conflict, we in the V.F.W. shall demand that the POW issue be resolved first and foremost.

We cannot allow our suffering in Vietnam to push us into isolationism. We must learn the valuable lessons that our experiences have taught us. We cannot turn our backs when the innocent and oppressed cry to us for help. I say to you we cannot abandon the moral ethics which have made this nation great. We cannot hide from responsibility. For this type of thinking, although it may seem comfortable, is truly the path to war. If any man questions this, have him look back prior to Pearl Harbor when this nation turned itself into a tortoise shell of isolationism.

Above all we desire peace but not peace gained through appeasement and surely not peace at any price. Let us all remember that the men in the Armed Forces are charged with preserving and protecting the peace and only as a last resort to fighting a war. The world we live in is a constant reminder that we must maintain a strong self-defense posture. If we falter in our determination to remain strong, if we listen to the cries in the wilderness to disband our military, then we are in the tortuous road that has only one end—the loss of liberty and the enslavement of our people.

I believe that the overwhelming number of Americans, both old and young alike, believe in this great country . . . believe in our precious heritage. As long as that faith in America remains, America will remain a very special place, in spite of all our problems.

#### FRENCH ARMS SALES

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. EILBERG. Mr. Speaker, the sale of arms and armaments is one of the most shameful practices carried by the major powers. Unhappily, the United States is

the leader in this field. Russia is in second place, and now France has become the world's third major arms dealer.

The attitude of the French is that the sale of weapons is simply a business like any other and they cannot be concerned about the consequences of their action.

In a recent series of broadcasts, Bernard Redmont, chief of the Paris bureau of group W, Westinghouse Broadcasting Co., has given a clear picture of the policies and practices which have made France a leading "merchant of death."

With the unanimous consent of my colleagues, I enter the transcript of his eight-part series in the RECORD:

#### FRANCE: WEAPONMAKER TO THE WORLD—FRANCE TRIES HARDER—PART I

France has moved into the big time as a supplier of weapons to the world . . . France is now Number Three—close behind the U.S. and the Soviet Union.

Despite a wall of official silence, I was able to piece together the extraordinary story, after months of patient investigation.

Exasperated by foreign press criticism that France has become a leading "merchant of death," the government has discontinued official announcements or commentaries on sales of arms abroad.

But Defense Ministry sources confirmed that France has now become the third biggest exporter of war weapons in the world.

A French aerospace industry spokesman, Jacques Noetinger, also corroborated the news. But he told me France didn't expect to surpass the U.S. and the Soviet Union.

Tape: "Well, we must be objective, you see. We cannot be competitive on the same level with two big countries like the ones that are the U.S. and Russia. But we do think in the second category of country like we have so many in Europe, we can be the leaders. We don't want to try to be bigger than we are, but we do think that if we make a serious work, we can have in Europe a nice position. But we will never reach the stage of America or Russia. That wouldn't be fair and that wouldn't be objective, you see, eh?"

Last year, France sold a record one point three billion dollars worth of warplanes, warships, tanks, missiles, guns, ammunition and other military equipment. . . . It's a record that gives some Frenchmen a good deal of pride and others remorse.

#### FROM LIPSTICK TO GUNS—PART II

H. G. Wells once wrote that "Armament itself is making war. Making a gun, pointing a gun, firing it, are all acts of the same order."

France disagrees . . .

President Pompidou spoke the other day to French military leaders and asked them to develop, simple, functional, economical and exportable weapons . . .

A colonel at the Ministry of Defense export division recently told a visitor "We do not care what we sell—France wants to export everything she can, from lipstick to guns."

French arms customers range across the globe from Europe to North and South Africa, Asia, Australia, the Middle East and Latin America.

The successful French sales campaign was described to me by Jack Gee, author of a new book called "Mirage", just out in France and soon to appear in the U.S.:

Tape: "France took third place among the major exporters of weapons, from Britain last year, and this was because of the fantastic orders for Mirages. And it's reasonable to bet that France will maintain this privileged position, thanks to the new generation not only of Mirage aircraft, but of tanks and other weapons which she's offering to her foreign customers."

France maintains that business is business, and it sells weapons on a strictly busi-

ness basis, in the national interest . . . Defense Minister Michel Debre argues that France "has done more for peace in the world than many other nations who criticize her today."

The French argument is that France is only supplying what others would supply if the French hadn't offered better goods or better terms.

#### THE MIRAGE OF THE MIRAGE—PART III

"The Mirage is as invulnerable to any enemy as a mirage is elusive to a traveller in the desert."

That slogan was coined by French engineer and aircraft maker Marcel Dassault.

The Mirage is not only the key to France's nuclear deterrent. It's one of the main instruments for extending French influence abroad and for coining money for the nation, as Jack Gee, the author of a new book on the Mirage, told me.

Tape: "The Mirage certainly is the symbol of France's ambitions on the international scene over the past 15 years. The French have sold this aircraft to 13 foreign countries and in each case there's been an excellent political reason for the sale . . . For the French balance of payments, the sale of the Mirage has been a windfall. Last year, for instance, 1970, the French balance of payments was, in fact, balanced solely thanks to the orders for 220 Mirages received by H. Marcel Dassault."

France sold to Israel at first, but then rejected Israel as a market after the Six Day War. As a result, France landed huge contracts with Arab states, particularly Libya, which ordered 110 of them.

France has applied an embargo not only against Israel but also against other belligerents in the war like Egypt and Syria, though not Libya.

Like some arms dealers, the Mirage-maker doesn't like others to tell that story, as Jack Gee found out.

Tape: "Monsieur Dassault has tried to suppress my book and he has failed."

But the story is now being told. A total of almost 1,200 Mirages have been sold, three-quarters of them outside of France.

#### THE INVULNERABLE SUPERSONIC VEST POCKET MISSILE—PART IV

Looking for a supersonic bomber, a lethal missile, a tactical atomic weapon system, a rocket launcher or even an armored vehicle for use against guerrillas or street rioters?

France has just what you're looking for, and at a competitive price too . . . Some of these products were on display recently at the Paris air show . . . Others were later exhibited at the annual armament show in Satory near Paris, to which military attaches of 62 foreign countries were invited.

One of the hottest articles is the Exocet, a unique supersonic naval missile that can sink a target 25 miles away . . . A spokesman for the French aviation and space industry, Jacques Noetinger, told me it's considered invulnerable, because of its ability to skim just over the waves.

Tape: "You see, this type of missile is able to be, is a supersonic missile, able to fly over the water at very low altitude, and to have a guided equipment to go to the target . . . A supersonic missile, flying about ten feet from the water, from the sea level and efficient on a long distance, on a decent distance for this type of missile, is something that nobody else has for the moment."

Britain has just ordered Exocet missiles, at a cost of 144 million dollars. Other customers are Greece, Malaysia, South Africa, West Germany, Peru, Iran, and Australia . . .

For prospective buyers, the Exocet and a score of other French missiles, including weapons that deliver nuclear loads, are all listed in a handsome 160-page bound catalogue in "living" color, with specifications



and performances. I have a copy—it's not even confidential.

#### ARMS AND THE MAN NAMED DE L'ESTOILE— PART V

You don't ordinarily think of an arms salesman as a romantic figure . . . But you can say that about the mystery man who rocketed France into third place among the world's biggest arms exporters—Hughes de l'Estolle. This little-known official is a handsome young man with a glamorous pedigree of scholarship and aristocracy and military connections.

Barely 40 years old, de l'Estolle is a descendant of a 16th century chronicler, Pierre de l'Estolle, who was the authority on the turbulent reigns of French kings. His father is a retired general and his wife is a general's daughter . . .

De l'Estolle holds the title of director of international affairs for the French Ministerial Arms delegation, whose efforts give jobs to 270 thousand defense workers . . .

A French aerospace industry spokesman explained that French firms need no sales intermediary, if their products are for civilian use.

Tape: "But as soon as we touch the military problem, even if the company has personal contacts and has the feeling that they can sell one of their products in the world, it doesn't depend on them to sell it or not to sell it. It depends from the government. Engineer de l'Estolle, he's the man that is directly in contact with the government, the Prime Minister and so on. And it is at that stage that he allowed or not to sell planes in such country, according to the political, general political position of France."

Arms salesman de l'Estolle talks to customers—but not to inquisitive newsmen.

#### ARMS FOR APARTHEID—PART VI

France maintains it is honest, logical, independent and above all, free of hypocrisy in its sale of arms abroad . . .

This is why it has been so successful in selling war material to racist countries like South Africa, while deploring racism everywhere and maintaining massive aid and trade to black Africa . . .

A spokesman for the French aerospace industry, Jacques Noetinger, explains simply why France has become South Africa's principal arms supplier.

Tape: "It is the policy of France that it tries to be in good relationship with as many countries as possible. And that was the reason that we had at Le Bourget for the Paris air show, American, Russian, Japanese, even, even Israel people coming, you see, and South Africa and so on."

In 1969, France sold 45 Mirage jets to Pretoria. A new deal is under way for 100 Mirage Milans . . . France has sold helicopters and Panhard armored cars, Crotal or Cactus guided missiles, AMX tanks, helicopters, and submarines.

To justify its refusal to respect a U.N. embargo, the French government makes a distinction between arms for external defense which it sells to South Africa and for internal repression, which it does not. President Pompidou last year personally ordered a ban on sale of French arms to countries that could use them against rebels . . . But some of the arms sold for external defense can obviously be used against the black insurgents . . .

And so, South Africa's Defense Minister Piet Botha quietly turned up again this June to shop in France for more military hardware.

#### LATIN LOVERS OF FRENCH ARMS—PART VII

The arms race in Latin America used to be the private preserve of the U.S. . . . Not any longer . . .

France has moved in—with skill, efficiency—and easy credit terms. This is especially true with military aircraft. France initially

began selling them to far-away India and Australia, according to a French aerospace industry spokesman.

Tape: "Latin America came later on, but now it's a big market for us . . . For the moment, the figures are that we deliver officially, for the moment, because I know that in recent days we have new orders, but we can tell that 14 different countries use the Mirage . . . So we are trying to take the opportunity to have impact any place where our products are really competitive. We don't want to cover everything. We perfectly know that for the long range transport plane for instance the heavy long range transport plane, we will never be in competition with the Americans, because they are the first and we cannot go in that field."

Mirages are now flown by Brazil, Argentina, Colombia and Peru. Deals have been made or are under discussion with Chile, Venezuela, Guatemala, Ecuador, Panama and Peru.

The French are also cleaning up in Latin America with sales of ships, submarines, tanks and sophisticated electronic equipment.

The Nixon Administration has been irritated by the French invasion of a once almost exclusive American market. The U.S. says it doesn't want to fuel an arms race which could drain foreign aid and the hard-won fruits of local development.

But the French say, "Business is business." And business is good.

#### THE U.S. SHOPS IN FRANCE, TOO—PART VIII

France is not only taking foreign arms customers away from America . . . The French are now even selling secret military equipment to the world's leading munitions maker, the U.S. itself. For example, French machspeed computers, bomb racks, rocket launchers, trigger ejectors, and gunsights, are used on American warplanes.

Pierre Saget, the commercial director of the French Sapelem company, told me that his firm has also won highly classified orders from the U.S. for precision optical systems used in high altitude photography.

Tape: "I can tell you this story, but of course there are some details I cannot disclose because they are associated with the American department of, let us say, security, ha."

I asked Mr. Saget whether the French devices are used by the U.S. Air Force over Vietnam and in U.S. spy-in-the-sky satellites.

Tape: "Err, you are just in the right path. I cannot tell you more. It was very, very high altitude."

Scientists here say the French have developed a unique stereoscopic photography system that's so precise it can pick out a man walking on a street in Moscow.

U.S. air spy photos recently indicated that Communist China appears to be building its first nuclear-powered submarine, and I asked Mr. Saget whether the French optical equipment may have been helpful to U.S. intelligence.

Tape: "Let us say that the type of equipment we make, of course, could help it very efficiently, but I cannot tell anything more. Ha ha."

At any rate, the U.S. government chose France's Sapelem because it is the only source in the world with the facilities to make the kind of equipment urgently required by the U.S.

#### MINDSZENTY THE PATRIOT

#### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, perhaps there is no more valid criterion of the depth of Josef Cardinal

Mindszenty, the beloved prince primate of the Catholic Church in Hungary, and the faithful advocate of freedom for the peoples of Hungary, than his willingness to subordinate his own personal desire to remain within Hungary, in the refuge of the U.S. Consulate in Budapest, as a symbol of his unity with the peoples of Hungary, to the expressed request of Pope Paul, who understood, he told the cardinal, that in asking him, for the church and his own well-being, after these years of privation, and suffering, to come to Rome, that he was asking the cardinal to make the greatest sacrifice of his life.

I was deeply moved to read the tribute to Josef Cardinal Mindszenty which appeared in the Boston Globe on Thursday, September 30, which I include in my remarks.

The Department of State deserves an expression of deep appreciation from all Americans, of whatever creed, or race, for the refuge afforded in the consulate in Budapest, which will serve to give heart to the countless millions beyond the reaches of the free world in their continuing aspirations for freedom.

The article follows:

#### THE ACT OF A QUIET MARTYR

By abandoning his voluntary confinement in the American Embassy in Budapest, Josef Cardinal Mindszenty bows to the dictates of his church in a changing world. This in itself may be an act of heroism greater than all those the cardinal has performed since he was jailed by the Communists in Hungary 22 years ago.

The 79-year-old priest has symbolized a steadfast resistance to outside oppression from the earliest days after World War II. His imprisonment in 1949 came at a time when the animosities of the Cold War were at their peak with Soviet-dominated forces moving to take over countries that had just been ravaged by World War II. The cardinal was acclaimed a hero then and on his brief release during the Hungarian uprising of 1956.

Since then, communism has become a fact of life in Eastern Europe and a degree of pragmatism has become a way of life in the church. Both institutions have softened their positions in the real interests of the people they serve.

In order to protect its deeply religious followers in the Iron Curtain countries, the church has increasingly sought accommodation with existing regimes. In 1964 Hungary signed an agreement with the Vatican on the naming of Catholic bishops. Last year full diplomatic relations were restored between the Vatican and Yugoslavia. Work toward the normalizing of church-state relations is underway with the new regime in Poland.

In the face of these events, the unseen but deeply felt presence of Cardinal Mindszenty, unrepentant on the fourth floor of the American embassy in Budapest, was seen as an obstacle and an embarrassment. The cardinal had not left the embassy nor issued a formal pronouncement for 15 years. But his continued presence was in itself a pronouncement of protest and his eventual death would have been that of a martyr.

The abandonment of a chance for martyrdom to a deeply felt cause in the interests of those who must live on under a larger organization is the greatest act of courage and humility a man or conviction can make. And Pope Paul acknowledged this in asking the cardinal to "make the hardest sacrifice of your life" by leaving Hungary forever. Somehow one feels that the cardinal's act of obedience could win him that martyrdom, and on the highest level of all.

# CITIZENS TOLD UNITED STATES LAND OF OPPORTUNITY

## HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. McCLURE. Mr. Speaker, I am often impressed by the eloquence of the average American citizen in speaking about our national heritage. It is often the kind of statement, straight from the heart, which no professional speechwriter can match.

This kind of speech was delivered by Federal Judge Fred M. Taylor in Boise last week to 33 new Americans who had, only moments before, received the oath of citizenship.

Knowing Judge Taylor as I do, I am sure he merely intended to restate his faith in our system of Government and the freedoms we enjoy. But, somehow it came out rather special, and fortunately, the Idaho Daily Statesman chose to reprint those words.

Fred Taylor is the senior Federal judge in our State. His was one of Idaho's pioneer families, and the judge has certainly earned the respect of all the citizens in the State. It is a privilege to ask that his statement be printed in the Record at this point.

### CITIZENS TOLD U.S. LAND OF OPPORTUNITY

(Editor's note: These were the remarks of U.S. District Judge Fred M. Taylor Tuesday to 33 people who had qualified for the rights of citizenship.)

(By Judge F. M. Taylor)

It is always a great pleasure for me, as a judge of this court, to grant citizenship to persons such as this group. On behalf of the United States of America I am proud to welcome you as citizens of this great country.

I am sure most of you have worked and studied hard to attain this goal and indeed you are to be congratulated.

In this world today there are millions of suffering people who would make great sacrifice to be here and take the oath of citizenship. Yet today only you have obtained this privilege. I am sure you will take full advantage of what it has to offer.

Most of you have been in this country long enough to realize that these United States, under its dedicated form of government, is not a cure-all for any of your past personal misfortunes or the misfortunes of others who seek its citizenship. Becoming a citizen does not insure your freedom, replace poverty with wealth or illiteracy for literacy. These are goals for which you, as free individuals, must strive. What this unique country does offer you is the opportunity to achieve these goals and it provides the means which no other country of the world can offer you. Thus the dynamics of our democratic society will reward the industrious, the honest and the diligent citizen who takes advantage of this opportunity.

In exchange for this freedom and opportunity, you have by your oath of allegiance taken upon yourself the responsibilities of a United States citizen. You are now obligated to preserve these attributes of a free nation by conducting yourselves as good citizens—by obeying all laws, by exercising your voting privileges and, if necessary, by bearing arms to defend it against any people or nation that may seek its destruction.

The freedom we enjoy came dearly to this nation; bought in blood, and tears, and sacrifice. It has given us a truly magnificent sys-

## EXTENSIONS OF REMARKS

tem of justice, of government, of commerce, of social institutions, and a standard of living which is the highest ever recorded by any civilization.

Millions in slavery cry out for us to remain steadfast and to hold high the beacon of light in a darkened world. Our nation is the last hope of a free civilization. Our dedication to truth, to justice, and to individual dignity must not be compromised.

The preservation of this democracy depends not upon the state, but upon its citizens. Since this nation was founded nearly two hundred years ago, millions of American citizens have accepted this obligation and have been equal to its challenge. Many of these Americans were and are men and women such as you.

Our nation today needs leaders and citizens of unusual vigor and foresight. America can rise no higher than the individuals who walk her streets, conduct her business, teach her young, make her homes, and attend her churches. We must therefore recognize individually our responsibility in that respect.

The American Bar Association, as a public service, drafted a paper called Canons of Citizenship. It states clearly and concisely the responsibilities of citizenship. This association says that every American citizen should recognize the duty to:

Uphold the laws of the United States, and the states and communities.

Defend our country from invasion and our government from overthrow by force, violence, or subversion.

Encourage respect for law and order and insist upon solutions of differences and grievances by processes of law and never by resort to violence or other unlawful means.

Support those charged with the enforcement and administration of our laws, voluntarily act as a witness and serve as a juror.

Harbor no prejudice against anyone because of race, religion or national origin.

Maintain pride in family, heritage and church as well as in community, state and nation.

Keep informed on issues and candidates, and vote in every election.

Respect the rights and opinions of others. Participate in religious, charitable, civic, educational, or other activities to promote the welfare of the community.

Acknowledge that "responsibilities" are as important as "rights" in the preservation of freedom and justice.

These ten duties should be the code of every American.

The challenges of today, though different in nature, are no more formidable than those overcome by our founding fathers.

As you are indeed fortunate in becoming citizens of the United States of America, so in this nation indeed fortunate in having you as new citizens. You have my best wishes for a happy and prosperous future as citizens of the United States of America.

## THE HONORABLE JAMES S. GOLDEN

### HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 1971

Mr. NATCHER. Mr. Speaker, I rise to pay humble tribute to the memory of my friend, James S. Golden.

Mr. Golden was a man of extraordinary compassion and it was this quality more than any other that formed his thinking and gave him his stature. It was this sincerity of concern for all men which directed his life and which re-

October 5, 1971

vived the hope of many Kentuckians and especially a great many of those who lived in the Appalachian section of our State. Our country has lost another great leader and I have lost a true friend. We sorely need more men of his stature in the turbulent days ahead.

I extend to his family my deepest sympathy in their bereavement.

## NATIONAL SUMMER YOUTH SPORTS PROGRAM

### HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. PEYSER. Mr. Speaker, on September 22, 1971, I introduced a bill to authorize a national summer youth sports program (H.R. 10820). The National Collegiate Athletic Association, in cooperation with the Federal Government, has run this program with great success for the past 3 years. It provides disadvantaged youths with supervised sports instruction and competition, with the opportunity to develop new skills and interests, with instruction concerning employment, study and career opportunities, with health and nutritional services and to enable colleges and universities to participate in the solution of community problems. We must guarantee the continuation of this type of program which benefited 45,000 youngsters last summer. My bill would provide a 5-year authorization, with \$5 million to be appropriated for the fiscal year ending June 30, 1972, \$7 million for 1973, and \$10 million for each of the 3 remaining years.

I have throughout my life been involved in sports. As a result of my involvement, I am well aware of the value of discipline both of body and mind which sports participation demands. I am therefore eager to see that all young people have the opportunity to receive athletic coaching and instruction which will result in better health and self discipline.

The benefits of the summer programs have been well stated by Mr. Warren Jackson, assistant coordinator of the Fordham University NCAA summer youth sports program:

Here at Fordham University we aspire to teach not only the fundamentals and embellishments of athletics but also we feel we are offering to a neglected and hard-core integrated group of children an experience as well in education, respect of authority, discipline, and, in many cases, a realization of responsibility to themselves to, for the first time, lift themselves to higher horizons than their present environs.

We have, we believe, opened the door of the protective facade that the league of "hard knocks" gives the inner-city child. It has been proven that four hours a day of working and caring about our kids does make a difference. It has been our reward to have some of last year's children return to serve as exemplary models for this year's challengers.

We must not only guarantee that programs such as this one continue, but we should also encourage more of these programs to develop in order to meet the



needs of the many children in areas where there are no such programs, or where applicants had to be turned away because of space and financial limitations. My bill will authorize the Secretary of Health, Education, and Welfare to make grants or to enter into contracts for the conduct of an annual national summer youth sports program concentrated in the summer months, with opportunity for continued activities throughout the year. The grants or contracts will contain provisions to assure that the programs will, first, expand educational opportunities for disadvantaged youths, designed to provide an opportunity to engage in competitive sports and benefit from sports skills instruction; second, help young people learn good health practices and become better citizens by utilizing the personnel and facilities of higher education; third, enable the contractor and institutions of higher education located conveniently to areas of concentrated poverty and their personnel to participate more fully in community life and in the solution of community problems; fourth, provide a combination of employment and on-the-job training in sports instruction and administration; and, fifth, serve major metropolitan centers of the United States as well as other areas, within the limits of program resources.

The summer youth sports programs have so far been funded by OEO on a year-to-year basis as an experimental program and there is absolutely no guarantee that OEO will continue to fund them. Unless we authorize specific funds for these programs, long-range planning and coordination which would help to increase the benefits of the programs would be useless.

The summer programs have received wide acclaim and promise to be even more successful in the future if they can be continued. We have the opportunity now to promote these programs, to give the children of America a good healthy direction in life, and, hopefully, directly and indirectly, to help lower the rates of juvenile delinquency and drug abuse. I hope that we act quickly to authorize the funds necessary to operate these outstanding programs.

#### MORE ON THE PRAYER AMENDMENT

#### HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. SCHWENGEL. Mr. Speaker, the interest and concern about the prayer amendment to the Constitution is growing. As the interested parties think on the effects, they are having second thoughts about the wisdom of tampering with the Bill of Rights.

Mr. Speaker, our forefathers did this Nation a great favor when they included the Bill of Rights in the Constitution. This set the stage for the church to become more powerful and influential here

than in any other part of the world. They reasoned that the church must not only be free, but independent and the result has been a very happy development in our country where any group that has special ideas about moral questions can band together to promote the moral ideals that seem most important to them and in various ways the churches have undergirded and supported our basic freedoms. It is my hope that all of the colleagues will recognize the kind of religious atmosphere that has prevailed here because we had religious liberty and freedom of religion.

Mr. Speaker, recently the Washington Post carried an excellent editorial entitled "The Wall That Shields Religion" and I commend it to all my colleagues and all those who are interested in this question. The editorial follows.

#### THE WALL THAT SHIELDS RELIGION

Although there are those who seem to regard it as a restraint on religious worship, the First Amendment is, above all else, a guarantor of religious liberty. It reflects a recognition, as Mr. Justice Clark once put it for the Supreme Court that "the place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind." The Justice continued, however, with a reminder: "We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relation between man and religion, the State is firmly committed to a position of neutrality."

Justice Clark wrote those words in an opinion for the court holding that the First Amendment, by virtue of the Fourteenth, forbade a Baltimore school board to require the use of the Lord's Prayer, or any other prescribed form of worship, in public schools. This is to say simply that schools supported by public money and used by children of every faith and of no faith at all are not appropriate places for religious worship. Use of them for worship, even if participation be nominally voluntary, imposes on children a kind of coercion, a pressure toward conformity, wholly alien to the First Amendment's spirit of complete toleration. The appropriate places for worship are "the home, the church and the inviolable citadel of the individual heart and mind."

Yet today a majority of the House of Representatives seems disposed to repeal the religious freedom clause of the First Amendment. They have signed a discharge petition to bring from the Judiciary Committee to the floor of the House a proposed constitutional amendment designed to authorize public school prayers. Devout and well-meaning these men may be; but understanding of their country's history and institutions they are surely not. They would give away, for the sake of a shallow show of religious devotion, the great constitutional bulwark against governmental control of religion that has kept America for nearly two centuries the world's foremost bastion of religious liberty. What folly it would be to breach the wall that shields conscience from the reach of secular authority.

When men seek to use the public schools, which children attend by the requirement of law, to propagate faith, they confess a loss of faith in the home, the church and the inviolable citadel of the individual heart and mind. When men strive, in the name of divine worship, to impose religion by rote, they perpetrate what is, in truth, a sacrilege. Genuine religion germinates only in the soil of freedom.

#### WAITING FOR THE DOCTOR

#### HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RYAN. Mr. Speaker, on September 16, I brought to the attention of the House the fact that some 6 million children have been denied necessary health care because the Department of Health, Education, and Welfare has ignored the legal mandate to put into operation a 1967 amendment to the Medicaid law. This law—Public Law 90-248—requires early and periodic screening and diagnosis \* \* \* and such health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby.

Although HEW belatedly published proposed regulations to implement this provision in December 1970, these regulations still have not been promulgated.

Even when HEW finally proposed regulations, they were a year and a half overdue, for the law requiring them became effective July 1, 1969. Ten months have since passed, and the regulations still have not been promulgated. HEW's own expectations for this program are damning indictment of this delay, for when the regulations were proposed last December, HEW officials hailed them as providing 6 million individuals with screening diagnosis, and treatment when the proposed regulations become effective, very shortly.

On August 18, I wrote to Secretary Richardson requesting that he immediately promulgate these regulations. On September 21, I received a response from the Secretary expressing his "concern about the urgent need for regulations to implement this provision of the Social Security Act," and informing me that he has signed the regulations which will be published in the Federal Register "very shortly."

Hopefully, this nationwide medical screening and treatment program for 6 million children will soon be a reality. They have been waiting for the doctor for a very long time.

At this point I include in the RECORD an article by Bob Kuttner which appeared in the Village Voice of September 23, entitled "Waiting 5 Years for the Doctor." I also include a column by Robert Walters that appeared in the September 16, Washington Evening Star, detailing the need for the promulgation of these regulations.

I commend these articles to the attention of my colleagues.

[From the Village Voice, Sept. 23, 1971]

MEDICAID FOR CHILDREN—WAITING 5 YEARS  
FOR THE DOCTOR  
(By Bob Kuttner)

WASHINGTON, D.C.—Even after some good ideas manage to survive the legislative maze, like the comprehensive child-care program which recently emerged from the Senate, the bureaucracy is able to kill them.

A rather similar provision, which was never paid much attention, was enacted by Congress in 1967, as part of a Social Security and Medicare overhaul. It required all states with Medicaid to include an early screening, diag-

nosis, and treatment program for all eligible children under 21—about six million nationally. These are the children of the poor, those most likely to have undetected maladies which could benefit from early treatment.

The law required the Secretary of Health, Education, and Welfare to issue regulations no later than July 1, 1969. In other words, the lawmakers gave the health bureaucracy more than two years for planning. The program, interestingly, did not originate with the Johnson administration's draft of the bill, but was added in committee—Wilbur Mills's House Ways and Means Committee, hardly an innovator of radical social legislation. Early screening was seen simply as a more economical use of health resources.

The incoming Nixon HEW Department knew of the law, but did nothing. July 1969 came and went. One state, which has had more than its share of wrath from the federal bureaucracy, was under the delusion that its Medicaid program might be held accountable if the will of Congress were ignored. So Mississippi, in 1970, became the sole state to implement a screening, diagnosis, and treatment program for children under Medicaid.

The findings were startling. During the first four months, 1178 children were screened and 1301 abnormal conditions were found. The largest number of cases were, as could be expected, relatively minor conditions such as dental neglect (305 cases) and enlarged tonsils (217) and anemia (241). Also found were several dozen cases each of hernia, heart abnormalities, sight and hearing problems, intestinal parasites, and several cases of even more serious illness. If New York had such a screening program, lead poisoning would undoubtedly rank high. The Mississippi program, according to Dr. Frank M. Wiygul, Jr., Director of General Health Services, enabled the Board of Health "to reach a group of children not touched previously." The screening, which includes a battery of tests and the recording of the child's medical history, costs \$8 per child, including lab work. Follow-up examinations are arranged where necessary. So much for Mississippi.

After a good deal of prodding, HEW finally issued proposed regulations on December 11, 1970, or a year and a half after Congress mandated the program to take effect, and nearly four years after the legislation was enacted. The proposed regulations permit states to begin with children under six, gradually extending services to others up to age 21 by July 1, 1973. Better late than never. But wait, these were only proposed regulations, inviting comments within 30 days. It is now another nine months later, and still no regulations have been issued.

The comments received by HEW on the proposed regulations were also enlightening. Mississippi, which had been under the impression that the program was mandated all along, largely endorsed the idea. The state Medicaid Director called it "an essential element in any health care program" and "one great potential benefit under Title XIX" (Medicaid). Virginia's Medicaid Commissioner, in a similar letter to HEW, wrote: "We in Virginia heartily endorse this emphasis on early disease detection during a period of life when correction is so important and in fact still possible."

New York Social Services Commissioner George K. Wyman had a rather different response. Taking issue with several aspects of the plan, Wyman offered as a substitute utilization of existing services such as Head Start and school medical examinations (which do not include treatment), concluding: "I feel it is only fair to advise you that if the rules are promulgated in their present form it will be extremely difficult, if not impossible, for New York State to comply with them."

This sort of thing was apparently sufficient to scare off HEW. According to their public relations man who specializes in

health, the matter is still "under consideration." Representative William F. Ryan of the 20th C.D., who is responsible for the passage of federal lead poisoning legislation, protested in a letter to HEW Secretary Elliot Richardson more than a month ago, and has received no reply. Ryan has also learned that data on abnormal conditions found through physical examinations of New York school children is now shipped to the Social Services Department in Albany, where it gathers dust for want of a follow-up program.

How is it that a program enacted by the Congress under the sponsorship of a powerful Committee can be frustrated by the HEW bureaucracy for five years? According to a senior staff member of the Committee, who was quite candid in a long informal telephone conversation, it happens all the time, "especially in social services programs." HEW's Social and Rehabilitation Service has a pretty bad record, but the Food and Drug Administration (FDA), also under HEW, apparently wins all bureaucratic frustration awards. The Ways and Means man said the problem was not that the Committee was ignorant of the delay. The Committee felt that eventually something along the same lines would be implemented as part of a comprehensive health program, and that things should be left to go their own way. We were, said the staffer, "a little too ambitious on timing." The states are having more severe budgetary problems than in 1967, and HEW is "scaredy pants" to "take on the states." Happens all the time.

As a clincher, he passed along the following statistic: if we were to guarantee everyone in the United States a complete physical once a year, this would require the full-time work of double the present number of general practitioners, internists, and pediatricians in the U.S.

So there it is. A good program sneaked through, and there it sits. Dr. George Wiley of the National Welfare Rights Organization and Dr. Robert Coles of "Hunger in America" fame are considering a lawsuit to force HEW to take action.

You can get on the HEW press release mailing list and keep abreast of announcements of marvelous-sounding programs which never get implemented. Selective law enforcement—of job discrimination laws or food and drug standards or health programs or innumerable other things—seems always at the expense of the poor and the black, or sometimes even the plain old consumer. Happens all the time.

[From the Washington Evening Star, September 16, 1971]

WASHINGTON CLOSEUP—WHAT WE REALLY NEED IS ACTION

(By Robert Walters)

Back in December the Department of Health, Education and Welfare proudly announced that it had drafted regulations which would "require state Medicaid agencies to spearhead the comprehensive planning necessary" to implement a nationwide program of preventive medical care for 6 million needy children.

The HEW press release at the time boasted of plans to provide "screening diagnosis and treatment" in cooperation with neighborhood health centers, child health clinics, day care centers, school health programs and family planning clinics.

The way HEW's Social and Rehabilitation Service told it, the periodic medical examination of young children was only the first step in implementing the law. By mid-1973, the service predicted, all individuals under 21 who were covered by the Medicaid program would be added to the program.

All of that allegedly bold action was, in fact, a sham. And it is typical of the bureau-

cratic shell game at which HEW officials have become so proficient. Consider, for example, what really happened with that program of preventive medicine for needy youngsters throughout the country:

The authorizing legislation was passed by Congress and signed into law by the President in 1967, with a provision calling for the medical aid program for poor youngsters to begin July 1, 1969.

That two-year interval presumably gave even the slowest HEW employee time to draft the regulations under which the program was to operate. In fact, the first proposed regulations did not appear until December 1970, three years after the law was passed and 1½ years after the starting date designated by Congress and the President.

As required by law, publication of the proposed regulations was accompanied by the announcement that interested parties had 30 days to comment. Following that deadline SRS was supposed to consider the suggestion of those affected, then publish final regulations.

Last month, Rep. William F. Ryan, D-N.Y., wrote to HEW Secretary Elliot L. Richardson to note that absolutely nothing has been heard from SRS in the 9 months which have elapsed since the issuance of the press release and proposed regulations (not to mention the four years since the law was passed or the more than two years since the program was supposed to have been initiated).

Ryan said HEW's "dilatatory action . . . appears to contravene the intent of the Congress that a law which it has passed in fact be implemented." From a humane standpoint, he noted that "every day of delay is another day of illness for these children."

The impact such a program can have already has been demonstrated in Mississippi, which has initiated its own preventive medicine project without waiting for HEW's regulations. During a four-month period last year, 1,178 children were screened, and state medical officials were able to detect, and recommend early treatment for, 305 cases of multiple dental cavities, 241 cases of anemia, 217 cases of enlarged tonsils, 97 cases of poor vision and scores of similar ailments.

What is HEW's response to Ryan's call for the long-overdue implementation of such a program nationally?

"The comments have been under active consideration," says a departmental spokesman. No other reply is offered.

SRS is hardly the leader in this type of foot dragging. Within the HEW bureaucracy, the champion is clearly the Food and Drug Administration. Consider this example of governmental delinquency, as only the FDA professionals know how to practice it:

In 1960, Congress gave the FDA the power to regulate the labeling of hazardous substances. In 1967, the FDA became aware that lemon-scented, yellow-colored, glass-bottled furniture polish was just such a substance.

Young children were mistaking the polish, made with highly toxic petroleum distillates, for a lemon drink. Between 1965 and 1970, at least 54 children under 5 died from drinking the polish.

In June 1970, the National Commission on Product Safety published a report detailing FDA's record of inaction in the field. Nothing happened. Last month, Consumer Reports, the monthly magazine of Consumers Union, devoted its cover story to the problem and suggested that HEW "sat on its hands while children died."

Two weeks ago, the FDA issued another of those press releases, proclaiming that it finally had drafted some proposed regulations which would require toxic furniture polish to be marketed in special bottles which children cannot open.

Wait to see if that program is ever implemented.



## UNISIST

## HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. DAVIS of Georgia. Mr. Speaker, as the chairman of the Subcommittee on Science, Research and Development of the Committee on Science and Astronautics, and as a member of the Committee on Foreign Affairs, I wish to call to the attention of my colleagues the Intergovernmental Conference for the Establishment of a World Science Information System, which is being convened this week in Paris under the auspices of UNESCO, and to which more than 60 nations are expected to send representatives.

The specific purpose of this conference is to review the recommendations contained in a 3-year study on the feasibility of a world science information program. This study was completed through the collaborative efforts of the International Council of Scientific Unions and the science sector of UNESCO. The report which was issued on the study, UNISIST, contains suggestions for worldwide cooperation in the processing and utilization of scientific information.

The President's Science Adviser, Dr. Edward David, noted in a recent magazine article that "something new" is occurring in international science. "Some real problems of society are becoming international in scope," Dr. David said, "and this provides a whole new frontier in cooperation and understanding that could be very exciting." It is to this new spirit of cooperation and understanding that the Paris conference will address itself this week.

The very capable Director of the National Science Foundation, Dr. William D. McElroy, is leading the nine-man U.S. delegation to the conference. Other members of the delegation are: Mr. Andrew A. Aines, NSF, Dr. Lewis M. Branscomb, National Bureau of Standards, Dr. Harrison Brown, CalTech, Dr. Martin Cummings, National Library of Medicine, Mr. Melvin S. Day, NSF, Dr. Robert A. Harte, American Society of Biological Chemists, Mr. Pierre R. Graham, U.S. Representative to UNESCO, and Mr. Arnold Kramish, U.S. Representative to UNESCO. Dr. McElroy is an outstanding proponent of the ideal of international cooperation in the sharing of scientific and technical knowledge, and I would like, at this point, to insert the text of his remarks to the opening session of the Paris conference, as follows:

PROPOSED SPEECH OF DR. W. D. McELROY, CHAIRMAN, DELEGATION OF THE UNITED STATES OF AMERICA TO THE INTERGOVERNMENTAL CONFERENCE FOR THE ESTABLISHMENT OF A WORLD SCIENCE INFORMATION SYSTEM (UNISIST), UNESCO HOUSE, PARIS, OCTOBER 4-9, 1971

Mr. President, Mr. Director General, Ladies and Gentlemen: I bring you greetings and wishes for a successful conference from the President of the United States, from the community of scientists, engineers, communicators, information scientists, and librarians, and others in my country who share

our common aspirations for a successful global scientific and technical information program, and also from my fellow delegates who have joined me in this important meeting.

Before I make a few remarks expressing some of the points of view of this delegation, I wish to congratulate the conveners of the UNISIST Conference for focusing the world's attention on the important issues of scientific and technical communication. I should also like to express my appreciation to the dedicated individuals of the UNISIST Study Group, whose diligent work made this conference possible, and to the officials of the International Council of Scientific Unions and of UNESCO for this extraordinary act of collaboration which has and will continue to be so fruitful. I would further like to extend my warmest thanks to the friendly and great people of the beautiful country of France for so graciously and hospitably providing us with such a perfect setting for this important event.

My Soviet colleague has been eloquent in articulating the promise that UNISIST holds. It is clear that scientists everywhere have the same outlook about the necessity for and the benefits to be derived from the sharing of scientific and technical knowledge.

In the United States there is an increased perception of the promise that powerful new communications and information-processing technologies may hold for the peoples of the world. At the same time we are aware of the technical difficulties involved in their use. Still, we see the achievement of the UNISIST concept as an important part of the effort to adjust and adapt to these new forces and opportunities. We hope that thoughtful men and women everywhere will dedicate themselves to the UNISIST ideals.

The American delegation endorses fully the principles of international cooperation on which the UNISIST proposals are based. It has long been the policy of my country to share its scientific and technical information with other countries and to promote the unimpeded flow and exchange of information. This is being done through many mechanisms and channels—through assistance to scientists in publishing the results of their research and development; through the creation of governmental programs such as the National Technical Information Service to make the results of government research and development projects widely available; through the Smithsonian Science Information Exchange which maintains a register of current research project information; through the National Referral Center for Science and Technology which provides a catalog of American information sources; and through thousands of information exchange arrangements in all fields of science with organizations in other countries. We strongly support the informal interchange of information by individual scientists with their colleagues in other countries, and we earnestly encourage its expansion as one of the most natural and effective means of scientific communication.

For the foreseeable future we will have to maintain conventional information-processing programs based on the printed word; however, as nations of the world mechanize their information processes to improve the efficiency and ability to handle information, we must ensure that there exists the necessary communications technology for the efficient exchange of information. We, therefore, see in the UNISIST program the establishment of an international mechanism that will help reduce the dangers of a communications technology gap.

I am sure that this problem has been of primary concern to the architects of UNISIST and to every country represented here today. Its solution, however, will take much hard work by many dedicated men and women as part of the UNISIST effort.

As a biologist, I have witnessed over the

years the difficulties entailed in improving the communications process in my own field, and I am aware of the economic, cultural, political, and financial obstacles that must be overcome. The challenge we face in developing an international scientific and technical information program within which to interconnect scientists, engineers, administrators, educators and the public alike is a task that may require many years. It cannot be done instantaneously. I believe the attainment of the UNISIST goal within individual countries will be a major accomplishment.

If we are to succeed in the UNISIST mission, we must not minimize the problems we face. For example, while mechanization of the information process will bring more speed and more ability to extract the information and data we need, it stands to reason that costs of this process will increase.

Scientific and technical information is costly to produce, costly to obtain, costly to disseminate, and at times costly to use. UNISIST offers the base by which these costs can be reduced through international cooperation, coordination, standards, and uniform practices—a goal to be earnestly sought by all of us.

I wish to re-emphasize that in spite of all of the obstacles and difficulties to be overcome, the United States delegation fully endorses the UNISIST concept and principles. Our delegation is convinced that if we fail to create a rational international scientific and technical information plan the consequences will be very costly to all nations in the long run.

The United States delegation is, therefore, proud to join with other nations and to introduce a Resolution which, we believe, will ensure progress in achieving the goals for which UNISIST stands.

## RESOLUTION ON PLEBISCITE OF IRISH PEOPLE

## HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BIAGGI. Mr. Speaker, I am presently circulating for cosponsorship my resolution calling for a plebiscite of all the Irish people on the question of reunification of their divided country. My efforts recently have been endorsed by the Yonkers, N.Y., City Council which passed a resolution substantially the same as mine.

I am pleased that local governmental bodies are taking an active interest in problems other than those of a purely local nature. In today's modern world, problems in one nation have a definite effect on problems in other nations.

For the interest and benefit of my colleagues, I am including the resolution at this point in the RECORD.

## RESOLUTION NO. 451-1971

Whereas, the many contributions of men and women of Irish blood to the building of our great Nation and to the cause of freedom everywhere since the earliest times; and

Whereas, the fact that Ireland is artificially partitioned against the wishes of the overwhelming majority of the Irish people; and

Whereas, the denial of the basic human rights of self-determination, freedom of religion and peaceful assemblage is a matter of grave concern to freedom-loving people everywhere; and

Whereas, this Council recognizes that the

people of Northern Ireland are denied basic civil and human rights by totalitarian forces beyond their control; and

Whereas, for humanitarian reasons and out of respect for the principles of freedom, liberty and justice, and in recognition that the situation in Northern Ireland is a threat to the peace and freedom of the world, now, therefore.

Be it resolved, that it is the sense of this Council that the Irish People be permitted to exercise their basic right of self-determination in a free and open plebiscite, in accordance with the Charter of the United Nations, and to be a part of the Sovereign Irish Republic, if such is the will of the majority of the people of Northern Ireland; and

Be it further resolved, that a copy of this Resolution, which has heretofore been introduced in substance by Rep. Mario Biaggi in the House of Representatives, be transmitted to President Richard M. Nixon, Secretary of State William Rogers, Ambassador to the United Nations George Bush and to Senators Jacob Javits and James F. Buckley and that the Senators introduce and diligently pursue the passage of a similar Resolution in the Senate of the United States.

### SAFE CAR? IT COULD BE AN ACCIDENT

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ROSENTHAL. Mr. Speaker, in an effort to halt the highway slaughter, the State of New York has instituted a system of motor vehicle safety inspections.

An inspection of the inspection system by the Rochester Democrat and Chronicle concluded that—

If cars on New York streets meet safety requirements it is as much by happenstance as by regulation.

One of the major flaws in the flawed system is a provision that allows mechanics to repair the deficiencies they find in cars brought to them for inspection. This undermines fairness and objectivity and provides an incentive for inspectors to be more interested in additional business than in safety.

The need for reform is made quite clear in a report compiled by consumer reporter Thomas R. Morris. I am inserting that report in the RECORD at this point for all to read:

#### SAFE CAR? IT COULD BE AN ACCIDENT

A Help! for the Consumer investigation of the state's motor vehicle safety inspections has revealed that if cars on New York streets meet safety requirements it is as much by happenstance as by regulation.

The investigation found that the system is riddled with loopholes, and that some enforcement efforts are hamstrung by lenient judges.

The system requires that each car pass an annual safety inspection at one of more than 11,000 licensed garages in the state, 530 of them in Monroe County.

The state police assigns 70 troopers to spot check inspection stations to make certain they perform thorough inspections.

But when the police charge a mechanic with making an improper inspection, he faces small penalties, at least in Monroe County.

One mechanic, charged with failing to do a complete inspection of an unmarked police

car, was acquitted without a trial by a Henrietta town justice who had his car serviced at the mechanic's garage.

"I don't believe there was intent to defraud anyone," Justice Lawrence Sullivan said in explaining his action. "I've bought my gas at Art's (the station where the mechanic worked) for about a year, and they've done some good work on my car—like fixing my ignition and brakes."

Two other Monroe County mechanics charged with improper inspections pleaded guilty but were given unconditional discharges—without fines—by other local judges.

Because the State Police find fault with more than half the inspection stations they spot check, the Department of Motor Vehicles has begun testing and certifying individual mechanics as well as the stations where they work.

The department's theory is that if the mechanic is caught doing an improper inspection at one station, he won't then be able to get a job at another station and continue doing less than he's supposed to.

But, faced with nearly 40 per cent of the mechanics failing the test the first time it was given, the department has instituted cram sessions before the examination to make certain everyone passes.

The examination tests whether the mechanic knows what should be tested, not whether he knows how to do it. And the mechanics are told the answers to all the questions during the two hours preceding the test.

It's so easy that D&C reporter Thomas R. Morris was able to score 90 per cent correct, well within the passing range. Several days after the test he asked another reporter how many spark plugs are in a car.

Morris also doesn't know what a PCV valve is, but remembered the instructor telling him which cars are required to have one, so he got that answer right. The PCV (Positive Crankshaft Ventilation) valve is part of the anti-pollution system.

The motor vehicles department calls the test "comprehensive" but admits it has shortcomings and isn't ideal. The safety inspection system has other shortcomings—ones that apparently can't be overcome quickly.

An in-depth look at those shortcomings is the subject of today's Help! for the Consumer on page 8D.

#### INSPECTIONS EXPENSIVE, INEFFECTIVE

(By A. F. Ehrbar)

Feel safe driving in New York because you know all those old clunkers have undergone exhaustive safety inspections?

Don't.

Four out of ten safety "inspectors" don't know what to inspect, or didn't until the state crammed the answers to a "comprehensive" test of inspectors into their heads.

And less than half the inspections spot-checked by the state police this year have been done properly. A majority of inspection stations either haven't inspected the car thoroughly, sold the necessary sticker to a driver whose car couldn't pass, or found wrong that weren't wrong.

If the results of the state police inspections are representative, and if the initial inspectors' test results mean anything, you can drive assured that at least 40 per cent of the cars on New York's streets and highways are safe.

And you, along with the rest of New York's motorists, can continue to pay more than \$21 million a year for that assurance.

Meanwhile, some 70 state troopers will continue to make "concealed identity checks" in plain clothes and unmarked cars to keep inspectors on their toes.

But even that doesn't work. When the state police catch an inspector doing faulty inspections the inspector faces somewhat less than stern discipline.

Of five inspectors charged with conducting improper inspections in Monroe County this year, only one paid a fine, and that was in the form of \$10 forfeited bail.

Inspectors also face Motor Vehicle Department hearings on their licenses as inspection stations. The most severe action against an offending Monroe County inspection station was a six-month suspension of its license—for issuing a sticker without doing even an incomplete inspection.

Vincent L. Tofany, Commissioner of Motor Vehicles, hopes he sees some light at the bottom of the grease pit.

Tofany says he wants to set up a new system in which inspection stations do nothing but inspect. That way, they can't benefit from finding things wrong that aren't wrong. And those six-month suspensions will mean something because they put the stations out of operation.

However, the MVD adds that a new system is out of the question for at least two years—unless Congress comes to the rescue and passes a bill currently before the Senate that would do what Tofany suggests.

Another desirable change is a test of inspectors that truly tests whether they know how to do the inspections, not just what has to be inspected.

But the budget is tight, Tofany says, and auto safety inspections don't have the highest priority. Despite the fact that the system, by MVD figures, operates at a profit.

The MVD budget for the program and state police expenses for checking inspectors, were \$1,733,400 last year. The MVD took in \$2,126,973.95 from the sale of window stickers and official signs to inspection stations.

The state has priorities for that profit, so testing clinics can't be set up and Tom Morris can continue to pass the test.

And inspection stations will probably continue to operate as they do now, because the penalty only means they won't be able to inspect another car for three to six months, and they might have to pay a \$10 fine.

#### TEST YOUR SHOPPING SENSE

QUESTION. What are my rights if a mechanic tells me my car won't pass inspection unless he makes some costly repairs?

ANSWER. The yellow rejection sticker the mechanic will put on the top center portion of your windshield says you'll have either 10 days or until the end of the month, whichever is sooner, to make repairs. If you wait until the day your current inspection sticker expires, you'll have to have the mechanic make the repairs that day. So it's to your advantage to have your inspection early.

The rejection sticker also says you're liable to be stopped by police for driving a car that failed inspection. State police say the rejection sticker permits you only to drive to another garage for repairs.

The second inspection must be complete—the mechanic may not just check or repair the item that failed the first time. And the mechanic will charge you the full \$3 inspection fee. State police say that \$3 fee can be charged even if you go back to the original station 10 minutes after you leave it.

QUESTION. What if I suspect a mechanic has performed some unnecessary repairs just to make some extra money?

ANSWER. File a complaint (in writing) with your nearest State Police substation or the State Motor Vehicles Department. In 1970, state troopers checked out 443 consumer complaints, about half of which (49.27 per cent) resulted in enforcement action—121 arrests, 187 warning letters and 161 MVD hearings requested.

#### FOR "BAD INSPECTION"; AN ACQUITTAL WITHOUT A TRIAL

This report on the state's auto safety inspection system was compiled by Democrat & Chronicle Financial/Consumer reporter Thomas R. Morris. In examining state police and Motor Vehicle Department files, Morris



found a Henrietta town justice who reached a verdict without holding a trial, a test of inspectors that doesn't test their ability, and inspection stations that don't inspect.

Henrietta Town Justice Lawrence Sullivan acquitted—without a trial—an auto mechanic charged with conducting an improper state inspection at a garage that previously had done "good work" on the judge's car.

State police had charged the mechanic—John D. McPike of Art's Service Station, 2171 East Henrietta Road, Henrietta—with failing to do a complete inspection Oct. 29 on an unmarked police car brought to the station by Trooper K. L. Yergens, who was in plain clothes.

Sullivan told HELP! for the Consumer last week he acquitted McPike "because I believe there was no intent to defraud anyone. I've bought my gas at Art's for about a year, and they've done some work on my car—like fixing my ignition and brakes."

"The kid (McPike) told me he was alone in the station that day, so he was quite busy. He had to do the inspection plus keep running out to the pumps, so he became a little rushed," Sullivan said.

Yergens testified at a May 17 Motor Vehicles Department hearing here that he appeared in Sullivan's courtroom Jan. 21, but was led to the justice's chambers and told the mechanic would be acquitted.

Sullivan told Yergens he "knew this station personally and felt in his mind they did good work as a rule," Yergens testified.

He testified that no trial was held and that neither the mechanic nor the station's owner appeared in court or the justice's chambers while he was there. And neither appeared at the MVD hearing, a certified transcript shows.

At the MVD hearing, called to determine whether Art's inspection license should be suspended, Yergens said that Art's inspectors had failed to properly check at least 14 mandatory items, including the brakes.

Yergens testified "two or three attendants" were in the station and two mechanics, including McPike, worked on various aspects of the inspection. It was McPike, Yergens said, who put on the new inspection sticker and stamped the car's registration.

Yergens testified that when he returned to the station the following day to write McPike's summons, Art's owner—identified by the MVD as Art Scalone of 7 Patrician Circle, Henrietta—"did remember me being in that day. Now, I don't know whether he was there at the start of the inspection or if he was there sometime during the inspection."

The findings of MVD Hearing Referee Benton Simons noted McPike's acquittal and said:

"There was no actual trial and apparently no basis or ground for the acquittal."

Simons suspended Art's inspection license for 45 days, a suspension that began May 27, for "failing to conduct a thorough and efficient inspection . . . with respect to foot brakes, hand brakes, steering, front end and wheel alignment (toe-in or out), head lamps, tires and P.C.V. system."

Carl McConnell, director of the MVD's auto safety standards bureau in Albany, said, however, he was notified June 15 that Art's was out of business. The inspection license, therefore, hasn't been reinstated even though the 45-day suspension period is up.

Neither Scalone nor McPike could be reached for comment.

#### HARD TO FLUNK INSPECTORS' EXAM

I know little about cars, and I've never seen a complete New York State car inspection. But I've passed the state's test to become a certified auto inspector.

I scored 90 per cent on the test. A 75 is needed to pass.

Under a new program, no mechanic can inspect a car and put the state's sticker on it after next Jan. 1 unless he's passed the test.

The state, however, is making it as easy as possible to pass the test. The test isn't tough. It doesn't require applicants to show they know how to use testing equipment properly. Clinics preceding the test stressed, emphasized and re-emphasized procedural things like what must be checked on a car that has previously failed inspection.

(Answer: everything. Not just the things that had failed the prior check. I got that one right.)

Even so, many men failed the test when it was first given last April, so the state started the pre-test exam sessions.

Statewide, 14,557 mechanics took the test in April. Only 8,919 passed it—a failure rate of 38.7 per cent.

Monroe County mechanics fared even worse—47.7 per cent of 987 mechanics failed.

"Next to New York City, Rochester had the worst failure rate in the state," said William F. Schencke, a state trooper who was working with the testing program.

Mechanics here who flunked in April were scheduled to take it again this month, but they first had to attend one of 14 two-hour cram sessions at the National Guard Armory, 145 Culver Road, immediately before the test was administered.

And every question in my test booklet—one of five different tests—was answered before the test.

For example, in reviewing how to hoist a car with torsion bar suspension, instructor Leo Gallagher of the Motor Vehicle Department in Albany said the jack goes under the lower control arm.

"When you see that question on the test, just remember they're talking about the type suspension in a Chrysler product. Remember, that's the lower control arm," Gallagher said.

I did, so I got the question right—though I don't know where the "lower control arm" is or how to tell whether a car has torsion bar suspension or any other type.

And I can't explain what a PCV system is, where it is in the car or what it does—I don't even know what the initials stand for. But the clinic emphasized that PCVs were required in most cars made after 1964, so I got the date right on the test.

Of my 59 classmates, all but seven had flunked the test last April. All but two passed after the cram session.

All but 50 of the 437 mechanics who had taken the clinic and test this month passed, bringing the local failure rate down from 47.7 per cent to 8.8 per cent.

"I think the value of the clinics is we have the men assembled, and we can review with them some of the errors state troopers tell us occur frequently—like when or when not to issue a rejection sticker for cars that fail inspection," Gallagher said.

"The mechanic who did the faulty inspection before got off with a light fine or an unconditional discharge," Trooper Schencke said.

"But now that we're going to certify individuals, the mechanic might think twice before attaching a sticker to his friend's unsafe car. He'll know his own card will be pulled, so he couldn't change jobs to continue doing inspections," the trooper said.

#### CONGRESS MAY OUTLAW NY INSPECTION SYSTEM

New York's auto inspection system will become illegal if a bill pending in Congress is passed.

Senate bill 976, proposed by Michigan Senator Philip A. Hart, provides that an inspection station can make no repairs on cars it flunks.

"The public can be easily cheated by repairmen who flunk a car to make money from repairs. The bill requires, therefore, that no business engaged in auto repairs or in the sale of car parts, or accessories can be an inspection station," a staff member of

the Senate Antitrust and Monopoly subcommittee told HELP! for the Consumer.

He said the Commerce committees in both the House and Senate are expected to vote on the measure "in about three to five weeks."

New York's system is one of 30 that could become illegal.

In New York, motorists go to one of 11,052 garages (about 530 in Monroe County) that are licensed by the state to do inspections. Each motorist pays a \$3 fee, plus the cost of whatever repairs are done.

Vincent L. Tofany, state motor vehicles commissioner, said he favors establishing centers that could make no repairs on cars. Tofany disclosed in a HELP! for the Consumer interview last March that several companies have been talking with the state about this.

Tofany's staff identified the companies as Radio Corporation of America, Mobil Oil Co., Ethyl Corp., of Ferndale, Mich., and Millex, of King of Prussia, Pa.

Tofany told the D&C last week he's been discussing the proposal with members of the Joint Legislative Committee on Transportation and hopes that a bill allowing creation of the inspection centers would be introduced to the next state legislative session.

MVD sources, however, told HELP! for the Consumer they don't expect the plan to be started for at least another two or three years, unless a federal program goes into effect before then.

#### STATE POLICE FIND INSPECTIONS FAULTY

The State Motor Vehicles Department has suspended auto inspection licenses of six Monroe County garages this year for periods ranging to six months, HELP! for the Consumer has learned.

The companies are: Antonelli Tire Co., 17 Lake Ave. Art's Service Station, 2171 East Henrietta Road, Henrietta.

Bill's Alignment Service, 23 Hartford St. Duane New Shell, 1463 Buffalo Road, Gates. Northgate Esso Service, 3739 Dewey Ave., Greece.

Truckstops Corp., 100 Jefferson Road, Henrietta.

More than half the state police concealed-identity spot checks at gas stations so far this year prompted arrests, warning letters or requested Motor Vehicle Department hearings.

Of the 982 spot checks statewide through Aug. 31, only 391 auto inspections were considered "proper." The others led to 410 arrests, 198 warnings and 25 requested hearings, state police records showed. The figures don't add up, as some inspections led to multiple arrests.

In the 10-county Troop E state police district, which includes Monroe County, the 81 concealed-identity spot checks led to 20 arrests, 22 warning letters and 2 requested hearings through July 31. Only 37 were proper.

Asked how often some repairmen perform incomplete inspections or simply put on stickers without any inspection, one trooper said:

"The going rate is 15 bucks."

"Sure there are some men who do complete inspections every time and who keep excellent records, but the State Police have documented cases where that doesn't happen."

Antonelli's license was suspended May 27, pending an MVD hearing. It was restored July 29. A preliminary hearing was Sept. 13, but three witnesses remain to be called. The follow-up hearing hasn't yet been scheduled.

An Antonelli employee—identified by the MVD as Raymond Debole—pleaded guilty April 30 to conducting an improper inspection. He was given an unconditional discharge by City Court Judge Culver Barr.

Art's license was suspended May 25 for 45 days after a state trooper said an incomplete

inspection was done on his car during a concealed identity spot check (see story on this page).

Bill's license was suspended July 27, pending an MVD hearing which hasn't been scheduled. The MVD said the hearing was requested after the state police stopped a recently-inspected car for defects.

Thomas W. Colosimo Jr., listed in MVD records as a co-owner of Bill's, was charged with conducting an improper inspection. The charge was dismissed June 30 by City Court Judge Harold Galloway for what city records call "defective information."

Duane New Shell's license is still under a six-month suspension, which began June 1. MVD records showed a state trooper investigating an accident July 24, 1970 said one of the cars had been inspected not long before at New's. A follow-up inspection showed five defects.

The car's driver told investigators a sticker had simply been put on his car without an inspection having been done, the MVD said.

Northgate's license was suspended May 24, after its inspection records weren't made available during normal business hours to a state trooper, the MVD said.

Truckstop's license was suspended for 90 days, beginning last June 1.

A state trooper's record of a concealed identity spot-check at Truckstops said he was asked if the emergency brake worked, but the brake wasn't tested and no other testing equipment was used, the MVD said.

A Truckstop employee—identified as Joseph L. Miller—pleaded guilty last March to conducting an improper inspection, MVD records showed. He was given an unconditional discharge by Henrietta Town Justice John L. Johnson, the MVD said.

The MVD releases only the names of firms whose inspection licenses have been revoked; names of suspended firms normally are kept secret.

After HELP! for the Consumer had obtained the names of suspended Monroe County firms, Motor Vehicle Commissioner Vincent L. Tofany said firms given suspensions as well as revocations will be made public.

Peter Lanahan, head of the department's public information section in Albany, said last week that "as I understand it, they'll be made available to the D&C on a monthly basis as requested. But I don't know if suspensions will become part of the monthly press release about revocations that's distributed to newspapers and broadcast stations on our mailing list."

#### JOHN SHERMAN COOPER

#### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CARTER. Mr. Speaker, it has ever been an inspiration for me to serve as Representative for the congressional district in which the illustrious Senator JOHN SHERMAN COOPER lives. He is a rare politician and statesman, respected and loved by all Kentuckians, the mighty and the humble, as well as by those in international circles.

One of his local county newspapers has just published a very interesting article, perceptively written by Mr. Phil Aaron, a medical student at the University of Louisville, Louisville, Ky. I include this account of his career for your perusal:

SENATOR COOPER HAS REMARKABLE POSITION IN STATE'S HISTORY  
(By Phil Aaron)

Kentucky's senior U.S. Senator, John Sherman Cooper, has said he will not seek reelection in 1972. Thus, unless he changes his

mind, one of the most remarkable political careers in Kentucky history will draw to a close. Since 1928, he has run for office 12 times, winning 9 of his races.

Cooper attended Centre College, later transferring to Yale University where he graduated with honors in 1923. He then spent two years at Harvard University studying law. There his studies were interrupted when he returned home to Somerset to assume family responsibilities after the death of his father.

In 1928 at 27, he was elected and served one term in the Kentucky General Assembly. Next, he followed the footsteps of his father, his grandfather and four other Coopers as Pulaski County Judge. Being county judge during the depression (1930-38) was to leave a lasting impression upon Cooper. Everyone needed advice or help of some sort or another. Later as a U.S. Senator he would consistently support legislation which sought to benefit the public's welfare.

In 1939 Cooper sought the Republican Party's nomination for governor. He lost to King Swope of Lexington who in turn was defeated by Kense Johnson, the Democrat. In this primary Cooper attacked President Roosevelt for "inciting hatred and vindictiveness between the classes." Pulaski County delivered 7,054 votes for Cooper and only 432 for Swope in this primary election.

During his gubernatorial campaign Cooper was to develop two campaign mannerisms which have since become his trademarks: As a great campaigner and as a terrible public speaker.

First, as a handshaking campaigner. This smalltimer raised in the nobles would shake every hand in sight at least twice. And it was a strong, warm handshake. Walking down a street introducing himself, Cooper was an impressive sight: Tall and slender with a long, ruddy face, strong nose, curly, greying hair and blue eyes—a Lincoln like profile.

With a sort of rugged good looks, a warm smile, and an almost photographic memory of faces and problems, Cooper was a natural born campaigner. He spent long hours and made a habit of never sleeping in the same bed twice while campaigning.

But on the hustings, in front of an audience he was not the same man. He mumbled, was ill at ease, spoke slowly, softly, stammering and looked as though he wished devoutly he were almost anywhere else.

As a speaker he won his audiences by making them feel sorry for him.

A feeling of empathy for the speaker developed in each listener as Cooper told droll Kentucky stories and jokes many of which were told at his own expense.

He told of approaching one fellow in a strong Democrat area who didn't seem to be in a handshaking mood. "I'm John Cooper," Cooper said. You're a Republican ain't you, the man countered guardedly. "Yes," answered Cooper. "Well," drawled the man extending a limp paw, "just press it light."

Another favorite was his story of Brother John a Baptist Minister he knew in Somerset. Brother John was with a group of other ministers when the question arose as to who was the greatest preacher they had ever heard. Each named his favorite. "Well, brothers," John said, "when I'm feeling right I guess I'd just as soon listen to myself as any preacher I ever heard."

He told too, of riding his horse to a nearby town one day while he was county judge. He passed a young boy chopping wood and he stopped to talk to him. "Son, do you know who I am?" said Cooper. "No" answered the boy. "Well, do you know who your county judge is then?" pressed Cooper. "Pa says we ain't got none," replied the boy innocently.

Cooper made a creditable showing in the '39 primary. Although he lost, he realized that in politics there is never a perfect time. To win one has to become a candidate. And in becoming a candidate there is a certain amount of risk involved. After his defeat Cooper re-

turned to Somerset quite possibly to "go back up the holler to home awhile and grow" as did the young, defeated, mountaineer candidate in one of Cooper's stories.

In 1942 Cooper joined the army as a 42 year old private and rose to the rank of captain as he served under General George Patton as a military courier. Today in Cooper's office a photograph of General Patton hangs. Perhaps as a reminder of times when we fought in declared wars.

After World War II Cooper headed the reorganization of the German judicial system in Bavaria. In 1945, while he was still overseas, he was elected circuit judge for a six year term.

#### IN 1945 HE DEFEATED JOHN BROWN

He returned to Kentucky, ran and was elected to the United States Senate in 1945 when he defeated John Young Brown by 40,000 votes in an election to fill the unexpired term of A. B. "Happy" Chandler. Chandler had resigned as Senator to become baseball commissioner. With his victory Cooper was the third Republican elected by popular vote to represent Kentucky in the Senate. Pulaski County was to continue its support for her native son as Cooper's majority was a staggering 5,500.

As a Senator Cooper worked hard. On the floor of the Senate his soft, slow speaking voice was barely audible in the galleries. His presentation, lawyerlike; his temperament, judicial. His speeches he wrote himself in longhand. And he was constantly changing them up to the moment they were delivered. He quickly learned the Senate rules for debate and learned to love it.

During this his first term Cooper shrank from preoccupation with public relations to read the bills, weigh the arguments, and remain independent of the pressures. He avoided publicity almost completely. In fact during his first two years in the Senate he did not issue a single press release.

He seemingly took advice from no one. Sometimes it appeared he was taking a long time making up his mind, but once it was resolved, then no earthly power could change it.

In 1948 Cooper ran for a full six year term. The Republican ticket headed by mustached Thomas Dewey of New York was defeated nationwide and in Kentucky by 125,000 votes. "Give em hell" Harry Truman with Kentucky's own Alben W. Barkley as his vice presidential running mate pulled Cooper to defeat even though he ran 95,000 votes ahead of Dewey. Thus, Cooper's popularity clearly transcended party lines. It was a good thing too; for Kentucky Democrats outnumbered the Republicans by a 3 to 1 margin. Cooper's Pulaski county margin had increased to 6,000 by 1948.

Cooper's defeat to Virgil Chapman did not idle him for long. He joined a Washington law firm but he practiced very little. For President Truman appointed him a delegate to the 4th United Nations General Assembly in 1949; and he was named an alternate delegate to the 5th and 6th General Assemblies in 1950 and 1951. Cooper also served as an advisor to Secretary of State Dean Acheson at the London and Brussels meetings of the North Atlantic Treaty Organization's Council of Ministers in 1950.

Fate gave John Cooper another chance to be a senator in 1952 when Senator Chapman was killed in an automobile accident in Washington. Cooper in 1952 was to run on a ticket headed by General Eisenhower. His opponent, ex-congressman Tom R. Underwood of Lexington was running on a ticket headed by Adlai E. Stevenson of Illinois. Stevenson carried Kentucky by 700 votes over Ike, but Cooper won by 30,000 and he returned to the Senate. Seven of the thirty thousand majority were delivered right in Pulaski County.

Back in the Senate Cooper proceeded to establish what the Saturday Evening Post called "an excellent record of going to bat



for his constituents." He favored T.V.A., rural electrification, civil rights legislation, health insurance for the aged, aid to underdeveloped areas of the USA, federal aid to education, coal mine safety legislation, aid to farmers, and legislation favorable to organized labor. It was under Cooper's guidance that the first federal programs were established for dam control in Kentucky. The Wolfe Creek Dam was built as a result of legislation introduced by Cooper; These dam and river projects in Kentucky became special pet projects to him. The A.D.A., a liberal organization said Cooper was the most liberal GOP Senator in the Senate in 1953.

In 1954 Cooper clashed horns with the Veep, Kentucky's famous Democrat and former vice president Alben W. Barkley. The Veep swept to victory and John Cooper was again searching for a job. Cooper's Pulaski margin had shrunk to 5,000 votes in 1954. During this interim in 1955, Cooper married his wife, Lorraine, a chic, sophisticated, paragon carrying Californian. Mrs. Cooper is a versatile lady whose private wealth has enabled her to travel widely and become accustomed to high fashion.

Yet Kentuckians approved of his selection of this woman who spoke French, Italian, Spanish, some Indian, and had translated Russian papers during the war. Mrs. Cooper who once shot two lions in East Africa on a safari, wears a size eight dress and buys many of her clothes at Dior in Paris. She joined the Senator just in time to leave with him for India for in 1955 Eisenhower appointed him ambassador to India.

This position had in the past been a plum given to defeated political officeholders as a sanctuary and reward for past services to the party. As a result the USA had many Indian ambassadors throughout the world. But now, at last, we had an able diplomat in India. The Louisville Courier Journal applauded his appointment saying "the goodness that looks out from Cooper's face is a passport to respect among humans anywhere." India welcomed this modest, unstuffy American and he was acclaimed as a man of the plainest, good will.

As an ambassador Cooper was so unpretentious and unassuming that one Indian dignitary told him after talking with him at length, "you have been very courteous and kind and now I wonder if you will introduce me to the Ambassador." And when Marlon Brando came to Washington to ask Cooper about how an ambassador acted for Brando's role in "The Ugly Americans," Cooper told him, "I did the same in India as I do at home in Kentucky." Mrs. Cooper learned to entertain guests ranging in importance from Prime Minister Jawaharlal Nehru of India, the King or Queen of Nepal to delegations of girl scouts from Kentucky.

After the death of Senator Barkley in 1956, Cooper was persuaded to return and face former governor Lawrence W. Wetherby for Barkley's seat. Cooper defeated Wetherby by some 65,000 votes carrying Thruston B. Morton in on his coattails over incumbent Senator Earl Clements. And the 10,767 votes Pulaski County gave her native son amounted to a 7,000 vote majority. Thus, a good measuring stick was that if John Cooper carried his home Pulaski County by at least 6,500 votes he would win in his races for U.S. Senator.

The year 1956 marks a seeming redirection of Cooper's energies from domestic to foreign affairs. Always an advocate of international collective security, Cooper believed one should "place the defense of country first." As a former ambassador he emerged more and more as a globalist, an internationalist: one who could see the whole picture.

Often he would make decisions from actual experiences or involvement. Marquis Childs, the noted political columnist observed, "Cooper has argued that we must keep the channels of communication with Russia open rather than waiting until the situation de-

teriorated." This proved to be the correct way to conduct American foreign policy. But he urged firmness in the U.N. and voted to censure Russia for her action during the Berlin Crisis.

A supporter of the Marshall Plan after World War II, Cooper voted his support of foreign aid saying he had seen the good effects of foreign aid in India in the areas of industrial, technical education, agriculture, health development.

As a Senator Cooper became a political legend and in the eyes of many including the New York Herald "one of the ablest men in politics." Charles Bartlett, a Pulitzer prize winning newspaperman, referred to Cooper as having accumulated a varied career, one that uniquely qualifies him as a Senator.

Cooper is popular, sensitive and alive to the realities of contemporary life. He is an inspiring and idealistic figure."

Throughout his career Cooper has held the respect of his colleagues. He was one of the few senators who could disagree directly with other senators and still be on excellent terms with them. He could give advice without offense.

#### A SENATOR OF CONSPICUOUS ABILITY

In 1958 this man the Washington Post referred to as "a senator of conspicuous ability and integrity" ran for the position of majority leader within his party, Cooper lost to Everett Dirksen by four votes. Many observers were surprised that Cooper would run for a position within the Republican Party because he had noted independence of his party's politics when voting on public welfare bills, and had often tried to nudge the GOP toward a more moderate role.

When he had first come to the Senate, Senator Robert A. Taft of Ohio, "Mr. Republican" to many, had tried to persuade him to vote with the party leadership on a bill. Cooper refused telling Taft, "I was sent to the senate to represent Kentucky, not the Republican Party."

Senator Cooper regards the party as an instrument of concern for people. He believes that the GOP has always been the party of innovation, the party of responsibility. A party should offer new solutions to new problems. And it should accommodate itself to history—that is, Cooper believed that the Republican Party should keep in step with public demand.

In the early part of this century three moderate GOP senators, George Moses of New Hampshire, William E. Borah of Idaho, and George Norris of Nebraska, tried to spur the GOP toward more progressive views. For doing this they often were referred to as "sons of Wild Jackasses." Cooper has assumed such a role in today's GOP.

He will tell you privately that he has never voted for a Democrat in his life and states "There is an obligation, unless it is one you cannot adopt because of conscience, to support the party."

This conscience led him to vote against Barry Goldwater in the 1964 GOP national convention and caused one delegate to remark, "I hate his philosophy, but I love the man. He doesn't have an insincere bone in his body." And President Kennedy referred to our senior Kentucky Senator as "representing the best of his party, (a person) who votes with us (Democrats) when he thinks we are right."

In 1960 there was some high level speculation that Cooper might be Richard Nixon's running mate. Nixon chose Henry Cabot Lodge instead and Cooper ran for the Senate. He defeated former governor Keen Johnson of Richmond by the largest margin ever in a Kentucky Senatorial race. Cooper carried Kentucky by 200,000 and Pulaski County by 10,000 votes.

Not only was Cooper an able vote getter in Kentucky. In Washington Newsweek magazine released a poll of Washington newsmen showing John Sherman Cooper "the ablest Republican in Congress," adding "the

senator from Kentucky has long impressed unbiased onlookers with his grand competence."

Most recently Cooper has been in the forefront in his efforts to find a solution to our nation's involvement in Vietnam. On August 6, 1964, Cooper questioned President Johnson's Gulf of Tonkin Resolution. The resolution which eventually paved the way for a major undeclared war was opposed by Cooper as he argued that the president should not have a blank check in waging war. Congress and only Congress can declare war under our constitution he asserted. And, too, Cooper argued that we should stay out of Vietnam.

Later in his Cooper-Church amendment he provided a forum in which an intelligent discussion of the war could be debated—The U.S. Senate.

Cooper's former colleague Thruston B. Morton has stated that "John Cooper has forgotten more about foreign affairs than most Senators ever know" and "whether you agree with him or not, you know where he stands."

Former senator Paul Douglas, (Democrat, Illinois) referred to Cooper as "the noblest Roman of them all," and Senator George Aiken, the senior Republican senator who sits right next to him in the senate says that "John Cooper never lies; his state should be proud of his long record of judgment, his qualities of leadership and the respect in which he is held." Kentucky's junior senator Marlow W. Cook has repeatedly referred to the great amount of assistance Cooper has been to him as he learned the ropes and Cook unabashedly declared "John Cooper has done more for Kentucky than any other man who ever lived."

But, when confronted with all the accolades and good things that have been said about Senator Cooper, Cooper replies that he always remembers one fellow who after looking him over, after he'd been in the senate several years, told him flatly, "John, you don't impress me at all."

In 1966 John Sherman Cooper said he would not run again for the U.S. Senate. He was 70 years old August 23, and would be 77 if he serves another term. Yet he has changed his mind in the past. On September 16, 1960, Cooper said that his campaign against Keen Johnson would definitely be his last win or lose.

Six years later he changed his mind and ran in 1966. And it appears that he has not yet ruled out running again in 1972. In an October 12, 1967, interview with Roll Call, the Capitol Hill newspaper, Cooper concluded his mind was not resolved and that he might change it and run for another term.

One of the things that might help change his mind occurred recently in Washington. At a private caucus the Republican senators unanimously asked Cooper to run again next year telling him they wanted and needed him. If anything could influence Senator Cooper, it would be the views of his colleagues in Washington and the sentiment of his friends in Kentucky.

The Courier Journal has written that "Senator Cooper has a mind of his own and a reputation that has enabled him a Republican, to win elections in a state that normally is heavily Democrat." And if he desires to run again he will win again. There are some in Washington who think that if Senator Cooper retires, he will be appointed a roving ambassador by President Nixon like Ambassador Averell Harriman has been under Democrat Presidents. If and it is a big If, if Cooper decides definitely not to run, then one has to agree with former Governor and Senator Earl C. Clements who said recently in Washington, "John Cooper has served Kentucky ably and he surely deserves a retirement if he desires it." All agree Cooper has the deserves. And in the past he has definitely had the desires, running more times for the U.S. Senate than any other Kentuckian in history.

Senator Cooper still has a keen mind, an amazing memory, and is currently at the height of his power in seniority and influence. Added to this is a characteristic Cooper has that he himself once attributed to the late, famed Indian Prime Minister Nehru. Upon hearing of Nehru's death, Cooper remarked that Nehru had possessed a type of "darshan," (the Indian word for charisma) over the Indian people.

Senator John S. Cooper has the same type of darshan in Kentucky. If he desires to remain in the Senate, all he has to do is say the word, grab his flute, play his music and Kentuckians will follow him to the polls as the children of Hamlet followed the Pied Piper.

#### A FRENCH CONSUL FOR AUSTIN

### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. PICKLE. Mr. Speaker, there is a small stone building on San Marcos Street in Austin, Tex., that every resident knows is "the French Legation."

For over 100 years, until a few weeks ago, this historic landmark had no official to reside within its walls. Now it does—a new honorary French Consul, Austin attorney J. Chrys Dougherty.

France was the first country to recognize the Republic of Texas, back in 1839. Alphonse Dubois de Saligny was appointed charge d'affaires. He built and lived in the Legation until 1842 when he went home to France in the midst of an uproar over one of his servants killing a neighbor's hog.

Now France has at last returned to Austin, and Austin welcomes her.

I would like at this time to reprint in the RECORD an article from the Austin paper which depicts this historic reunion. The article follows:

#### FRENCH CONSUL SWORN IN

Austin attorney J. Chrys Dougherty was appointed honorary French consul for Austin in ceremonies Saturday morning at the French Legation, 802 San Marcos St.

Approximately 125 guests, including Bishop Louis J. Reicher, Consul General for France Georges MacClenahan, Mayor pro tem Don Love, and a representative from Gov. Preston Smith's Office, were seated on chairs on the legation's manicured lawn during ceremonies.

Judge W. St. John Garwood presided. MacClenahan conferred the appointment on Dougherty in recognition of the historic relationship between the two countries. France was the first country to recognize the Republic of Texas.

In his acceptance speech Dougherty said, "I am particularly happy to serve the people of France in this respect, because of the great services many individual Frenchmen have given me in years past."

Dougherty served more than 14 months in France during World War II and received the Medaille Francaise from the French government.

Dougherty's duties as consul are primarily ceremonial—assisting French citizens in Austin and improving relations between the French and American peoples.

Mayor pro tem Love commented, "It is an appreciated and historic opportunity for me to acknowledge, on behalf of the City Council of the City of Austin and the residents of Austin, this honor conferred on our municipality . . . We welcome the return of France to Austin."

Governor Preston Smith, unable to attend in person, prepared a speech read by an aide, Jack Roberts.

Gov. Smith thanked the Consul General for French interest in Texas affairs, and described the Legation as a "crossroad between two great people."

"This legation therefore lives again on this occasion and we hope that with the stimulus of the residency of the new consul that it will become a center of educational, cultural and artistic exchange," Roberts read.

Alphonse Dubois de Saligny was appointed charge d'affaires in 1839 when France recognized Texas. He built the French Legation and lived there 1840-42.

One of de Saligny's servants killed a neighbor's hogs, however, and the incident led to severing ties between Texas and France.

Dougherty, 56, is a partner in the law firm of Graves, Dougherty, Gee, Hearon, Moody, and Garwood. He is a native of Beeville and attended Harvard Law School. He has practiced law in Texas since 1940.

#### DR. KENNETH E. KERLE TOURS EUROPEAN PENAL INSTITUTIONS

### HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BYRON. Mr. Speaker, one of my constituents, Dr. Kenneth E. Kerle, a government professor at Hagerstown Junior College, toured Europe this summer in an effort to study European penal institutions. He has been involved in teaching at the Maryland Correctional Institute and the Maryland Correctional Training Center near Hagerstown. He has made a study of rehabilitation efforts and means of reducing recidivism.

I would like to share with my colleagues the article written in the Hagerstown Morning Herald by Gloria Dahlhamer about Dr. Kerle's recent trip to Europe.

The article follows:

#### PRISONS—PROFESSOR SAYS TREATMENT CENTERS SHOULD REPLACE JAILS

(By Gloria Dahlhamer)

Prisons are obsolete.

That's the opinion of Dr. Kenneth Kerle, a government professor at Hagerstown Junior College who has been teaching at Maryland Correctional Institution and Maryland Correctional Training Center.

He says big prisons which "practice warehouse psychology" to control mobs of inmates don't rehabilitate criminals.

Dr. Kerle didn't come to this conclusion overnight.

His observations are the result of a year of teaching part-time government courses at MCTC, visits to other Maryland prisons and a personal survey of European penal institutions.

But Kerle says it was his conversations with students in the MCTC college program, talks with inmates at drug therapy programs and sessions with correctional officers that introduced him to what he calls "the penal life style."

Kerle thinks both MCI and MCTC are overcrowded.

And MCTC, considered by many to be the "showplace" of Maryland's penal system, is not coming to grips with the problems of rehabilitation as it should, he says.

The training center was designed especially for prisoners possessing potential for rehabilitation. But Kerle says "there aren't enough counselors and other people trained

in the social sciences to really help those boys."

He says he's not sure that the center's vocational and industrial shops turn out the skilled, professional workmen that they're supposed to produce.

And he's not even sure that the college program he participated in last year is doing all it can to get young offenders back on the right track.

"It's fine as far as it goes," he says of the program. "But it's vital for kids in the college program to continue for four years. If they're released and can't complete their college education, we have, in a sense, pulled the rug out from under them."

During his trip abroad this summer he visited 20 institutions ranging from a women's prison which looked like a fashionable resort to a maximum security prison where the inmates still use chamber pots in their cells.

He says Europe doesn't hold all the answers for America's prison problem.

But his visit abroad, coupled with his knowledge of Maryland's prisons, led him to the conclusion that prisons should be replaced by treatment centers.

Or, at least, give way to smaller institutions with more counseling services, more social workers to deal with the problems which lead men into crime and a higher degree of rapport between inmates and guards.

"Our penal institutions are far, far too large," Kerle says, comparing the 2,254 inmates at New York's Attica State Prison to the 200 at a maximum security prison he visited near Stockholm, Sweden.

A study prison near Falun, Sweden, he observes had only 19 inmates, all engaged in rigorous college studies. "A modern institution at Klofta, Norway, was constructed for 200," he says, "and these are large by Scandinavian standards."

He cites the largest juvenile institution in Holland, which has a capacity of only 100, and the largest adult prison with a capacity of only 150. "Out of 13 adult institutions in Holland," he says, "six of them have capacities of under 30."

Kerle's face lights up when he talks about the chances for successful prisoner rehabilitation in smaller institutions, where prisoners are more likely to play a role in the development of prison programs and talk more freely with prison guards.

He talks about a Dutch prison staffed with a psychiatrist, social worker, doctor, psychologist, and spiritual advisor. "These specialists consulted regularly with the director and his assistant," he says, "but they were in the position to take the initiative themselves and were partly responsible for the running of the institution."

Kerle is aware of the fact that specialization of this kind costs money.

But we could go a long way toward eliminating prison problems of the kind exposed at Attica by training our correctional officers, he says.

"People are saying now that a college degree soon will be a 'must' for the policeman on the beat," he says. "Well, correctional officers need that education, too."

Kerle points out that prison guards are in constant contact with the inmates. "They could do counseling on a continual basis if they were trained for it," he says.

"But as it is now, guards and inmates are polarized."

He would like to see regular training programs including courses in counseling, sociology and psychology, for correctional officers.

"What I'd really like to see at Maryland Correctional Institution," he beams, "is inmates and guards in class together."

"Why can't they learn in the same environment?" he asks, envisioning a give-and-take in the formal classroom situation that might not be possible elsewhere.

Kerle talks enthusiastically about the training of custodial staff in Holland, Norway



and Sweden. He says he saw guards and prisoners sharing cigarettes, talking together about a myriad of topics, and "getting along well."

He likes to tell the story of a Swedish prisoner granted a weekend leave who was going fishing with his prison guard. "He was even going to stay with the guard's family," he says.

Another aspect of European penal systems which Kerle says fascinated him was the role of women in prisons.

He says an attractive lady lawyer in the Oslo, Norway, Ministry of Justice sent him to a maximum security male prison with a young blonde criminologist and a woman social work director as escorts.

"The men were in prison for numerous offenses, including murder," he says with a twinkle in his eye, "but they responded to those women with warmth and respect."

The assistant inspector at a Swedish prison, he notes was a young woman who had started as a social welfare officer.

"When men are released from prison," he ponders, "they don't go out into an all-male society." The presence of women within the penal system, he suggests, could establish a pattern of normalcy.

Kerle says there are other possible penal reforms which can be tried. Separating alcoholics and addicts from other prisoners, for example, or establishing half-way houses for probationers, or even using volunteers in the under-staffed probation system.

But the real problems in our penal system won't go away, he says, until "we tackle the slums and the poverty which breed crime."

And that won't happen, he adds until the taxpayers are willing to foot the bill.

Kerle says wryly that "our prisons have been studied to death. We know what the problems are."

But he says it's absurd to think that we have all the solutions.

"We've got to try new programs to rehabilitate the offender," he says. "And if some of them fail," he shrugs, "then we've got to keep on trying."

#### NO ENVIRONMENTAL PROTECTION LAWS NEEDED—JUSTICE WILLIAM O. DOUGLAS

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RARICK. Mr. Speaker, Justice William O. Douglas, speaking on ecology and the pollution craze with which our people are so issue oriented these days, is reported to have suggested that this country does not need any more new laws to control preservation of the environment. He was quoted in the Oregon press as saying:

We've passed a lot of controls and we're worse off now than we were ten years ago. We've just been shown an illusion of action only.

Justice Douglas also condemned as ecologically destructive the U.S. Forest Service, Bureau of Land Management, Fish and Wildlife Department, Army Corps of Engineers, and the Atomic Energy Commission.

Justice Douglas' Oregon speech precedes by 1 week the House consideration of H.R. 10729, the Federal Environmental Pesticide Control Act of 1971, which provides for the delegation of wide sweeping powers and controls over the manufacture, distribution, and the use

of pesticides to the new Environmental Protection Agency.

With only 10 million Americans now producing the food and fibers on less than 3 million farms, surrendering dictatorial powers to a Federal agency over pesticides, defoliants, herbicides, and other agricultural chemicals, that may be sold to the people as an effort to police ecological threats to humans and wildlife, but it can also serve as a runaway bureaucracy to control food production and bring about systematic food shortages if not a planned famine.

Concentration of dictatorial powers over agricultural chemicals which play a leading role in the ability of the American farmers to feed and clothe our people can but concentrate the regulatory powers in one place where the environmentalists will be able to push the panic button to ban the chemicals, even though it means curtailing food production and increasing food prices.

The problem in America has been that our people are blessed as one of the few countries in the world where our farmers have been able to feed and clothe our people with sufficient quantities left over to support socialist nations. We have educated generations of city folks who actually feel that the abundance of food they take for granted in the supermarkets is grown on the shelves or produced by the grocers.

Passage of the Federal Environmental Pesticide Control Act may soothe the emotions of some of the environmentalists—until they get hungry. However, those hardest hit will be the occupants of America's largest cities, unless the penthouse crowd is preparing to grow vegetables in their planters or take to dieting on vitamin pills. Nor can the matter be regarded as not involving the farmer, since when the food shortage hits the big cities, judging from activity we have followed in foreign countries, the central government dispatches its agents to confiscate even the farmer's share of his food and fiber which he may have intended to use in abundance for his own family.

Already in Washington, the Environmental Protection Agency is faced with litigation in the U.S. Court of Appeals to make a decision on whether to ban all uses of the pesticide DDT. Quite by coincidence, I am sure, the final decision by EPA is to be by November 1. So it must be necessary to pass the pesticide control bill giving the EPA the power for the ban before it can answer the suit.

And so, for the first time in my life, I feel constrained to agree with Justice William O. Douglas—a self-confessed conservationist—that this country does not need any more laws to preserve the environment. Enactment of the Federal environmental pesticide control bill will end up with the ridiculous paradox wherein in order to save the environment for the people, we end up starving them.

I include related news clippings:

[From the Salem (Oreg.) Capital Journal, Oct. 1, 1971]

DOUGLAS STINGS FIVE AGENCIES

(By Larry Roby)

CORVALLIS.—For a U.S. Supreme Court benchman, Justice William O. Douglas seems to know a lot about our ecological mess.

And the 72-year-old jurist didn't mince words here Thursday night when he attacked Federal bureaucracies for not cleaning things up. He appealed to the "grassroots level" for immediate action to halt the carnage on our lands and waterways.

"If you folks don't start speaking out for yourselves," he said, "we probably will end up with nothing."

Douglas said we can no longer trust the federal agencies to look out for our ecological interests.

"I'd rather trust the value judgments of you, the people," he added. "Of course, you can turn your country into a sewer if you want," Douglas chided, "but I don't think you will when it gets right down to it."

The U.S. Forest Service, Bureau of Land Management (BLM), Fish and Wildlife Department, Army Corps of Engineers and the Atomic Energy Commission (AEC) were the five federal agencies to fall under the lash of Douglas' sarcastic tongue.

He called the Corps of Engineers "Public Enemy No. 1" and said that is the agency that is destroying our rivers.

"It's a free-wheeling agency where there are 40,000 people dependent upon building dams," he said. "But, they do build good dams." Douglas said that agency shouldn't spend so much time building dams and trying to straighten out our rivers. When they do this they destroy our ecological balance, he said.

"How would you like to keep them busy?" he asked. "Have them build sewage disposal plants. Think of all the generals you could name them after." The crowd roared its approval.

Land restoration from strip mining is a farce as far as Douglas is concerned. He said minor fines are levied and paid by the ecology destroyers and then deducted from their income tax.

He said the AEC has "built up a credibility gap as bad as Lyndon Johnson had in 1968." He added that people don't believe the AEC anymore because there have been too many slip-ups with radiation in nuclear reactor accidents and leakage of the sightless, odorless gasses when they were buried for disposal. Douglas said we have to get out of this "mad, mad race to produce stuff."

He next turned to the Forest Service and Fish and Wildlife Department.

"Come with me to Wyoming," the conservationist said, "and go on a horseback ride and you won't see a living thing for 10 days." This is because the public lands are filled with poisons which are killing off the wildlife "faster than it can be born."

Instead of serving the public, "the Forest Service is largely a voice of the lumber companies," Douglas said.

"No man can be a forest supervisor unless he's a forestry school graduate," he said about present requirements. "Why not try an ecologist for once and just see what happens?"

Douglas had a few specific suggestions about how we could more wisely use our lands.

"Why not take the northern parts of Minnesota and Michigan and make them one big park?"

"We've been paying farmers not to grow crops for a long time. Why not reclaim that unused land for wildlife refuges?"

"Let our few remaining grasslands of the prairies just stand and be there as monuments to our next generations."

"Why not take all of Appalachia—I've tramped it from Maine to Georgia—and turn it all back to Daniel Boone country?"

He suggested that this country doesn't need any more new laws to control preservation of the environment.

"We've passed a lot of controls and we're worse off now than we were 10 years ago. We've just been shown an illusion of action only," he said.

The only way this trend can be reversed,

Douglas said, is for a grass roots movement "among people like you. You youngsters need to move into civic action. We can't trust the agencies any more."

Then with a glint in his eye and a smile on his face he talked about his home in Washington state.

"Mrs. Douglas and I live in Goose Prairie. There are six people who live there. Two of them are for 'progress' and four are against it. So it makes Goose Prairie one of the nicest places to live in the country."

[From the Washington Post, Sept. 23, 1971]

EPA GIVEN UNTIL NOV. 1 ON DDT BAN

(By Sanford J. Ungar)

The U.S. Court of Appeals ruled yesterday that the Environmental Protection Agency must make a final decision by Nov. 1 on whether to ban all uses of the pesticide DDT.

Reviewing a case brought by the Environmental Defense Fund for the fourth time in less than a year and a half, the court declared that EPA Administrator William D. Ruckelshaus has not adequately justified his refusal last March of an outright ban on the pesticide.

The order by a three-judge panel of the court came late yesterday afternoon, only a few hours after a heated courtroom argument between attorneys for the environmental group and the EPA.

During the argument, the judges directed EPA's attention to a scientific report submitted to the agency earlier this week, declaring that DDT represents "an imminent hazard to human welfare."

After a far-reaching opinion from another panel of the appellate court last January, Ruckelshaus had initiated a complex cancellation process for the pesticide, but insisted further study and public hearings were necessary before outright suspension of all uses.

Attorney James W. Moorman, representing EDF and other environmental groups, contended yesterday that the decision had been "irrational" in light of the accumulating evidence against DDT.

Under intense questioning by the judges, Justice Department attorney Anthony J. Steinmeyer offered only two reasons at yesterday's hearing why Ruckelshaus had not yet formally banned DDT:

There is no "short-range toxicity" which poses a specific danger to people.

There is no adequate alternate pesticide which could help control "such pests as mice, bats, large pine weevils and cutworms."

Steinmeyer stressed that economic factors—such as the effect a ban might have on small cotton farmers—had not played a significant role in the EPA deliberations.

Judge Arlin M. Adams, a member of the Third U.S. Circuit Court of Appeals in Philadelphia sitting with the appellate court here temporarily chastised the EPA for responding to criticisms merely with the assertion that the cancellation process was proceeding on schedule and would be completed by next March.

Other members of the court panel were Judges Roger Robb, who had dissented from last January's ruling against EPA, and Malcolm R. Wilkey.

Environmentalists have argued that although use of DDT has been curtailed greatly over the years, an immediate ban is required to stem the deterioration of fauna and the possible indirect effects on animals and humans.

This week's report to the EPA, prepared by a panel headed by Dr. James G. Hilton, professor of pharmacology at the University of Texas, urged that use of DDT be phased out except in health emergencies.

The report stressed that DDT and its derivatives are "serious environmental pollutants and present a substantial threat to the quality of the human environment."

It pressed for development of alternative pesticides that could substitute for DDT in

emergencies, for instance, an outbreak of the malaria mosquito.

[From the Evening Star, Sept. 23, 1971]

COURT ASKS FAST REPLY ON DDT

BAN REQUEST

(By Winston Groom)

The U.S. Court of Appeals here has given the government until Nov. 1 to show why DDT should not be banned immediately.

The court's ruling late yesterday files in the face of plans by the Environmental Protection Agency to hold a six-month series of hearings on whether the pesticide should be taken off the market.

The order by a three-judge panel directs William D. Ruckelshaus, EPA administrator, to file an "amended statement of reasons" for not suspending registrations of DDT.

The order was handed down only hours after attorneys for the Environmental Defense Fund, a New York-based group that opposes the use of DDT, argued in court that a recently submitted statement by Ruckelshaus was incomplete.

Opponents of DDT have attacked its use on grounds that it pollutes water, air and food and that it is not necessary. The EPA has maintained that it is the "most effective pesticide against malaria overseas and domestically for cotton crops."

Yesterday's decision is one of a series of court orders in the past two years which increasingly have transferred control of DDT from the executive branch to the courts.

In January, an Appeals Court ruling written by Chief Judge David L. Bazelon ordered the EPA to issue cancellation notices on all remaining uses of the pesticide and set up a study of its hazards.

Yesterday, EPA lawyer James Moorman told the court that an EPA report branded DDT "acutely hazardous." Moorman said that on that ground the court should seek to ban it outright.

Justice Department lawyers arguing for the EPA said the law requires a ban only on products that are found to be "imminently hazardous." He said there is a distinction between acutely and imminently.

[From the Evening Star, April 7, 1971]

FIVE GROUPS ASK COURT TO ORDER DDT BAN NOW

(By Roberta Hornig)

Five environmental groups have returned to the U.S. Court of Appeals here to challenge Environmental Protection Agency Administrator William D. Ruckelshaus on his decision not to ban DDT immediately.

Calling Ruckelshaus' decision against the ban "irrational," the environmentalists asked the court to review or reopen their case against the pesticide.

The court papers were filed late yesterday by the Environmental Defense Fund, Inc.; the Sierra Club; the National Audubon Society; the Izaak Walton League of America; and the West Michigan Environmental Action Council, Inc.

Ruckelshaus announced in January that he would "cancel" all DDT uses. The cancellation triggers lengthy administrative hearings that are expected to last about a year, but does not prohibit use of DDT meanwhile.

Ruckelshaus' action followed an order handed down by the appeals court as a result of the suit on DDT filed by the environmentalists.

In March, Ruckelshaus announced he was carrying out part of the court ruling by reviewing all remaining uses of DDT. But he announced he would not yet ban the pesticide, saying there is insufficient evidence that it poses an "imminent hazard to people or wildlife."

Yesterday the environmentalists called that decision "irrational in light of his finding that DDT is an acute hazard."

They also challenged Ruckelshaus' contention that removal of DDT from interstate

commerce would result simply in pesticide users' resorting to other equally hazardous chemicals.

They said Ruckelshaus apparently was referring to Parathion. But if he believes this pesticide is more dangerous than DDT, it, too, should be ordered off the market, the environmentalists said.

They argued that it is appropriate for the court to review now the latest decision by Ruckelshaus because of the persistent failure by either Agriculture or EPA to respond adequately to their request for a ban.

Their suit was filed originally against Agriculture in December 1969. Ruckelshaus later became the defendant when pesticide registration responsibilities were transferred to his new agency in December.

Yesterday's legal action marks the first time environmentalists have moved against President Nixon's environmental enforcement agency.

EPA plans to begin public hearings late this month on the advisability of allowing continued use of DDT.

DDT is used mainly for cotton and citrus crops.

## UNICO ESTABLISHES MENTAL HEALTH RESEARCH CENTER AT MOUNT CARMEL GUILD HEADQUARTERS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. RODINO. Mr. Speaker, at the 49th annual convention of UNICO, a national service organization whose membership is comprised of Americans of Italian descent, the delegates voted unanimously to establish the UNICO National Mental Health Research Center. The proposed center will be located at the headquarters of the Mount Carmel Guild in Newark, N.J.

I wish to commend and add my personal endorsement to the UNICO project and to congratulate UNICO president, Dr. Benjamin J. Cottone.

A primary function of the UNICO Mental Health Research Center will be to coordinate the total resources of local UNICO chapters in the fight for mental health. The unique purpose of research will focus on prevention rather than repair. Special areas of research will include the hereditary, biological and biochemical components of mental illness.

The following statement of Dr. Cottone and of Mount Carmel Guild's archdiocesan director, Msgr. Joseph A. Dooling are worthy of note:

STATEMENT OF DR. BENJAMIN COTTONE

This ambitious project comes at a time when government and private funds have dwindled sharply in the fight for better mental health. UNICO National recognizes the urgency of a concentrated, comprehensive effort, and is combining its total strengths in response to this national need.

Our desire to establish and fund a mental health research center is the result of much soul-searching and investigation by our organization which, for 50 years, has made mental health its major commitment for support, and of our unavoidable recognition that the one missing component of the mental health picture in America is research. We, therefore, decided to do something to close that critical gap.

The ramifications of mental health research touch upon and are imbedded in every conceivable aspect of human life. The devel-



opment, during the last seven years, of community mental health centers, has served to emphasize the need for a vastly increased effort in the research areas as distinguished from the areas of mental health services and rehabilitation. Something obviously had to be done, in other words, to alter the prevailing philosophy of locking the barn doors after the horses—that is to say, the sound functioning of the human mind—was stolen.

Admittedly, rehabilitation is vital, too. But, good as those community mental health centers have become in many instances, much more work must be done to bring them to the level of efficiency and productivity which a society that hopes to enjoy widespread mental health demands. Because nothing like enough research is underway anywhere to accomplish this objective of keeping people from becoming mentally ill, UNICO's membership has voted unanimously to take concerted, well-funded, remedial action by establishing the UNICO National Mental Health Research Center.

We believe that a commitment of this magnitude is necessary because, until recently one-third of the National Institute of Mental Health budget was earmarked for research and finding ways to prevent mental illness, professionals in the field are painfully aware that these funds have now been cut back or diverted until they are all but non-existent for research.

The range and variety of research that will be needed to sustain mental health is awesome. For example, just one professional publication cites, with reference to mental health consultative programs to children, six areas of research into the consultative process and four areas of investigation into the attitudes of recipients of consultation, all of which are currently receiving no attention. Another professional publication cites the kind of research that needs to be done and can be done to prevent the onset of mental illness in children at the pivotal development stage which occurs during the first grade of school and also in post-partum depression. Again, nothing is being done about it.

The following projects urgently cry out for investigation and which, one by one, the UNICO National Mental Health Research Center plans to come to grips with in an orderly, well-organized basis:

Hereditary, biological and bio-chemical components of mental illness.

The factors that cause individuals to ward off reality by having recourse to drugs.

Especially among the young, constructive satisfaction from "work" as distinguished from lack of satisfaction from "school."

Family factors in the onset of mental illness in childhood, adolescence, maturity and old age.

Determination of ideal point for intervention with individuals, groups, to prevent the onset of mental illness.

Identification of the behavioural precursors of aberrant conduct with the approved specificity necessary to institute preventive measures.

Controlled comparison studies of families of schizophrenics and families of delinquents with families of normal children.

The emotional consequences in the individual and family of forced urban relocation.

Implementation of programs will begin immediately.

#### STATEMENT BY MSGR. JOSEPH A. DOOLING

I am pleased that UNICO National has chosen the Mount Carmel Guild's modern, multi-service center in Newark, N.J., as the site for its new Mental Health Research Center. I believe that I can safely say that seldom in the 40-year history of the Guild's wide-range of services to the North Jersey community and to the nation has an event of comparable importance taken place.

Mental illness is the number one health problem, affecting as it does more Americans than all other forms of illness combined. With seven out of ten hospital beds occupied by patients suffering from one form or another of mental illness, it is imperative that there be undertaken without delay precisely the kind of across-the-board investigative program into the causes of mental illness and ways to prevent it that UNICO National has now set afoot.

We at the Mount Carmel Guild feel especially gratified that UNICO National's president, Dr. Benjamin J. Cottone, and his fellow UNICANS, have selected our extensive facilities for the new UNICO National Mental Health Research Center. For nearly half a century the Guild and its corps of professionals, trained and experienced in the mental health problems of both the individual and the family, have amassed a record of achievements in the rehabilitation of the mentally ill that has been hailed as outstanding at the highest levels of government and the medical profession.

Now, thanks to UNICO National, we are about to move out from the repair phase, bringing with us our vast fund of psychiatric documentation and know-how into the beckoning uplands of research and prevention.

Preventive medicine is a new idea, sought through the ages, whose time has come. The Mount Carmel Guild looks forward to joining its expertise to the foresight and generosity of UNICO National through the new Mental Research Center in applying the concept of prevention, at long last, to our overriding national problem of mental illness, and to sharing our findings with our colleagues nationwide.

#### HON. NOBLE J. GREGORY

#### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 1971

Mr. CARTER. Mr. Speaker, Congressman Noble J. Gregory, who was a Member of Congress from the First Congressional District of Kentucky from 1937 till 1959, passed away on Sunday, September 26, 1971. Mr. Gregory rose to the position of second-ranking Democrat on the Ways and Means Committee, on which he served with distinction. He also represented his constituents conscientiously.

Mr. Gregory died in Mayfield, Graves County, Ky., where he was born on August 30, 1897. He attended private and public schools and graduated from Mayfield High School in 1915. Subsequently, he graduated from Mayfield Business College. He served in several positions with the First National Bank of Mayfield. He also served as secretary-treasurer of the Mayfield Board of Education from 1923 until 1936. He was elected to the 75th and to the 10 succeeding Congresses. His tenure was, of course, highlighted by his fine work on the Ways and Means Committee.

After his service in Congress, he returned to Mayfield where he engaged in various business and civic activities.

Noble Gregory did much for the First District and all of Kentucky. He will be greatly missed by his many friends and his fine family.

#### RESULTS OF ANNUAL POLL OF SEVENTH CONGRESSIONAL DISTRICT

#### HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. MYERS. Mr. Speaker, each year I poll every household in the Seventh District of Indiana on a number of important issues currently facing the Congress and the Nation. This year responses representing more than 17,000 persons were received and I would like to share with you the results of their opinions about subjects of concern to us all.

Nixon's performance: It is clear from the results that President Nixon's performance since he assumed office 2½ years ago enjoys the overwhelming support of the people of the district. A total of 81 percent rate the President's performance either good or fair while only 14 percent rate his performance as poor. This compares to a 75 percent favorable rating 1 year ago in a similar poll.

The question was: How would you rate the overall performance of President Nixon since he took office?

	Percent
Good .....	46
Fair .....	35
Poor .....	14
No response .....	5

Vietnam: This same confidence in the President's intentions was reflected in the responses to the question on Vietnam. A majority, 61 percent, favor the administration's plan for the orderly withdrawal of troops. This is up 10 percent from 1 year ago. Nearly 20 percent called for the immediate withdrawal of all troops while 12 percent expressed a preference for setting an absolute withdrawal date and pulling our troops out by that deadline. When you compare these figures to results of a 1967 poll you can see that the issue is no longer whether we will withdraw but how fast. Four years ago, a total of 74 percent were calling for a complete military victory. President Nixon will announce the next phase of his troop withdrawal plan in mid-November. He has already ordered a cut-back to 184,000 by December 1 from the 543,000 troops in Vietnam when he took office.

The question: Which course do you favor in Southeast Asia?

	Percent
Administration's plan for orderly withdrawal of all combat troops .....	61
Immediate withdrawal of all troops .....	20
Announce an absolute date for withdrawal .....	12
No response .....	7

China policy: While the President's overtures to Red China enjoy less support than his Vietnam policy, a clear majority, 55 percent, endorses the administration's effort to improve relations with the People's Republic of China. Nearly 23 percent voted their disapproval of any dealings with the Communist nation. Another 17 percent were undecided. This represents a dramatic change in sentiment among Seventh District residents who in responding to

questions in 1967 and 1969 expressed overwhelming opposition to either trading with Red China or establishing diplomatic relations with the Peking government. One can not help but conclude that the people trust President Nixon's attitude toward the Communist world.

Question: In view of recent developments, do you favor President Nixon's efforts to improve relations with Red China?

	Percent
Yes .....	55
No .....	23
Undecided .....	17
No response .....	5

Priorities: A total of 44 percent rated the economy as the most important domestic problem in the Nation today. They expressed special concern for the rate of inflation and unemployment. Ranking second with 36 percent in the list of problems were those dealing with social issues such as crime, drugs, and race relations. Environmental problems drew only 14 percent of the responses despite all the attention pollution receives today in the media.

The question was: Which do you consider the single most important domestic problem in the Nation today?

	Percent
Economy .....	44
Environment .....	14
Social .....	36
No response .....	6

Economy: Two major points in President Nixon's economic program announced in mid-August are supported by a total of 76 percent of those responding to the poll. Expressing a preference for wage and price controls were 39 percent while another 37 percent called for a reduction in Federal spending. As might be expected few asked for an increase in taxes. There was some support, 12 percent, for a program of public service jobs which Congress passed in August.

Question: To fight inflation and unemployment, which actions are you willing to have your Federal Government take this year?

	Percent
Control wages and prices .....	39
Raise income taxes .....	1
Balance the Federal budget .....	37
Establish public service jobs .....	12
No response .....	11

Crime control: Even as the Federal Bureau of Investigation was announcing a significant drop in the rate of increase in crimes across the Nation, the people of the district were calling for speedier trials for the accused and harsher penalties for those found guilty. There was little support for increased Federal funding of crime fighting programs in States and cities. About one in six feels that rehabilitation of criminals is the most important consideration in the war on crime.

Question: Which do you consider the most important in the war on crime?

	Percent
More Federal funds to States and cities .....	5
Legislation insuring speedier trials and more judges .....	33
Harsher penalties .....	40
Expanded rehabilitation .....	15
No response .....	7

Pollution control: Residents of the Seventh District favor increased Federal activity in enforcement of those laws designed to fight pollution of the environment. Sharing nearly equal support is a massive Federal program to clean up the Nation's waterways. Most would expect Government and industry to absorb the extra costs of these programs without passing the expense along to the consumer.

Question: To fight pollution, would you want your Congressman to support:

	Percent
Enactment of a \$12 billion program to construct municipal waste treatment facilities .....	33
User fees and taxes on all polluters even if it means higher prices for products .....	19
Stronger Federal enforcement authority .....	38
No response .....	10

Minimum wage proposals: Congressional hearings are in progress on a number of proposals for increasing the minimum wage base. Most district residents clearly favor no increase in the \$1.60 minimum at this time. The others are divided between a staged increase to \$2 and an immediate increase to \$2.

Question: Of the proposals to adjust the minimum wage, which do you favor:

	Percent
The administration's plan to increase the minimum to \$1.80 on January 1 and to \$2 in 1974 .....	28
Immediate increase to \$2 in 1972 .....	20
No increase in the minimum at this time .....	46
No response .....	6

Government reform: More than 64 percent said they favor the President's proposal that the present 12 Cabinet departments be reduced to eight, retaining, without change, the Departments of State, Treasury, Justice, and Defense. The other eight would be combined into four: human resources, community development, natural resources, and economic development.

Question: Do you favor President Nixon's proposal to make the Federal Government more efficient and responsive by consolidating eight departments into four new ones?

	Percent
Yes .....	64
No .....	15
Undecided .....	15
No response .....	6

Health care: While opinion is divided on the approach, an overwhelming 68 percent of those responding to the poll favor some action to provide all Americans, regardless of their ability to pay, with adequate health care. President Nixon has proposed a health care package utilizing a blend of public and private funds with the goal of providing basic medical care for the indigent, increased aid to medical schools, health insurance and cancer research. The question: Regarding national health insurance proposals, which do you favor?

	Percent
A program financed and operated by the Federal Government .....	19
A federally operated program financed by employer and employee contributions .....	27
Complete reliance on the private health insurance structure .....	23
No new legislation in this area .....	23
No response .....	8

Welfare reform: Workfare, the administration's proposal for reform of the welfare system, received a nod of approval from seven out of 10 persons answering the poll. The measure has already passed the House and is pending before the Senate. The question: As an alternative to the present welfare system do you favor President Nixon's proposal for a work incentive and job training program while calling for a basic level of financial assistance?

	Percent
Yes .....	70
No .....	15
Undecided .....	9
No response .....	6

Revenue sharing: Considered a major proposal in the administration's drive to decentralize the Government to make it more responsive to the people, revenue sharing has the support of 65 percent of those answering our questionnaire. This was up from 62 percent approval in the poll 2 years ago. The question: Do you support the overall objective of the President's revenue sharing proposal?

	Percent
Yes .....	65
No .....	16
Undecided .....	12
No response .....	7

Comments on the questionnaire: This poll is only one avenue through which I learn of the views of my constituents. But its results, together with the many additional letters expanding on views expressed in the poll, give me a clear picture of prevailing opinion on these issues. I want to thank those who took the time to let me know their opinions and encourage those who did not to write their Congressman whenever they have suggestions or comments regarding the issues facing this Nation.

#### MINNEAPOLIS HEALTH HEARINGS

#### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. FRASER. Mr. Speaker, for many, young and old, existing insurance programs, both private and governmental do not meet the medical needs when major illnesses strike. At the health hearings I recently held in Minneapolis, Mrs. Lois Bendickson testified about her inability to qualify for complete medical insurance.

Mrs. Bendickson suffers from multiple sclerosis. Because the disease was not diagnosed during the time she was working at a position covered by social security, she cannot qualify for benefits. She is unable to work and is, therefore, blocked from ever amassing enough quarters of coverage to qualify. She has been turned down for membership in a group practice and she has been unable to find an insurance program that will sell her a major policy to cover her illnesses. Since she is divorced, her husband's major medical program no longer provides coverage. Related problems such as inability to meet all her financial obligations are increasing.



Mrs. Bendickson suffers unbearable hardship, because medical insurance is based on actuarial soundness with only slight regard for the true health or medical needs of citizens.

Mr. G. E. Boring wrote expressing his concern with long-term nursing care. As Mr. Boring points out, his wife has been confined to a medicare certified nursing home in Minneapolis for 3 years. His insurance coverage paid for only the first year. The present \$600 a month expense exceeds his income. His suggestions that medicare be modified to cover 75 percent of unlimited long-term care is a reasonable and necessary one. His remarks follow:

FEBRUARY 18, 1971.

HON. DONALD M. FRASER,  
House of Representatives,  
Washington, D.C.

MY DEAR MR. FRASER: Through the courtesy of Dr. A. Boyd Thomas, I have been privileged to read your letter of Feb. 8, 1971 regarding health care reform and the hearings to be held in Minneapolis on Feb. 27th.

Because of my own experience with the crippling expense of health problems the last few years, I am taking the liberty of writing in the belief it might be helpful in your consideration of the reform mentioned.

For nearly 3 years now, my wife has been confined to a Medicare Certified Nursing Home in Minneapolis. During the first 100 days part of the cost was covered by the Medicare program. The following 200 days was partly covered by a Blue Shield Major Medical policy.

Since the above benefits expired over 2 years ago, the Nursing Home cost has increased over 60% bringing the total expense of her care alone to about \$600 a month. This exceeds my total retirement income from Social Security and a private pension.

To meet the deficit and my own living expense, I have had to redeem my Series E Savings Bonds and rely on other modest savings acquired during my working years at relatively low wages.

Because of this experience, it occurs to me that some modification of Medicare to aid in long-term Nursing Home care should be considered. From a financial viewpoint, the critical period is not the first 100 days as now provided. It is the long-term, incurable illnesses which persist over a period of years that can wreck the most careful planning and lead to another Welfare burden.

I don't know what the statistics are, but it seems to me that relatively few of the millions under the Medicare program would ever require long-term Extended Care in a Nursing Home. If that is true, a modest increase in the premium rate should be sufficient to cover at least part of the cost for those who do have this misfortune. A modification of Medicare to cover even 75% of unlimited, long-term Extended Care would seem reasonable to me.

Your interest in health care reform is most gratifying and I trust it is shared by many of your colleagues in Congress.

Respectfully,

G. E. BORING.

MARCH 1, 1971.

HON. DONALD M. FRASER,  
House of Representatives,  
Washington D.C.

MY DEAR MR. FRASER: The interest and understanding expressed in your letter of Feb. 23 is very much appreciated. You may feel free to use my letter of Feb. 18 as you see fit and have my full permission to do so.

Perhaps it is not generally known, but it is my understanding that somewhat more than one half of nursing home patients are Welfare cases. It is also my understanding that such patients are cared for at rates

substantially less than cost resulting in higher rates for those who are self supporting.

If the foregoing is true, it would seem grossly unfair to require self supporting patients, already burdened by high medical costs, to subsidize those unable to care for their own needs.

Whether any person's lack of ability to provide for himself is his own fault or other reasons, he is certainly entitled to proper care but not at the expense of any special group. It would seem that the rates for all patients should be determined by the same formula whether paid by Welfare funds or otherwise.

Possibly the above comments are not relevant to the Medicare Health program, but might warrant some scrutiny of Welfare policy and practice.

Respectfully,

G. E. BORING.

## WILLIAM COWGER DIES

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CARTER. Mr. Speaker, the people of Louisville and Kentucky were saddened to hear of the tragic death of former mayor and former Congressman William O. Cowger of Louisville, Ky.

He was recognized as an outstanding mayor of that city. He had strong support from citizens of all walks of life, colors, and creeds. He gave Louisville a vigorous, vibrant, and enlightened administration. Among his many accomplishments was the recognition of Louisville as an all-American city. His leadership as Louisville mayor in the early 1960's helped create the first public accommodations act in the United States south of the Mason-Dixon Line. Under his administration, and from his leadership, sprang the Louisville Human Relations Commission which later became a joint city-county agency.

I include in the Record a résumé of his career:

WILLIAM COWGER, EX-CONGRESSMAN AND MAYOR, DIES

William O. Cowger, mayor of Louisville from 1961 to 1965 and two-term Republican congressman, died last night in Louisville at the age of 49. The attending physician said death was caused by a heart attack.

Cowger was pronounced dead at 7:06 p.m. at Kentucky Baptist Hospital, where he had been rushed minutes before in a Louisville police car. Police were summoned when Cowger was stricken while helping Miss Kaye Bowles, an acquaintance, into a car at 2354 Grinstead Drive, where she lived.

Deputy Coroner Barry Foreman confirmed the cause of death. Cowger had become ill during the 1970 congressional campaign and was hospitalized in Louisville amid widespread rumors that he had suffered a heart attack. His doctor said at the time he had suffered a viral infection.

The heart attack last night was not Cowger's first, according to Paxton Price, a close personal friend. Price said Cowger had experienced "a series of heart problems" since the 1970 election.

He said that about a year ago Cowger followed his doctor's advice and gave up heavy cigarette smoking for a pipe.

Cowger was considered by many political observers to be the man who revitalized the Republican Party in Jefferson County, and

he was a major force in Kentucky politics for several years.

Cowger became the first Republican Louisville mayor in almost 30 years on his election in 1961. He was unable to succeed himself in 1965, but his personal choice as a successor, Kenneth A. Schmied, easily won election in 1965.

In 1966, Cowger decided to run for the U.S. House of Representatives. He won easily, and won re-election in 1968.

His bid for a third term, in 1970, failed by the narrow margin of 211 votes, and he was unseated by Democrat Romano L. Mazzoli. That election was the last congressional race to be decided in the nation, and the uncertainty focused national attention on Louisville, not only because of the closeness of the race, but also because Cowger held an influential position in Washington Republican circles.

When he first went to Congress, he was one of the few Republicans who was former mayor of a large city, and was elected chairman of the Republican Congressional Urban Affairs Committee. He was also elected chairman of the freshman GOP representatives.

Cowger's rise to political power in Louisville was based largely on his ability to help other politicians. In 1951, only six years after the war, he made an unsuccessful attempt to become state representative in the 36th House District, losing to Democrat Chester J. Holsclaw. But his record after that was more successful.

In 1953, he successfully managed the primary campaign of Republican mayoral candidate John B. Taylor, and the next year Cowger directed the GOP campaign in Jefferson County for U.S. Sen. John Sherman Cooper and 3rd District congressional candidate John R. Robison.

Cowger managed the party's county campaigns in 1956 and 1958, accumulating more political credits that would help him become elected mayor three years later. He was mentioned as a possible GOP mayoral candidate in 1957, in fact, but announced that he would not seek the job.

Cowger's astounding triumph in his race for mayor in 1961 surprised even the Republicans. He defeated his Democratic opponent, William S. Milburn, by more than 11,000 votes, and Cowger's running mate, now U.S. Sen. Marlow Cook, easily won the race for county judge with a 20,000-vote margin over Thomas L. Ray. The theme of the campaign was "Time for a change," and change came, with 11 of the 12 city wards and all three county districts going Republican.

A bright and urbane native of Nebraska, Cowger was a skilled politician and an expert tactician for urban causes. His leadership as Louisville mayor in the early 1960s helped create the first public accommodations act in the United States south of the Mason-Dixon Line.

He enjoyed strong support from Louisville's Negro community as mayor, and it was during his administration and at least partly because of his urging that the Louisville Human Relations Commission, later to become a joint city-county agency, was founded.

Also during his term as mayor, Louisville was designated an All-American City, an achievement that gave him much pride. Cowger had a deep feeling for urban communities in general and Louisville in particular, although he was not a Louisville native.

During Cowger's four years in the House, he pushed for federal legislation to relieve the plight of urban areas. He was an advocate of federal revenue sharing long before President Nixon included it in his domestic program.

Although Cowger was a cool, polished man who rarely displayed emotion publicly, he was well known for his heated clashes with

politicians and organizations that crossed swords with him.

Two notable examples were his feuds with Republican Gov. Louie B. Nunn and his arguments with and threats against The Courier-Journal and The Louisville Times.

Tension between Cowger and Nunn dated back to Nunn's first bid for governor in 1963. Nunn lost the election by a thin margin that year, and he blamed Cowger for the poor Republican turnout in Jefferson County. Cowger denied that accusation, but his relations with Nunn were never the same again.

In the fall of 1969, Cowger stunned state politicians by strongly criticizing Nunn during a public address before a Jefferson County women's group. Answering a question, Cowger bitterly assailed Nunn, accusing him of deliberately trying to sabotage the Jefferson County Republican organization.

Nunn angrily denied the charge the next day, and the incident was the political nadir of the relations between the two men. Many political observers believe the friction between them was partly responsible for Cowger's narrow congressional loss in 1970. Other observers say, however, that the biggest factor in Cowger's loss to Mazzoli was the collapse of the once strong organization he had built during his term as mayor.

#### POSITION ON WAR MODERATED

Cowger once said The Courier-Journal and The Louisville Times had never been editorially fair to him, and he frequently accused the newspapers of news reporting bias. In the summer of 1965, he charged that the newspapers had campaigned to discredit County Judge Marlow Cook, and he threatened to sue the papers for libel and thus "acquire a new newspaper for this community the easy and fast way."

While mayor, his disputes with Louisville news media led him to close the press room in City Hall.

During his four years in Congress, which were largely overshadowed by his record as mayor, Cowger was generally regarded as hawkish on the Vietnam War, although some observers say he shifted to a more moderate stance before leaving Washington.

Early in his first term, he once advocated the bombing of Haiphong harbor in North Vietnam. But by 1970, Cowger was expressing support of President Nixon's policy of gradually winding down U.S. involvement in the war.

After his defeat in 1970, Cowger resumed his business as a mortgage realtor. There was considerable speculation that he was either planning to run against Mazzoli in 1972 or to run for mayor in 1973.

Cowger made no public statement about his political plans, but he told a press conference after conceding victory to Mazzoli last year that he planned to stay active in politics and probably would run for office again.

About 18 months ago, Cowger and Nelson Miller formed the Cowger & Miller Mortgage Co., with an office at 446 S. 5th in Louisville.

#### GOVERNOR ISSUES STATEMENT

In recent weeks Cowger served as cochairman of a state committee working for passage of the Homestead Amendment, a measure on November's ballot that would exempt from property taxes the first \$6,500 worth of property of persons 65 and older.

In an interview last December with Ward Sinclair of The Courier-Journal & Times Washington bureau, Cowger looked back on his years in Congress.

"The main pleasure" with being in Congress, he said, "is being with 435 of the finest people you've ever met."

Asked what he would most like to be remembered for as representative of the 3rd District, Cowger replied that only the Police Assistance Act of 1970 bore his name, but he added:

"I would say the most important thing is the personal satisfaction that you get out of

doing things for people . . . This is the real payoff in public service."

He said that on leaving Congress he would miss most his association with fellow congressmen, "and No. 2—you always like to be where the action is, and the action has been here, particularly during these last four years . . . I really don't think I'd want to be in Congress during a time of Utopia when everything is milk and honey."

Among the first reactions last night to Cowger's sudden death was one from Gov. Nunn in Frankfort, who said, "I am extremely sorry to learn of his death. I extend my deepest sympathies to his family."

Earl Searcy, chairman of the Louisville-Jefferson County Republican executive committee said:

"We are shocked and grieved by the untimely death of Mr. Cowger, who has served Louisville with distinction, both as mayor and congressman."

"He was truly a great leader, and his death has created a void that will be most difficult to fill. We extend our sympathy to his family at this time of great sorrow."

At the Louisville Orchestra's performance at the Brown Theatre last night, Conductor Jorge Mester dedicated the opening piece of music to Cowger, whom he called a friend of the orchestra.

#### BORN IN NEBRASKA

Cowger was divorced in 1969 from the former Cynthia Thompson. They had two children, David, 19, and Mrs. Larry Wilson, 20. The other survivors are two brothers, Dr. Robert Cowger, of Portland, Oreg., and Jack Cowger, of Seattle, Wash. His mother and father were deceased.

Funeral arrangements were incomplete last night. The body was to be taken tomorrow to Pearson's, 149 Breckinridge Lane in Louisville.

Cowger was born Jan. 1, 1922, in Hastings, Neb. After high school, he attended Texas A&M and received a bachelor's degree from Carleton College, Northfield, Minn. He later did graduate work at the University of Louisville and at American University in Washington, D.C.

He was commissioned a naval officer after attending the Navy Midshipmen's School in New York City, and served 20 months during World War II in the Atlantic and Pacific.

Cowger had lived continuously in Louisville since his discharge from the Navy. Besides his governmental affairs, he was active in many business, civic and charitable organizations. He was a past president of the Louisville Junior Chamber of Commerce, and in 1955 was selected one of Kentucky's three outstanding young men.

He served for two years as Kentucky chairman of the Crusade for Freedom, and belonged to several other civic and church groups. He was a past president of the Kentucky Municipal League, an organization of city officials.

#### ORBIT

### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is always a source of hope and encouragement to learn of the good in life. We are so often barraged, from every quarter, with the bad. One fine example of a truly community-oriented and constructive civic program is that in which a number of teenagers in Somerset, in my 10th Congressional District in Massachusetts, are engaged. These young men

and women have grouped together in an organization title "ORBIT." One of their activities is to contribute financially to the school for deaf children conducted at the Congregational Christian Church in Somerset. Another example of the commendable work these teenagers are carrying on is their support of a child in India, through the proceeds of a car wash and cake sale, which was their first project. The group established itself some 3 years ago under the aegis of Mr. and Mrs. Richard Stewart. Mrs. Stephen Miller of Somerset serves as director, while she and her husband also serve as advisers to the program.

ORBIT is certainly a program of which the teenagers can be proud, and I am pleased to include in my remarks a column which appeared in the Somerset Spectator on Thursday, September 30, which presents in even greater detail the excellent programs of help and support ORBIT offers:

#### YOUNG PEOPLE AT WORK

(By Fred Rhines)

Too often the public image of today's teenager, as created by newspaper stories, is one of drugs, car thefts and thoughtless acts of vandalism. Few if any stories make the papers about public good done by many of today's young people.

For example, how many readers know that ORBIT, Somerset's teenage group, dedicated to bettering the public's image of today's youth, gave a sizable donation to the school for deaf children conducted twice a week at Congregational Christian Church of Somerset?

The group's donation made it possible for speech and hearing therapist, Mrs. Gerard Bedrick to buy many of the visual aids she needed to make her job more effective and give the six youngsters in this unique program a chance to grow through the use of learning aids.

ORBIT means helping people. It is an unheralded group involved in many projects to help people in the community.

It began in November, 1968 when Mr. and Mrs. Richard Stewart of 177 Harrison Avenue, Somerset, held a party for a group of teenagers who aided them in a campaign to gain support for the Republican Party during the Presidential election.

The party was sort of a farewell for the 18 young people who had taken an activist role in the community but instead they decided to band together and find other things to get involved in.

The group wanted to bridge the gap between what adults thought teenagers were like and what teenagers themselves thought they represented in today's society.

#### FIRST PROJECT

The first project was a car wash and cake sale. Proceeds were used to support a child in India.

This successful project was quickly followed by a stage play. The services of Mrs. Stephen Miller of North Street, Somerset, were obtained as director.

Since that time, Mrs. Miller and her husband have joined Mr. and Mrs. Stewart as ORBIT advisors.

The curtain had no sooner rung down on their play then the group was busy with plans to aid Camp Jabberwocky on Martha's Vineyard. The camp aids Cerebral Palsy youngsters and is led by Mrs. Helen Lamb, of Swansea.

#### FUNDS FOR CAMP JABBERWOCKY

A long list of events to raise funds for Camp Jabberwocky followed and concluded with a fun fair held on Pottersville Field.



The fair turned out to be such a success that ORBIT members were able to donate \$1300 in money and merchandise to the camp.

ORBIT has also sponsored several circuses in Somerset. The most recent one was the Royal Wild West Circus. They have also collected money for the Citizens Scholarship Foundation.

When the Somerset High Blue Raider Marching Band went to Washington, D.C. they were partly financed by ORBIT, whose members worked on several projects including a play to raise money.

What has all this to do with the school for deaf children? The answer might be contained in the workings of the school itself which attracted the interest of ORBIT members who wanted to offer assistance.

Pre-school children with hearing handicaps have a new educational opportunity through the nursery school sponsored by Dr. Philip Johnston of Massachusetts Department of Public Health, Division of Maternal and Child Health, now operating at Congregational Christian Church on County Street.

The church's Sunday School rooms are open Monday and Tuesday from 9:15 to 11 a.m.

#### LOVING CARE

Children with impaired hearing receive loving care in an expanded instructional program from Mrs. Bedrick, speech therapist and Mrs. Robert Kitchen, nursery school teacher.

The use of the church facilities was voted by the Board of Deacons of the parish where Rev. H. Merrill Emery is pastor. When the space became available the Massachusetts Department of Public Health, through Dr. Johnson, supplied funds for nursery facilities.

A feature installed is the Zenith loop which creates a magnetic field in the room and helps the deaf children make use of their hearing aids, microphones and recordings.

Funds donated by Somerset Lions Club, through William Murphy, president, enabled the Southeastern Massachusetts Parents Association for the deaf and hard-of-hearing children to purchase a portable amplification unit. It is used as each child is taken for individual speech therapy. It is a wonderful aid for the children. Toys were also purchased with part of the Lions Club Donation.

ORBIT's donation was used to purchase toys, games and books that are all teaching aids in the deaf school program.

At present there are six children enrolled in the facility which is open to all Southeastern Massachusetts children with hearing problems. It is both free and accessible to those who need it. Parents of deaf children are urged to get in touch with Mr. and Mrs. Kitchen at 29 Damon Street, Fall River or Mrs. Edward Carey of 551 Purchase Street, Swansea.

#### MORE HELP NEEDED

More equipment, geared to the latest advances in speech and hearing therapy, is needed. Officials are hoping for increased state assistance.

In the meantime, ORBIT will continue its efforts on behalf of the school with an all day cake sale, Saturday at the Somerset Stop and Shop.

#### AN INTERVIEW WITH CHILE'S PRESIDENT ALLENDE

**HON. ROBERT F. DRINAN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. DRINAN. Mr. Speaker, since all of us are deeply interested in Chile and its

President, Dr. Allende, I attach herewith an article entitled "An Interview With Chile's President Allende" by Corliss Lamont, a distinguished former professor at Columbia University and the author of many volumes including the *Philosophy of Humanism and Freedom of Choice Affirmed*.

This article is taken from the October 1971 issue of the nationally recognized religious journal, *The Churchman*.

The article follows:

#### AN INTERVIEW WITH CHILE'S PRESIDENT ALLENDE

(By Corliss Lamont)

On July 11, 1971, the day after I arrived in Santiago, the Chilean Congress passed unanimously a constitutional amendment for the nationalization of all the copper mines in the country. A few days later, on July 15, President Salvador Allende signed the amendment into law and called it "perhaps Chile's most important action since independence." He proclaimed a Day of National Dignity and stated: "Now we will be the owners of our own future, truly the masters of our destiny."

I was glad to be in Chile during this week—surely one of the most significant in its entire history—since I had long opposed the economic exploitation of Latin American nations by U.S. business and had been in sympathy with the socialist goals of President Allende and his Popular Unity coalition. And I was especially happy to receive, on July 19, an invitation from the President to see him at his office in the Palacio de la Moneda (Government Palace) that same evening.

Since the Palace, like the Hotel Carrera where I was staying, was situated on Constitution Square, I did not have far to go. Waiting in an ante-room for a few minutes, I chatted with a military attaché who had attended West Point for a while. Then the President walked in and greeted me cordially. He ushered me into his office and first pointed to three framed photographs hanging on the wall: one of him and his family, a second of him and some friends riding horseback in the country, and a third of a Chilean General pinning the highest military medal of the nation on Allende as the new Commander-in-Chief of the Armed Forces. The President said with a twinkle in his eye that hostile newspapers throughout South America had published this third picture with the caption: "President Allende receiving the Order of Lenin from a Soviet General."

My interpreter for this interview was Dr. Gustavo Molina, Professor of Preventive and Social Medicine and Adviser at Large to the Chilean Minister of Health. Dr. Molina and President Allende were old friends, since Allende was a physician at the start of his career and had worked closely with Molina.

I opened the conversation by saying to the President that I brought good wishes to his Administration as an unofficial representative of hundreds of thousands of Americans who were sympathetic to its aims and program. Allende replied that such people could be very useful in bringing about understanding between Chile and the United States.

He told me that the Chilean Government would do everything possible to maintain good relations with the United States, but that difficulties might arise over the precise amount Chile could and would pay U.S. companies in compensation for the recent nationalization of the copper mines. He added that some American firms, anticipating full nationalization, had become careless and wasteful in their mining operations. Hence the mines would not be in the best of condition when the Government was ready to take them over completely.

While the Chilean Government obviously faces many difficulties in establishing a

planned socialist society, the President, whose term lasts six years (through 1976) convinced me that during that time his Administration would go far in engineering the transition to socialism. He pointed out that an extensive nationalization program is already well advanced.

(The Government, besides its takeover plans for copper, has made substantial progress towards nationalizing the banks; the coal, iron and steel industries; and the larger cement and textile plants. I went through the big Hermas textile factory in Santiago, nationalized by the Government about two months earlier, and found it operating efficiently. The Allende Administration has also announced that it is initiating a skiing program for low-income families at ski centers such as Farellones and Portillo, at both of which I enjoyed fine skiing while I was in Chile.)

President Allende stressed the fact that the Popular Unity coalition has every intention of putting across socialism through democratic procedures. I remarked that if democratic socialism—socialism without dictatorship—could be achieved in Chile, it would be of tremendous significance for the whole world. Allende agrees with this comment and fully realizes that there are far-reaching international implications in what he is attempting to do and that the eyes of mankind are on him and his associates.

The President impressed me greatly. A spry, slender man in his early sixties, he combines firmness of character and keen intelligence with a deep compassion for his fellow humans. Certainly he is the greatest political leader to emerge in South America during the twentieth century.

I asked President Allende whether he was perhaps a Humanist in his philosophy. He answered that the didn't go in much for labels, but that since he was a Marxist, he was naturally a Humanist and that his Administration was doing many things of a Humanist nature.

As I rose to go, the President took up a paperback book on his desk and inscribed it. He presented it to me, the title being *The Political Thoughts of Salvador Allende*. The inscription read: "To my friend C.L. from compañero Presidente [comrade President] with hearty affection and faith in the victory of the peoples.—S. Allende."

After thanking him for his book, I remarked that I would like to send him a copy of my book, *The Philosophy of Humanism*. He said he would be glad to have it.

As I walked out of the room, President Allende shook hands with me and said warmly, "Come back again!"

A Copy of *THE CHURCHMAN*, Free on request to The Churchman, 1074 23rd Avenue North, St. Petersburg, Florida 33704.

#### MAN'S INHUMANITY TO MAN—HOW LONG?

**HON. WILLIAM J. SCHERLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 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?

## CONFISCATION IN CHILE

## HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. SPRINGER. Mr. Speaker, I include the following:

Many of us in the Congress have watched, during the past months, the actions of the Chilean Government and as to whether it intends to indemnify American interests for nationalized properties of those American firms in Chile. Nobody questions the legality of the Chilean Government taking over any properties; however, any country which does that is expected to make fair reimbursement of any properties confiscated. I know that many of my colleagues in the Congress are extremely dubious as to what the Chilean Government intends to do.

I attach an article from the New York Times of Sunday, October 3, titled, "Confiscation in Chile." I believe this article properly reflects the thought of many people in the Congress as to the status of this matter at the present time.

The editorial follows:

## CONFISCATION IN CHILE

During his eleven months in office, President Allende has often promised fair compensation for American and other foreign enterprises nationalized in Chile. He has now defaulted on that pledge with a bizarre book-keeping maneuver that effectively nullifies the possibility of any payment for three nationalized copper mines previously owned by two American firms.

This default may have been enviable, given the Marxist domination of Dr. Allende's coalition Government. Leaders of his own Socialist party and their Communist allies have insisted for months that Chile should pay no compensation for the Anaconda and Kennecott copper properties. In this, as in other matters, Dr. Allende may have been swept along by forces he could not control.

In any event, no objective observer will be persuaded by Dr. Allende's claim that he acted "rationally and legitimately" in arbitrarily deducting \$774 million for "excess profits" over the last fifteen years from compensation due the two firms. Kennecott points out that its alleged excess profits exceed its total earnings from Chile during that period. Even less defensible is another deduction of \$1 billion—at least twice the estimated value of the American holdings—claimed by Chile's Copper Corporation for alleged deficiencies in property, equipment and plans at the mines and mills.

These actions may be "legal" under a constitutional amendment adopted without dissent by Chile's National Congress last July; but they do violence to accepted standards of international law and governmental conduct, despite Foreign Minister Almeyda's asserting to the contrary at the United Nations General Assembly. There is no appeal at all from the "excess profits" decision and only a costly and dubious procedure for appealing the Copper Corporation's deduction.

Far more is at stake here than the fate of the two firms and their past sins in Chile, real or fancied. In an action widely hailed in the hemisphere as industrial statesmanship of a high order, Kennecott in 1967 offered a partnership in which the Government of Chile would hold a 51 per cent interest. Two years later Anaconda responded to pressure from President Frei, Dr. Allende's predecessor, and negotiated a comparable partnership with Chile for its copper holdings.

In effect, Chile has now changed the rules

for the copper companies for the third time in less than five years. The question of good faith raised by what amounts to confiscation of these properties is bound to discourage the investment from abroad that Chile needs—and insists that it wants under proper conditions, such as the kind of partnership arrangements the copper firms had accepted. The actions cannot improve Chile's chances for the assistance it requires from such lending agencies as the World Bank and the Inter-American Development Bank. And it will make vastly more difficult the achievement of those "best possible" relations with the United States that Dr. Allende has often said he wanted.

## MINNEAPOLIS HEALTH HEARINGS

## HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. FRASER. Mr. Speaker, a number of individual citizens testified and submitted statements at the health hearings I recently chaired in Minneapolis.

Mrs. Florence Littman discusses three problems she is facing in attempting to get good medical care. First, she has difficulty getting an appointment with a doctor. Second, a great deal of time is expended attempting to get reimbursement from medical insurance programs. And, finally, there is excessive interest on her medical bills. Mrs. Littman documents each of these problems in her statement.

Mr. Doyle Derby also discussed his difficulty in getting insurance claims properly processed. According to Mr. Derby, interest was charged to him on a bill that was overdue, due to the insurance companies failure to promptly reimburse.

Mr. William Robarge also discusses his difficulty in claim adjustments and presents his idea for change:

MINNEAPOLIS, MINN.,  
February 23, 1971.

Hon. DONALD FRASER,  
Federal Courts Building,  
Minneapolis, Minn.

MY DEAR MR. FRASER: I have had the following problems in connection with medical care in Minneapolis:

1. Difficulty in seeing a doctor.
2. Proper processing of insurance claims.
3. Excessive interest on the bill.

In illnesses which are not emergencies it is often impossible to get an appointment with your doctor for weeks. Frequently you are given a prescription over the phone and told to take it until the symptoms disappear or there is an appointment available for you. I have been the victim of such poor medical treatment due undoubtedly in part to the doctor shortage.

I think this problem could be slightly alleviated if there were community laboratory centers that could do simple lab work such as throat cultures, blood counts, urine analysis, etc. In that way many infections could be spotted, a doctor could be consulted and treatment begun without delay.

(Problem No. 2) A clinic with thirty-one doctors on the staff has one college student working part time processing Blue Shield claims. Claims are often submitted only after months of nagging, and even then are frequently not itemized correctly, resulting in non payment of claims.

(Problems No. 3) Meanwhile excessive interest, 1% per month, is being charged on all balances ninety days or older.

These have been my own experiences with medical care in Minneapolis. I would be will-

ing to furnish the name of the clinic (in spite of the fact that I might have to go back there.) I am convinced that even under existing conditions medical care does not have to be this impersonal and sloppy. My children are cared for by a pediatrician who always has time to see a sick child, always returns your phone calls, always has her practice covered when she is out of town, and whose office staff very efficiently itemizes and submits your claims to Blue Shield.

I have no first hand knowledge of medical care in D.C. but I wish you and your family continued good health.

Very truly yours,

FLORENCE LITTMAN.

MINNEAPOLIS, MINN.

Interest is charged on all bills 30 days past due.

The patient is responsible for the total bill:

Including the portion covered by insurance.

And even when the insurance has been assigned over to the doctor.

The patient was charged the past due interest charge on a bill where the total past due was entirely covered by the insurance claim and the insurance company was late in making the payment.

The insurance company was late in making the payment because they had failed to send out a form to be signed by the patient which they required before they could make payment.

The patient had no way of knowing that the insurance payment was late until receiving the bill with the interest charge.

When calling the insurance company to follow up on the payment the patient was told to call back several days later (almost a week) because it takes that long for them to trace the records.

DOYLE DERBY.

FEBRUARY 11, 1970.

Mrs. LOUIS BINDER,  
Congressman Don Fraser's Office,  
Minneapolis, Minn.

DEAR MRS. BINDER: I don't know whether or not it will be possible for me to be present at the Health Care Hearings—Saturday Feb. 27/70 at Heritage Hall, Mpls., Public Library 300 Nicollet Mall—or not. I have requested some material from the State of Wisconsin to be mailed to you. I was interested to discover that the Chippewa name for Wisconsin is "Weeskonsan" which signifies the gathering of waters. The Wisconsin River empties into the Mississippi at Prairie Du Chien, which has some information at the museum there on health care. The impressions of the water drainage systems are not the same as possibly the understanding in health care. Some feel there is a tremendously large emptying area which drains back into the great lakes in a vast meandering and lowland area of which not too much is known, others have varied opinions. Some feel that it is up to other people to explain too much which is difficult to explain but at the same time health shouldn't be left to an artist's concept.

At the present time, I can't think of any courses (school) biology, hygiene, physiology that I haven't taken and have touched on most of the things in the library (the references of which there aren't too many charges for). It is possible that the market is bulled on some information sources and the effort to cooperate in a bull market. Wall street was known for this, which can be any street or wall. The education I received in toxicology was never remunerative to me.

I'm enclosing a copy of a letter from Frederick J. Casey, Assistant County Attorney to Carl E. Erickson, County Attorney, Crow Wing County—Brainerd, Minnesota. In health, accident, hospitalization and liability insurance; it appears there isn't too much protection for society and the interpretation



of suability. If the State Institutions have any unjust fetter on officials in cases like this, I feel there should be prosecution to the end to create a more intellectual honest conscience in handling claim adjustments. There are some who have been held what some call political prisoners, without any health or financial consideration for many years. Many of these are not managers of huge properties or hospitals either and have been deprived on many things without due process. I have heard of a malpractice case in Cass County but have never read the transcript, but heard the charges were exorbitant and put on as an auto accessory dealer having the salesmanship either coercive or convincing to the obligator for payment. I will make an attempt to be at Heritage Hall.

Sincerely yours,

WM. ROBARGE.

## SOCIETY OF SEPARATIONISTS

## HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BUCHANAN. Mr. Speaker, an interesting letter from the Society of Separationists in Austin, Tex., pertaining to House Joint Resolution 191, the prayer amendment which will soon be brought before the House for debate and a vote, has come to my attention.

From the format of this correspondence, it appears that other Members of the House may also have received a copy. It provides interesting reading for two reasons. First, it states that the prayer amendment would legalize "compulsory, as well as voluntary prayer in all public buildings." Of course, nothing could be further from the truth. Participation in any religious exercise sanctioned by the amendment would be purely voluntary.

Second, it also advises the Members that the Society of Separationists represents such "important elements" in each of our constituencies as the atheists and the agnostics.

It seems rather clear they do not represent the thinking of the vast majority of the American people whom it is our duty and privilege to serve.

The full text of the letter is included herewith for the edification of the House:

SOCIETY OF SEPARATIONISTS,  
Austin, Tex., September 29, 1971.

DEAR SIR: It is important to recognize that the only assault which has ever been mounted against our Bill of Rights and the precious heritage of the First Amendment to the Constitution is that of religious fanatics. They hoist themselves on their own petard, for by asking you to vote away this protection for all, they will ultimately lose it themselves.

We urge you to vote against the proposed "Wyllie Amendment" which would give a victory to such forces by legalizing compulsory as well as voluntary prayer in all public buildings. A science building at any university could well be so financed, but prayers over test tubes will avail naught.

The Society of Separationists, Inc., is an organization comprised chiefly of Atheists, Agnostics, Ethical Culturists, Humanists, Rationalists, Freethinkers and Objectivists. We represent these people in your district.

You know, sir, just how many such non-believers there are in the United States for they number in the millions and are chiefly

among business and professional persons. This is an important segment of the population to alienate!

You are accountable to the future of our country to safeguard that which has been so effective in preserving individual rights of conscience: our First Amendment.

Please vote against the Wyllie Amendment.

SOCIETY OF SEPARATIONISTS, INC.,

RICHARD F. O'HARE,

President.

GENERAL EAKER WRITES ABOUT  
"SIGNS OF DECLINE"

## HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. FISHER. Mr. Speaker, everyone agrees there is much wrong in America these days. The mad scramble for higher wages, without increase in production—which means inflation—plagues us. The President's wage-price freeze and new economic policy underscores this fact. Deficit spending, a prime cause of inflation, continues unabated. Our gold supply has dwindled to a dangerous level. For the first time since 1885 we face a deficit in foreign trade.

Aside from excessive Federal spending, the cause of most of this is traceable to our inability to compete with lower cost foreign competition. While wage rates have gone sky-high, production has not kept pace. The current costly west coast dock strike has been going on for nearly 100 days, with the union insisting on unconscionable demands. Now the east coast is also shut down. Many long strikes, even by those in relatively high-wage industries, have added significantly to our inability to compete with foreign producers. This is not conjecture; it is a matter of record.

Mr. Speaker, many Americans are quite aware of these unhappy developments and are becoming increasingly alarmed. One of these is Lt. Gen. Ira C. Eaker, USAF, retired. In a recent column by this distinguished American, he cites some pertinent facts and sounds a warning which everyone should read.

The article follows:

## SIGNS OF DECLINE

(By Lt. Gen. Ira C. Eaker, USAF (Ret.))

In the early decades of the 19th century Yankee Clippers carried far more than our share of the world's commerce on the high seas. Hard working craftsmen and sturdy sailors of New England had the skill to build and the courage to crew our merchant fleet which was the envy of the Old World and brought prosperity to a young, growing nation.

In World War I, and again in World War II our people had the skill, resources and determination to build ships faster than hostile submarines could sink them, and our cargoes of men and munitions eventually overwhelmed the two great tyrannies which threatened the world.

Since World War II there have been disturbing signs that the United States is no longer competitive in ocean commerce. For some time now our government has had to subsidize our dwindling shipping industry in order to show our flag on the high seas.

The recent seamen's strike on the West Coast may be a final paragraph in the last

chapter of the story of the decline of the U.S. Merchant Marine.

In the middle decades of the 20th century, the United States had a practical monopoly in the making of motion pictures. Hollywood was the acknowledged capital of this industry and the mecca of the magic art. Today the U.S. movie industry is sick and there are signs that the malady is mortal. The centers of this industry and art are now London and Rome.

We have priced ourselves out of profitable competition in an industry which once gave the United States an income of \$40 billion annually and priceless profit in worldwide propaganda for our people, their customs, standard of living and their products.

The U.S. automobile industry had for more than 50 years acknowledged worldwide supremacy. Detroit and environs was the center for this dramatic industrial miracle which made Americans mobile, revolutionized the economy; and even changed the social patterns including family life. It was a status symbol in all foreign countries to drive an American-made car. This industry was so dynamic, extensive and skilled that it built all the trucks and tanks that gave our armies and those of our worldwide Allies the mobility and power for victory.

After the war it turned to fill the pent-up demand for civilian transport, producing 10 million vehicles annually to fill eager domestic and overseas demands.

Today, foreign-built cars are rapidly gaining in favor here and abroad, for the simple reason that foreigners, especially Germany and Japan, build them cheaper and better. If present trends continue, shoddy workmanship and unconscionable prices will find Detroit following Hollywood into economic decline.

Since World War II the United States has supplied the fleets for the world's airlines. For the past 20 years 75 per cent of all people who flew in the Free World were carried in U.S.-built airliners.

In recent months our Congress shortsightedly killed the SST which assures that the United States will soon relinquish world leadership in air transport and commercial aviation, a business which has contributed \$4 to \$5 billion annually in favorable trade.

The amazing thing about these and other evidences of industrial and commercial decline is that this was not done to us by a conquering foreign power. We have done it to ourselves.

Two main things probably account for the tragic signs of national decadence.

We are not competitive in world markets because our prices and wages are increasing at an annual rate of 6 per cent and 7 per cent whereas our industrial productivity increases at less than half that rate. Germany and Japan keep their wage increases well below increases in productivity.

Then, too, many of our people have lost the competitive spirit, the will to work, the yearning for excellence. They even show little concern for their nation's security in an increasingly hostile world. This may flow from the pervasive and pernicious influence of welfare statism.

MIDDLE EAST CRISIS AT THE  
CROSSROADS

## HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. HAMILTON. Mr. Speaker, recently, the representatives of Israel and Egypt have been meeting here and in New York with American officials in the hope of reaching an agreement for some

kind of interim settlement of the Arab-Israeli conflict. These talks are entering a very crucial stage not only for the parties to the conflict but also for the United States. Four editorials in the last couple of days have examined what they consider to be the current dilemma for the various countries involved. The editorials are the Evans and Novak column in the Washington Post of October 1; Eugene V. Rostow's editorial in the New York Times of October 3; the New York Times editorial of October 4 entitled "Road to Mideast Peace"; and Thomas A. Lane's editorial in the New York Times of October 4. I commend these articles to my colleagues:

[From the Washington Post, Oct. 1, 1971]

#### NIXON'S MIDEAST SQUEEZE

(By Rowland Evans and Robert Novak)

The tightening political squeeze play to change President Nixon's "even-handed" policy in the Middle East is now trapping the President in a remorseless vise with no visible escape.

Two shrouded developments in the past few days, one from his own political advisers and the other from the Arab rulers of oil-rich Saudi Arabia—the best U.S. friend in the Arab Middle East—give a strong hint of the powerful pressures now buffeting the President and his politically courageous stand to compel partial Israeli withdrawal from Egyptian territory along the Suez Canal.

The first of these is a new and alarming restiveness at high levels inside the administration itself over the President's refusal to hand over new Phantom aircraft Israel is demanding. That restiveness is strictly political, fed by fear that the American Jewish community will not be very forthcoming in 1972 campaign cash for Mr. Nixon unless he yields to the pressure for more Phantoms.

Thus it was no accident that Vice President Spiro Agnew, in a rare reference to the military balance of power in the Middle East, drew attention in his speech here on Sept. 23 to the fact that "their (the Soviet Union's) newest fighter, the Foxbat, is now operational in Egypt and cannot be matched in performance by anything we have in operation."

To highly placed Republican operatives, that seemingly oblique reference to the Egyptian-Israeli balance of power signalled the extreme unhappiness within the President's political family over his steadfastness in seeking Israeli concessions along the Suez Canal before taking a step certain to further reduce waning U.S. influence within the strategically placed Arab world.

The second development came in a secret half-hour conversation in the Oval Office between the President and Prince Fahd, Minister of the Interior in King Faisal's Saudi Arabia and the King's brother.

The Prince delivered this solemn message, similar to many in recent months: Israel's continued occupation of one-tenth of Egypt's territory—the Sinai Peninsula—would soon make it impossible for King Faisal to guarantee the economic or physical security of vast U.S. oil operations in Saudi Arabia. To the Soviet Union, that hard fact is a high card of inestimable value.

Since last July, King Faisal and Egyptian President Anwar Sadat have established a close political alliance that would have been unthinkable in the days of President Nasser's rule. Moreover, King Faisal is still spending \$140 million a year to sustain Egypt and Jordan, assistance that started after Israel's conquests in the 1967 war.

But unhappily for Mr. Nixon, few U.S. politicians—and even fewer Democratic presidential hopefuls—examine the bitter

Arab-Israeli conflict from the standpoint of pragmatic American interests.

Thus, to President Nixon and his entire diplomatic and military high command the only strategy to block rising Soviet influence in the Arab Middle East is to settle the conflict between Jew and Arab. In Mr. Nixon's view what is fulfilling Moscow's imperial ambitions is not any latent Marxist sentiment among the Arabs (they have none) but the fact that Moscow plays the role of protecting them against Israeli expansionism.

To Israel and many of its powerful political allies in the United States the view is wholly different. What comes first to Israel is, naturally, its security. And to Israel, for 20 years under the barrel of Arab guns, that means continued occupation of the Sinai until some sort of iron security guarantee—undefinable today—is available. That is the view that most U.S. politicians identify with, particularly at election time.

The Democratic presidential hopefuls now attacking Mr. Nixon tend overwhelmingly to view the Middle East from Israel's special interest. Mr. Nixon views it from long-range U.S. interests.

With his own political operatives now pressing him to switch to an overt pro-Israeli policy and outflank the Democrats, his "even-handed" policy is caught in a tightening vise. If he yields, the result will be great glee in Moscow and a sense of betrayal in Cairo, likely to be followed by a futile Egyptian military effort and the danger of U.S.-Soviet confrontation.

[From the New York Times, Oct. 3, 1971]

#### MIDDLE EAST: THE NEXT STEP

(By Eugene V. Rostow)

NEW HAVEN.—The risks of any alternative require the foreign ministers assembling at the United Nations finally to insist that the parties carry out the Security Council resolution of Nov. 22, 1967, which calls on them to make an agreement of peace for the Middle East.

Lord Caradon, the father of that resolution, has urged that Ambassador Jarring convene a conference of the parties for the purpose, in the pattern of the Rhodes conference which resulted in the Armistice Agreements of 1949.

True, President Sadat laid down certain "Conditions" for his acceptance of the resolution. But those conditions are not consistent with the resolution. It should be possible for diplomacy to qualify or to ignore them.

President Sadat has said that the U.A.R. will make peace only if Israel evacuates the whole of the Sinai, and only if Egypt is then free to put troops into the area. But the Security Council resolution, following the Armistice Agreements of 1949, contemplates agreed changes in the armistice demarcation lines, in order to establish secure and recognized boundaries, and guarantees of maritime rights. Israel has had to fight two costly wars to open the Strait of Tiran. It is determined not to get into a position where it might have to do so again. It is certainly not in the Western interest to repeat the disastrous bargain of 1957, which proved to be an incitement to war.

In 1968, and against in 1971, the United States indicated that it could support a return of the Sinai to Egypt, with perhaps "insubstantial" changes in the frontier. In 1968, the American position was based on the view that only the complete demilitarization of the Sinai could fairly balance the dilemmas and anxieties posed by the tragic history of the last twenty-four years. If the Sinai were completely demilitarized, pursuant to an agreed timetable of Israeli withdrawals, during which conditions of true international peace were realized, would any national interest of either country be imperiled? Could any other plan do nearly so much to encour-

age the development of true peace in the region?

It is impossible for the parties to take serious negotiating positions on borders before they grapple with the problems of security arrangements (including demilitarized zones) and guarantees of maritime rights. These are not matters which can be resolved by go-betweens, or by interviews with journalists.

Secretary Rogers has repeatedly said that American policy was not to recommend any Israeli withdrawals from the 1967 cease-fire lines until "there was a final, binding, written agreement that satisfied all aspects of the Security Council resolution, a contractual agreement entered into by the parties, signed by the parties in each other's presence, an agreement that would provide full assurance to Israel that the Arabs would admit that Israel has a right to live in peace."

It must be assumed that the discussion of plans for opening the Suez Canal as an interim step toward peace rests firmly on this principle, which has been basic to the American position since 1967, for reasons obvious in the nature of American interests, and the melancholy fate of the understandings and guarantees which resulted in Israel's withdrawal from the Sinai in 1957.

If Egypt is not ready to fulfill the requirements of the resolution, then a scheme for opening the canal may be useful, so long as no provision of such an interim agreement is inconsistent with the objective of peace.

From the point of view of the United States, Western Europe and Japan, however, an agreement of peace fulfilling the resolution is decidedly preferable. There is no evident reason why this policy should be abandoned. The resolution, after all, was passed with Soviet support, on the basis of assurances from all the parties that they would cooperate with Ambassador Jarring in reaching the agreement it required. And President Sadat's recent victory over his rivals in Egypt, as well as the pattern of politics in Jordan, Syria and Sudan, should permit him to move forward decisively, and wisely.

[From the New York Times, Oct. 4, 1971]

#### ROAD TO MIDEAST PEACE

The tour guide to a Middle East peace settlement which Israeli Foreign Minister Abba Eban mapped out for the United Nations General Assembly last week was an excursion into familiar byways. When stalled peace talks are desperately in need of new directions, Mr. Eban charted five "roads to peace." All have been tried before; all have failed so far to bring any measurable progress toward Mideast stability.

Among the possibilities, the Foreign Minister revived an old Israeli proposal for a separate conference on the "problem of refugees." This is a detour leading nowhere as long as practically every country involved insists on treating the Palestinians merely as refugees and not as a nation stillborn, now clearly clamoring for life.

Mr. Eban also offered a side trip into some of the less controversial areas of an Arab-Israeli treaty. This might have been a useful excursion three or four years ago, but the time is surely long overdue for both sides to concentrate on the major differences that pose a growing threat of renewed warfare.

The place where Mr. Eban was unquestionably on sound ground, however, was in his repeated plea for direct peace talks between Israel and her adversaries. Although it is an absence of adequate concessions on both sides—rather than any lack of communications—that has been the principal barrier to an Arab-Israeli settlement, there is certainly much to commend this more direct route to peace which the Arabs have always stubbornly skirted.

This is especially true in light of Mr. Eban's strong hint that Israeli policy could



become more flexible in a direct negotiating situation under U.N. or United States auspices. "Time and time again," he said, "the decision of governments to abandon their cold separation and make contact with each other develops from a procedural advance into a change of substantive positions."

In a year when Americans have been talking with the mainland Chinese, when the West Germans are talking with East Germans, when even the divided Koreans are meeting together, it should not overstrain the ingenuity of the new Egyptian diplomacy to explore Mr. Eban's initiative at some discreet peace table.

[From the New York Times, Oct. 4, 1971]

#### OUR FRIENDS, THE ARABS

(By Thomas A. Lane)

(EDITOR'S NOTE.—Gen. Thomas A. Lane, who is retired, is author of "America on Trial: The War for Vietnam.")

McLEAN, VA.—The Arab neighbors of Israel have for some seventeen years been embarked upon an alliance with the Soviet Union. There are lessons to be learned from the experience—lessons of special import to the Arab countries but important also to all free countries.

In the historic practice of Western politics, nations have made alliances to serve special common interests. Whatever their differences in other matters, they had a common interest which brought them together. Thus, although the United States and the Soviet Union had irreconcilable political tenets, they were thrown into alliance in World War II by the circumstance that one was attacked by Germany and the other was attacked by Japan. Their sole common interest was to defeat the common enemy—though U.S. policy-makers lost sight of that reality.

There is an alliance a tacit understanding that the differences of allies will be subordinated to the common purpose during the term of the alliance. During World War II, the United States overrode this obligation with praise of Soviet "democracy," and the Communist party, U.S.A., supported President Roosevelt, though it supported Stalin more.

The Communist powers do not of course subscribe to the traditional norms of Western diplomacy. Their object is conquest, and they follow the guidance of Lenin in achieving it. The criterion for policy in any circumstance is the advantage of the Communist interest.

In the Soviet-Arab alliance, the aim of the Arab countries has been to defeat Israel and to restore Arab sovereignty in Palestine. But is this also the Soviet aim? Does the Soviet Union really care about defeating Israel or is it more interested in conquering the Arab countries? Aren't the strategic locations and the oil wealth of the Arab countries richer prizes than the barren plains of Palestine, made fruitful only through heavy investment?

We must look for answers in the experience of the alliance. Seventeen years is a long time to take to arm and train forty million Arabs to defeat three million Israelis. The years have been studded with one Arab defeat after another. In the face of the alliance, Israel has expanded its territory. Why?

The Arabs are divided, they are technologically backward, they are not conditioned to the needs of modern tank and air warfare. Granting all this, it is still possible to develop competent military forces from technologically backward nations in less than seventeen years. The Greeks, the Turks and Koreans have done it. Maybe the Soviet Union wanted to fail.

Within the Arab world in these years, the extension of Communist influence has been the primary aim of Soviet policy. Under cover of the alliance, the Soviet Union has schemed for the ascendancy of its own power.

This thrust of the internal Communist parties has kept the Arab world in continuous turmoil. Soviet intrigue has encouraged the Marxist Palestine Liberation forces to attack King Hussein, not Israel. It has worked to overthrow King Hassan in Morocco. In Libya and the Sudan, the Soviet Union has supported pro-Soviet nationalists. But we have seen in the Sudan that even a pro-Soviet nationalist can be the target of a Communist coup. General Nimeiry is lucky to have survived the attack on his Government. He had been slow to learn from the experience of others.

When will the Arab leaders awaken to the true aims of Soviet policy? Far from conquering Israel, they are wasting the resources of their people in futile armaments and risking their own survival in freedom. Their true destiny lies in the free world, which respects their sovereignty, honors their religious sentiments and offers the true course for the development of Arab culture. All the potential of modern technology lies open to their people if the leaders have the wisdom to choose freedom.

It is sorry U.S. policy which converts a difference between free-world countries into a confrontation with the Soviet Union. The U.S. and Israel have a duty in wisdom and prudence to offer a generous settlement of Middle-East differences which will detach the Arab countries from their Soviet alliance and restore them to the family of freedom.

#### REUNION SLATED FOR C. & O. CANAL CAPTAINS AND CREWS

#### HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BYRON. Mr. Speaker, this coming Sunday at Snyders Landing along the C. & O. Canal in Washington County, Md., the first annual reunion of C. & O. Canal barge captains and crews will be held. This is a significant event since the canal played such a large part in the development and history of western Maryland. I would like to wish all the participants well and to send them my greetings on this historic occasion.

I would like to include an article written about the reunion in the Middletown Valley Register:

REUNION SLATED FOR C&O CANAL CAPTAINS, CREWS—EVENT WILL BE HELD OCTOBER 10 AT SNYDERS LANDING, SHARPSBURG—BARRONS MUSEUM SPONSORING GET-TOGETHER

On Sunday, Oct. 10, at 2 p.m. Barrons C&O Canal Museum and Country Store at Snyders Landing, Sharpsburg, will hold its 1st annual reunion for all C&O Canal Boat Captains and Boat Crew members and their immediate families.

This will be the first time there has been a gathering of these canalers since the C&O Canal stopped operating in 1924. Mr. Barron said he looks for attendees from Cumberland, Hancock, Williamsport, Washington, D.C., and the Sharpsburg areas.

Sharpsburg had the most canal boat captains of all the canal towns along the 185-mile route from Cumberland to Washington. In winter there would be as many as 25 or 30 boats tied up at Snyders Landing. Back around the turn of the century, most of the residents of Sharpsburg were connected with the canal in one way or another.

From 1900 to 1924 there were about 100 boats operating on the canal. These mule-drawn barges, owned by the Canal Towage Company, would take on a 120-ton load of

coal in Cumberland and in 4 to 5 days travel the 185 miles to Washington. The canal season started in March and would end in November and the number of trips a boat would make depended on the conditions of the canal and the motivation of the captain. Most captains had their families on board with them and made their home right on the boats, some even traveling day and night to make as many trips (and as much money) as possible.

The reunion is being sponsored by Barron's C&O Canal Museum and Country Store, which contains the largest private collection of canal artifacts and papers in existence today. Some of the items on display are a boat pump, boat horn, tow line, bow lamp and lamp board, some boat timber, mule harness and a boat ladder plus numerous pictures of the canal in operation.

The museum was only recently opened but has already received considerable interest. It is located on the berme side of the canal opposite the boat landing at Snyders Landing, about 1½ miles from Sharpsburg.

For further information about the reunion or directions, eligible persons are asked to call 432-5525 on weekends only.

Persons planning to attend may want to make a Sunday's outing by coming in the morning and walking the stretch of towpath from Shepherdstown to Snyders Landing. This short 4-mile section includes the double lock #38 under the Shepherdstown bridge and lock 39, 1.20 miles west, the famous Killiansburg Cave at 2.80 miles west. This cave served as a refuge for the residents of Sharpsburg during the battle of Antietam. Next is Snyders Landing built in 1832 when the canal was completed to this point, the total mileage being 3.80 from lock 38. The heavily wooded, tree lined tow path with 100 foot cliffs and the Potomac River right next to the tow path provides scenic grandeur and quiet solitude to everyone taking this walk.

Barrons is already becoming a favorite pick-up or refreshment stopover for the many hikers and bikers who each weekend discover the pleasures of getting away from it all. Mr. Barron said, "It gives us an opportunity to explain the canal and, we hope, enlarge their enjoyment of this new National Historical Park."

#### UNHOOKING ADDICTS

#### HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. CAREY of New York. Mr. Speaker, the most serious, the most tragic, and the most baffling problem in our Nation today is that of drug abuse.

Recently, in an editorial in the New York Law Journal, Mr. Jerry Finkelstein, chairman of the New York City Democratic Party, called for a "Manhattan project" to end the drug menace.

I would like to bring to the attention of my colleagues the article, "Unhooking Addicts," which appeared on the op-ed page of the New York Times on September 11, 1971:

#### UNHOOKING ADDICTS

(By Jerry Finkelstein)

An astronaut, back from the moon, displays symptoms of an unknown disease. The disease spreads, killing many and permanently disabling most of those who contract it. What comes next?

Any science fiction fan knows that the President declares a national emergency and

appoints a czar with plenary powers to meet the threat.

Men, money and materials would be co-opted.

Red tape would dissolve.

All who could conceivably contribute to solving the problems would do so, willy-nilly.

The Manhattan Project, the New Deal and the space program would be dwarfed by comparison. And the finest minds, backed by the resources and power of our country, would solve the problems. The threat would be overcome.

That is fantasy. But is reality better? We have our own mutating Andromeda Strain in the opiates, barbiturates, amphetamines and hallucinogens. Cocaine has re-emerged and laboratories are inventing synthetics and derivatives faster than they can be outlawed. Instead of infection we have addiction.

Our present Andromeda Strain did not come from the moon or outer space. It comes from the poppy fields of Turkey via the laboratories of Marseilles, the hemp fields of Mexico, the chemical laboratories of great universities and from dozens of other sources. It is spread by human rats and lice rather than more primitive vectors. It does not kill quickly and cleanly nor disable neatly and tidily. It also degrades.

It is unnecessary to dwell on the scope of the drug crisis. Anyone who needs to be convinced that there is a drug epidemic must be a newly trained translator in Peking.

What do we actually have to meet the drug crisis? Piecemeal programs and minuscule financing. Temporizing statements and dangerous panaceas.

The lack of basic research is frightening. We know more about moon rocks than marijuana. Is it dangerous or not? Should we legalize it or class it with the hard drugs? Ironically, the only answer given as to why marijuana and other hallucinogens should not be legalized comes not from science but from history. Only two societies tolerated the widespread use of hallucinogens: the Arab, which then managed to turn the most fertile part of its world into a desert; and Peyote-chewing tribes, whose noblest hour came as their hearts were ripped out as human sacrifices to foreign gods.

As to hard drugs, a current palliative is methadone, which, like heroin, is a derivative of opium. Even as a palliative, this is inadequate; and we must heed the nagging memory that the original use for heroin, as the authority Hindesmith notes, was "as a non-habit-forming substitute for opium or morphine or as a cure for drug addiction."

What is urgently needed is a strongly financed, well-coordinated mobilization of the nation's resources to develop a comprehensive program to put an end to this national disaster and disgrace.

The United States has attacked many difficult problems and found solutions through massive injections of money and talent. Drug abuse should be approached in the same manner.

Why haven't the obvious steps been taken?

Cost should be no consideration. The Manhattan Project produced the atomic bomb—and radioactive isotopes are a mainstay of modern medicine.

The space program put men on the moon—and whole industries produce undreamt of products (including advanced prosthetics) as a result.

Can one conceive of the potential by-products of the war on addiction? Wholly apart from the heartbreak tragedies prevented, the crime and corruption uprooted, and the malaise of fear eliminated, we can predict priceless discoveries in biochemistry, psychology and many other fields.

Who would oppose any remotely reasonable steps taken?

Industrialists with billions lost annually from lowered productivity, absenteeism and theft?

Unions with their members fearful for their children?

Farmers with the infection now spreading to the most remote communities?

Churches?

Blacks?

Judges and lawyers?

Physicians?

Shopkeepers?

Liberals?

Conservatives?

Only organized crime would oppose a war on addiction.

How old are your daughters and granddaughters? I have two granddaughters and hope for more. I would reverse any man who could wipe out addiction—and so would you.

Polio crippled, but it did not debase. Cancer kills, but it does not degrade.

We honored Drs. Salk and Sabin for conquering polio. A greater mantle awaits the conqueror of cancer.

Why has no one made a name for himself as Mr. Anti-Addiction? Is it because the job of making any serious impact is too great for anyone but the President of the United States?

The President has a unique opportunity. Already, with the freeze, he has established that he has the capacity for taking drastic action, together with the ability to accept ideas from others regardless of party. I pray that he will use his great powers against the common enemy of mankind and start to vanquish drug addiction now. We can't wait.

#### CHARLES W. YOST COMMENTS ON OUR FOREIGN POLICY PROCESS

#### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. HAMILTON. Mr. Speaker, Charles W. Yost, the former U.S. Representative to the United Nations, writing in the October 1971 issue of *Foreign Affairs* says that he does not find the record of the last three Presidents in the conduct of foreign affairs to be a brilliant one.

He says that the main causes of their failures were an oversimplified conception of world politics as a universal struggle between darkness and light, an excessive reliance on military advice, and a reluctance to heed the advice of experienced diplomats.

He strongly condemns the practice of these Presidents to rely excessively on the National Security Council, instead of the State Department, for the conduct of foreign affairs and he believes the diversion of foreign policy responsibilities from the State Department to the White House has been a disservice to the national interest.

All of us who believe that foreign policy has gone astray in several important instances in recent years, and that some very good men have made some very bad judgments, will find his article and his recommendations of very great interest.

The article follows:

#### THE INSTRUMENTS OF AMERICAN FOREIGN POLICY

(By Charles W. Yost)

There are many different ways of conducting a government. In the United States the executive authority is both more formally centralized in the President and more sharply separated from the legislature than in most democracies. This is particularly true of the

conduct of foreign affairs, where the authority of the President has been seriously challenged only in those rare instances, such as the Versailles Treaty or the Vietnam war, when he seems to be grossly ignoring or overriding the opinions both of the Congress and of the public.

In general, he has been free to conduct foreign affairs more or less as he chooses, to use traditional instruments, to set up new ones or to carry on diplomacy from his own hip pocket. There is little use arguing whether or not he has the constitutional right to do so. As our government is organized, he has both the responsibility and the power. Critics in or out of the Congress can make things difficult for him, but they can neither conduct foreign affairs themselves nor prevent him from doing so. Of course, a wise President will consult the Congress closely, in fact as well as in form, on matters of major import, which recent Presidents have often foolishly failed to do.

Our concern here, however, is with the instruments which Presidents use for the conduct of foreign affairs. Up until the 1930s the instrument was almost always the traditional one, the Secretary and Department of State, except in those not infrequent cases where a strong President, such as Theodore Roosevelt and Woodrow Wilson, chose to carry on a particular exercise in diplomacy himself, sometimes with the help of a personal adviser or emissary. Nevertheless, as late as 1931, President Hoover, though not himself inexperienced in foreign affairs, relied on Secretary Stimson to deal, in so far as the United States was prepared to deal, with the Manchurian crises.

Franklin D. Roosevelt, however, just at the moment when the rise to power of ambitious dictators in both Europe and Asia made inevitable much deeper American involvement in foreign affairs, named as Secretary of State, almost entirely for domestic political reasons, an eminent Senator, Cordell Hull, who had unhappily neither the taste nor the talent for the conduct of foreign affairs. Nevertheless, again for domestic political reasons, he remained in office for nearly 12 years, longer than any previous Secretary of State. This did not seriously disturb FDR, who was contemptuous of the diplomatic establishment and overestimated his own capacity to direct domestic and foreign, and later military, affairs personally and simultaneously.

Even Roosevelt, however, while bypassing Hull as much as he could, at first placed his own men, on whom he did to some extent rely, inside the State Department itself—Welles and later Stettinius as Under Secretary, Moley and Berle as Assistant Secretaries, and Bullitt and Kennedy as Ambassadors. On the other hand, when war came, the authority and responsibilities of the Department, as well as of its chief, were progressively and seriously undermined in two respects. In the first place, unlike Churchill, Roosevelt to a substantial degree excluded the Department and the Foreign Service from wartime decisionmaking under the peculiar delusion that most political decisions should and could be adjourned till after victory, and that those that could not be could resolve alone or with purely military advice. Due to this delusion very serious mistakes were made. In the second place, after one or two abortive experiments in permitting the State Department to handle some of the significant new duties arising from the war, Roosevelt chose for the most part to create for this purpose new agencies wholly outside State's control, and indeed to multiply, reorganize or wipe out these agencies with confusing rapidity.

Thus, for largely personal and accidental reasons, a precedent was set during the critical period of U.S. emergence as a superpower for bypassing the Secretary of State and the Foreign Service and for diffusing the



conduct of foreign affairs at home and abroad among a wide and constantly changing complex of agencies. An even more unfortunate precedent set at the same time was the persistent and intimate involvement of the military in foreign policy decision-making, natural enough in wartime but creating in peacetime an imbalance of judgment toward military instruments and solutions which gravely distorted U.S. foreign policy over 25 years. These developments arose not from any need to confirm or strengthen the authority of the President in the conduct of foreign affairs, which was never challenged, but simply from the sudden pressures of an abnormal situation, the personal style of a particular President, and the limitations of a particular Secretary of State.

## II

After the war in earnest and partially successful effort was made by Secretaries Marshall, Acheson and Dulles, each in his own way, to restore the authority and preeminence of the Department of State in the conduct of foreign affairs. This effort was undertaken and carried on not for any self-serving or bureaucratic reasons but simply on grounds of clear national interest and sound administration. If the United States was to carry out effectively its new responsibilities as a world power, it had to be able to take decisions sensibly and promptly in Washington, to speak with one voice to other governments, and to coordinate and discipline its sprawling operations overseas.

This was obviously a task beyond the capacities of any President, no matter how genial, or of personal advisers like Colonel House or Harry Hopkins. Responsibility and control, if not in all cases administration, had to be vested in a single agency and the logical agency was the Department established for the conduct of foreign affairs. Presidents Truman and Eisenhower recognized this fact without question, as did the three above-mentioned Secretaries of State. They all also recognized that the State Department and the Foreign Service had to be drastically reformed and strengthened for this purpose and they made a significant beginning in doing so.

Stettinius, even while Roosevelt was still alive, organized and institutionalized such policy-making as the President had left to the Department. The Foreign Service Act of 1946 reformed and invigorated the Foreign Service so sensibly that all the numerous subsequent reorganizations of the Service have not in most respects improved upon it. Marshall and Kennan created, and Acheson and Nitze maintained and developed, the Policy Planning Staff, which in those best of times provided much of the inspiration for foreign policy-making in the U.S. government.

Dulles was a strong Secretary of State enjoying the fullest confidence of the President; he never let other agencies infringe on his own authority nor, with a few calculated exceptions, their representatives abroad infringe on the authority of his ambassadors; he filled most of the principal positions at home and abroad with career officers. On the other hand, his term of office was marred by three shortcomings from the operational point of view. First, for domestic political reasons, he tolerated and to some extent even abetted McCarthy's attacks on the Foreign Service, with consequences for its stature and morale not yet wholly overcome. Second, his preferred style was to work almost totally with three or four close advisers, so that he did not fully use or foresightedly develop the resources of the Department as a whole. Third, because of his almost total disinterest in administration, he permitted some reorganizations which, with the best of intentions, substantially weakened the Department and the Service. At the end of Eisenhower's second term, therefore, while the

prestige and power of the Secretary of State was very high, the Department and the Service were significantly less strong and healthy than they had been ten years before.

The next three Presidents, without particularly solid grounds in my view, all considered themselves experts in foreign affairs and each desired to be his own Secretary of State. All of them, moreover, for different personal reasons, had little respect for the career Foreign Service. These predilections and antipathies had several unfortunate consequences from the point of view of the conduct of foreign affairs and, in my opinion, of the protection of the national interest.

In the first place, the two Secretaries of State of the period were allowed very little initiative and latitude and, when they were, only in areas of lesser interest to the President. Second, the three Presidents actively built up separate directorates of foreign affairs in the White House, headed by men of outstanding ability but without the depth and breadth of experience in the foreign field which might have saved them from some of the blunders into which they stumbled. Indochina of course was the most significant. Third, these three Presidents and their two Secretaries of State, while they did not actually augment the already overinflated role of the military in foreign policy formulation, were less able to put military advice in perspective than Eisenhower and less willing to insist on the prerogatives of State than Acheson and Dulles. Finally, there was under these three Presidents a creeping tendency, while maintaining the overall proportion of career to noncareer chiefs of mission overseas at about two to one, more and more to place political appointees, for the most part without significant prior experience, in the most important diplomatic posts. For example, at the present time all of our ambassadors in Western Europe with two exceptions are political appointees, as well as our ambassadors in Canada, Australia, India and Pakistan.

The focus of the conduct of foreign affairs has therefore shifted even more sharply away from the State Department during the past decade than during the previous one. The fact that this shift was consciously undertaken by three Presidents does not make it a wise one, unless it can be shown that the new system is better than the traditional one which was so successfully revived and refreshed by Secretary Marshall.

Frankly I do not find the record of these three Presidents in the conduct of foreign affairs a brilliant one. I believe some of the main causes of their failures were their own oversimplified conception of world politics (similar, incidentally, to that of the communists) as a universal struggle between darkness and light, their excessive reliance on the advice of military and academic strategists committed to the same misconception, and their reluctance to heed advice from either experienced diplomats or more down-to-earth politicians, no doubt less brilliant and articulate, but a little more knowledgeable and realistic about what could and could not be achieved among peoples unfamiliar with the doctrines of Calvin and Mahan.

## III

In so far as there is a system for the conduct of foreign affairs at the present time, which one would hesitate to assert categorically, it is centered not in the State Department but in the National Security Council. A few words about the origin and purpose of the Council will be relevant.

The National Security Council was established in 1947 by an act of Congress which was primarily designed to bring about unification of the armed services. President Truman reports in his memoirs, however, that in proposing establishment of the Council, "I wanted one top-level permanent setup in the

government to concern itself with advising the President on high policy decisions concerning the security of the nation." The Council was intended, he said, to give him "a perpetual inventory of where we stood and where we were going on all strategic questions affecting the nation's security."

Truman also noted in his memoirs that the NSC "built a small but highly competent permanent staff which was selected for its objectivity and lack of political ties. It was our plan that the staff should serve as a continuing organization regardless of what administration was in power." While this conception of the NSC staff continued for the most part to prevail until the end of the 1950s, it has been radically altered since that time. First, the staff is no longer "small": it comprised about ten persons in 1948, about 25 in 1953, about 50 in 1961, and about 120 today. Second, its "executive secretary," as he was at the outset, an inconspicuous civil servant without "political ties," has been transformed into the President's National Security Adviser, one of the most conspicuous and prestigious policy-makers in Washington, not normally "permanent" or necessarily nonpartisan.

Decision-making in the whole field of foreign affairs has in recent years become more and more entangled and distorted in the machinery of the Council. This radical shift of locus has of course occurred because the last three Presidents, as we have suggested, distrusted the State Department and thought they could themselves better control both foreign and military affairs through an instrument inside the White House. Whether or not they calculated correctly in this respect, excessive reliance on the Council to the detriment of the State Department has had several side-effects which have been distinctly unfortunate.

The most significant arises from the prominent place of the military in the Council. Their place there was proper as long as the Council was restricted to the original role it was assigned by Truman: providing the President with "a perpetual inventory of where we stood and where we are going on all strategic questions affecting the national security." In the past decade, however, partly at the behest of the Presidents and partly under the inspiration of powerful and energetic National Security Advisers, almost every foreign policy question of any significance is "processed" through the NSC machinery. One consequence, in view of the composition and unconscious bias of the Council, has been all too often to accord undue weight to military factors in assessing foreign policy problems. The seemingly neutral meshing of foreign policy decision-making into the NSC machinery over the past decade has therefore in fact further warped that decision-making in a military direction and is to a substantial degree responsible for some of the most serious misjudgments of that period.

A second damaging side-effect of foreign policy by the NSC and its even more abundant staff has been further to complicate and prolong an already tedious and constipated decision-making process. Parkinson's Law is given still another golden opportunity to perform. Matters which have already been subjected to the most exhaustive review in the State Department, and by State with other agencies, are dissected, dismantled and put together all over again by the NSC staff. The result often is that months pass before a crucial decision is finally taken, by which time events have frequently moved so far that the decision is obsolete or irrelevant.

Still a third effect is to undermine the prestige and effectiveness of the Secretary of State and the Foreign Service in the conduct of day-to-day relations with other governments. An adviser spending 12 hours a day in the White House and with easy access to the President can, if the President will let him, play more of a part in shaping

the structure, and even the superstructure of foreign policy than a Secretary of State who, confined by his duties in the Department and at meetings overseas, sees the President much less frequently. Foreign ambassadors in Washington and American ambassadors abroad are even at times encouraged to believe they can obtain satisfaction of their requirements more easily from the National Security Adviser than from the Secretary of State. This is both petty and scandalous. One is reminded of the anecdote Blanche Dugdale recounted of an exchange at the Paris Peace Conference Between Lord Balfour, then Foreign Secretary, and Philip Kerr (later Lord Lothian), Lloyd George's private secretary, who had a habit of usurping the Foreign Office role. On this occasion when Balfour asked Kerr whether Lloyd George had read a certain memo, Kerr replied: "I don't think so, but I have." Balfour answered: "Not quite the same thing, is it, Philip—yet."

A final damaging consequence of the transfer of foreign policy decision-making from State to NSC has been, since the NSC staff is not normally permitted to testify before Congressional committees, further to remove this process from Congressional scrutiny, to stimulate Congressional mistrust of the President's behavior and intentions in this field, and to foster quite unnecessarily the politico-constitutional crisis over the conduct of foreign affairs which we are now witnessing.

On all of these counts the diversion of foreign policy responsibilities from the State Department to an office inside the White House has been a disservice to the national interest and indeed, as events are now beginning to demonstrate, a disservice to the political interests of the President as well.

What is the alternative?

#### IV

The logical alternative is the traditional one, a single agency charged by the President with full responsibility under his direction for the formulation of foreign policy and the administration of foreign affairs. The Secretary of State must be a man of eminence and experience in whom the President has fullest confidence, to whom he is willing to grant considerable latitude but with whom he confers nearly every day when the Secretary is in Washington. When the Secretary is absent on official duties he should report to the President daily and the President should see the Acting Secretary almost daily.

The President may wish to have on his White House staff three of four officers who follow closely the flow of State Department and related agency communications, as well as Congressional, public and press opinion on foreign affairs, to keep him informed daily of significant developments, but he should expect from these officers information, not analysis, policy formulation or recommendation. These should come from the State Department in consultation with other interested agencies. The National Security Council should be returned to the role for which it was originally intended, to examine "strategic questions of interest to the national security," that is, issues having both military and foreign policy components of major significance. The Council's staff should again become "small," "selected for its objectivity and lack of political ties," serving "as a continuing organization regardless of what administration is in power." Its main function should be so to identify and present the major questions at issue that the President, advised by the Secretaries of State and Defense and others concerned, may make the necessary decisions clearly, promptly and finally.

The Secretary of State, moreover, must be master in his own house at home and all of his representatives abroad must be masters of their own houses. The Defense Department, the Central Intelligence Agency, the U.S. Information Agency, the Commerce, Agriculture and Labor Departments, the suc-

cessive foreign aid and development agencies, all have important functions to perform in relation to foreign affairs, but all must be subject to the direction of the Secretary of State when their functions impinge on his, and he, not they, must be the judge when their functions do so impinge. In case of irreconcilable jurisdictional or policy differences the President would of course have to decide.

All of these prescriptions have been set down in innumerable executive orders and presidential directives over the past 20 years, but most of them are still more honored in the breach than in the observance. The chief fault in Washington is in the White House, which is too prone to play one agency off against another, in the NSC for reasons already cited, in the Pentagon by sheer weight of numbers and dollars, and in Congressional committees which jealously protect their own competing prerogatives by sustaining their competing clients. Overseas the task of coordination and control by the ambassador is vastly magnified by the grossly excessive staffs many of the other agencies, particularly Defense and CIA, insist on maintaining. But if an ambassador is firm but tactful and is left alone by Washington, he usually manages to control his establishment reasonably well.

Can the State Department, after so many years of neglect by Presidents and Secretaries of State, of eclipse under the shadow of Defense, of harassment by McCarthy and others, of repeated bleedings, transfusions and transplants, still carry the primary responsibility for the conduct of the foreign affairs of what is still the world's leading power? Of course it can, if the President wants it to do so and will help it do so. Obviously it will have to be revived and reinvigorated for this purpose, in much the same way that it was revived and reinvigorated in the late forties. But this is not the place to describe in detail how this could and should be done.

I might only suggest that the Policy Planning Council needs to be restored as the intellectual inspiration and conscience of the Department, that the economic and international organization bureaus need to be substantially strengthened to cope with the new world of the seventies and eighties, that the number of people in the Department needs to be cut by at least one-third, that political appointees to ambassadorships should be limited to no more than ten percent of the total and to truly distinguished personalities such as Harriman, Bunker and Bruce, and that all necessary steps should be taken to ensure that in the future the Foreign Service offers a career open to the talents of ambitious and able young men and women. Fortunately several reforms with this aim in view, provoked in large part by courageous "young turks" in the Service itself, are at present being vigorously and rapidly applied by Secretary Rogers and Assistant Secretary Macomber. The capacity of the Department and the Service to carry in the future the responsibilities I have been describing will depend on the quality of career officers it is able to attract and to retrain. The quality is high but it is threatened by the dissatisfaction of the most talented with the prospects of their Service and their career. Enhancing the role of the Department and the quality of its personnel are therefore two sides of the same coin.

Desirable as they are, none of these improvements in the Department and the Service will serve the broader purpose this article has proposed unless and until the President himself decides to restore to the Secretary and the Department of State their primary responsibility for the conduct of foreign affairs. If he did, he would, I believe, find their stewardship more efficient, more consistent, more ripe with experience and, in the long run, more politically wise and safe, than that of any surrogate, no matter how brilliantly staffed, he might set up in the White House.

## THE LOCAL DRUG SCENE

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

MR. HARRINGTON. Mr. Speaker, one of the newspapers in my district, the Salem Evening News, recently published a series of articles called "The Local Drug Scene." Written by Jeffrey C. Browne, a staff reporter, the series goes behind the myths to present an accurate picture of the local drug problem.

The series was based upon a three-page questionnaire which was distributed to students in Salem and Peabody. In Peabody, 69 percent of those questioned said drugs were easy to get in the school. In Salem, 78 percent said drugs were easily obtainable. Curiosity and encouragement by friends were listed as two of the most important reasons why they try drugs.

The drug problem is one which polarizes. It polarizes children and their parents. It polarizes police and the communities' young people. I believe the series in the News will bring some understanding to the problem. At this time, I want to insert the series into the RECORD:

[From the Salem (Mass.) Evening News]

#### THE LOCAL DRUG SCENE

(By Jeffrey C. Browne)

##### I. A SERIOUS PROBLEM

Judge Abraham Ankeles, of the Essex County District Court in Peabody, has a theory about drug use among the North Shore's youth. He thinks increased concern about it "has produced hysteria on both sides."

"Timothy Leary is hysterical when he speaks of enlarging the consciousness, that drugs make you more than human," the judge commented. "And hysteria on the other side makes people firmly believe that all drugs are addictive and bad."

"The hysteria is accompanied by a terrible feeling of impotence," says Judge Ankeles. "People feel overwhelmed."

Ankeles is noted for leniency in drug cases and for his desire for rehabilitation instead of punishment. He thinks too many adults have lost their perspective about the intangibles of drug abuse.

With a feeling of hopelessness, perhaps too many adults have reacted to the drug issue by burying their heads in the sand, as some have suggested; or, on the other extreme, "by getting on horseback and charging around like Don Quixote chasing windmills," as Dr. Donald W. Dunn, former Peabody schools superintendent, indicated.

And, if the hysteria notion bears merit, perhaps the one segment of the population which does not purvey the drug paranoia is the youth. It is the youth who may know more about the problem than their parents and who may offer greater insight than any single group.

Is drug use among students a serious problem? The Salem News asked 1184 students in Salem and Peabody:

90% agree that it is serious.

46% emphatically agree.

Among regular drug users, 47% think drug use is a serious problem.

Among regular drug users, 29% expressed no opinion.



## HOW MANY SALEM STUDENTS HAVE USED DRUGS ILLEGALLY?

[In percent]

	High school (325 students in grades 9-11)	Junior high (210 students in grades 7 and 8)
Never used drugs.....	52	71
Have experimented.....	14	9
Use drugs regularly.....	21	6
Previously used drugs regularly, but not now.....	5	6
No response.....	8	8
Total.....	100	100

## HOW MANY PEABODY STUDENTS HAVE USED DRUGS ILLEGALLY?

[In percent]

	High school (180 students in grades 10 and 11)	Junior high (283 students in grades 7-9)
Never used drugs.....	57	72
Have experimented.....	19	6
Use drugs regularly.....	15	6
Previously used drugs regularly, but not now.....	3	3
No response.....	6	13
Total.....	100	100

"I think it's about time someone asked the kids about drugs, instead of guessing," said a boy who will enter his junior year in Peabody High School in the fall. "It's about time we students presented our ideas instead of letting adults speak for us."

Explaining that he never has used drugs, the youth was writing his comments anonymously on a questionnaire distributed by The Salem News to more than 1,100 Peabody and Salem students early in June.

The survey sought to help fill a void in the information available about drug use among youths on the North Shore, to ask students what they think.

The answer to the question—How serious is the drug problem among local youths?—was found in these facts, which emerged from an analysis of responses to the questionnaire:

(1) A substantial minority of students in grades 7 through 11 have had personal experience with illegal drugs. In the higher grades the number approaches a majority.

From the percentages presented, it should not be assumed that a student who has tried an illegal drug is an addict any more than a student who has experimented with beer is an alcoholic. But the fact is that many students have violated drug laws.

The students were invited to describe their personal experience with drugs, only if they felt free to do so. Many chose not to respond, particularly males and students in the lower grades.

(2) Most students consider illegal drugs readily available in junior high schools, in senior high schools and out of school.

Students who regularly use drugs think drugs are easier to find than do nonusers. But nearly half of those students who never have taken drugs think they know where to find them.

[Affirmative in percent]

	Are drugs easy to get in school?	Are drugs easy to get on the street?
Salem high.....	78	77
Peabody high.....	69	76
Salem junior highs.....	45	69
Peabody junior highs.....	54	56
Nonusers.....	45	56
Regular users.....	81	83

(3) Overwhelmingly, the students consider drug use on the North Shore a serious problem. Nine out of 10 students agreed that "drug use among students is a serious problem," and half strongly agreed. Nearly half of the regular drug users labeled drug use as a serious problem.

In addition, many students wrote comments expressing strong feelings about their desire for communities to deal with the problem. A Salem High School junior boy, who is a frequent drug user, for example, said:

"This questionnaire is a good way to get opinions on drugs, but all the questionnaires in the world will not help the drug problem unless something is done. It's the parents, relatives, neighbors and teachers who should learn to cope with drug users, rather than ridiculing and neglecting them."

## II. WHY DRUGS?

From marijuana to heroin, illegal drugs are available to junior high and senior high school students on the North Shore. Students themselves consider drugs a serious problem, yet many choose to experiment with them.

Why?

It's one of the most common questions parents ask Jan Teresko, director of the Project Rap drug center in Beverly, who replies, "I wish the answer were simple."

"Parents don't understand that if you are 16 and you want to be part of the group, there's great pressure to try drugs. There is an intense feeling of wanting to belong and wanting to do something different."

Staff members at Project Rap mostly see the students who have progressed beyond the experimental stage of drug use, those who seek help.

"To understand their reasons for taking drugs, you have to deal with the individual," Miss Teresko says. "But there are some general things that apply. There usually are family problems involved. And if one person in a family is using drugs, frequently there are others in the same family."

She said youths get started on drugs mainly because of curiosity and encouragement from friends, but may continue drug use for more complex reasons involving personal problems.

The Salem News explored the distinction between first-time drug use and continued use in the survey.

## WHY DOES A STUDENT FIRST USE AN ILLEGAL DRUG?

[In percent]

According to students in Salem and Peabody, it's because of—	An important reason	The most important reason
1. Curiosity.....	92	51
2. Encouragement by friends.....	75	21
3. Personal problems.....	65	9
4. Family problems.....	63	7
5. Boredom.....	53	2
Other reasons.....		10
Total.....		100

## WHY DOES A STUDENT CONTINUE USING DRUGS?

[In percent]

	An important reason	The most important reason
1. Personal hangups.....	63	24
2. For enjoyment.....	61	18
3. Family problems.....	61	10
4. Disgust with society.....	54	10
5. Drugs are easy to get.....	52	11
Other reasons.....		27
Total.....		100

The results pointed out these reasons for drug use:

(1) Students first use drugs mainly because they are curious about the effects and because of peer group pressures.

Among 10 suggested reasons, users as well as non-users almost unanimously chose curiosity as an important reason for a first-time trial with drugs, and more than half said that curiosity is the most important reason. "Encouragement by friends" was found the second most important reason for starting drugs, with all others relatively insignificant.

Many students faulted their own friends for an initial trial with drugs, and they wrote anonymous comments on the questionnaire similar to this one from a junior girl in Salem High School:

"I wouldn't have tried drugs if my friends had respected my feelings when I said, 'no thanks,' but they kept pressing the issue. So I tried grass (marijuana)."

(2) Once students have tried drugs, the reasons some delve deeper into drugs becomes more complex. No single reason emerges to explain continued drug use, though students selected "personal hangups" as the most important reason, followed by "enjoyment," "family problems" and "disgust with society."

The results also indicated several other trends. Among them:

Non-users tended to cite "defiance" as an important reason for drug use while the users said drugs are for enjoyment and help with problems.

In Peabody High School, the availability of drugs appeared to be a more important reason for their use than in other local schools.

Female students indicated more often than males that drugs are used because of problems, while the males tended to cite "enjoyment" and "disgust with society."

Students who had experimented with drugs but were not regular users indicated curiosity as a reason much more frequently than regular users.

The findings suggest a "silent majority" among drug users who do not necessarily use drugs because of personal problems, but rather because they enjoy drugs or it's the thing to do.

In the meantime, there appears to be a minority of users who are facing serious problems, and who continue to use drugs for a wide variety of reasons, particularly because of personal problems, family difficulties and a general frustration with life.

Recent comments by Dr. Robert L.H. Miller of Danvers, chairman of the State Department of Drug Commission, seem to coincide with the feelings of students:

"I've never been concerned with how widespread drug use is," he said. "The question is whether drugs affect a student's ability to function."

## III. MARIJUANA USE

As adults on the North Shore continue to debate what to do about marijuana, more and more local youths continue to use it illegally.

"Last year there was talk about drugs, but most of my friends and I didn't really care about them," a girl, a junior in Peabody High School commented anonymously on the questionnaire. She added:

"Now things have changed so much that all of my friends have tried smoking grass at one time or another."

A Salem High School girl added that "people should stop hassling kids about marijuana leading to hard drugs, because it doesn't. Only the person's mind leads to them."

Meanwhile, authorities who are close to the drug problem, sharply disagree:

Salem Police Marshal Joseph F. Reagan resents "people in high positions who talk down the dangers of marijuana. Everybody is saying that it is not harmful, but it is. It can be as dangerous as LSD. It's mind-altering."

Salem Atty. Robert A. LeDoux, president of the Project Rap drug center in Beverly, thinks the marijuana debate is "a touchy question. I'm not convinced it should be legal, but if we preach to a kid that marijuana is a harmful drug, we're asking for trouble. We've got to be practical."

#### SHOULD MARIJUANA BE LEGALIZED?

[In percent]

According to Salem and Peabody students who are—	Yes	No	Undecided
7th to 8th graders.....	23	56	21
9th to 11th graders.....	42	40	18
Regular drug users.....	75	10	15
Experimenters.....	65	18	17
Nonusers, with friends who use drugs.....	25	51	24
Nonusers, with no friends who use drugs.....	10	76	14

Note: When asked should students who experiment with marijuana be punished? 100 percent of regular users say no, 90 percent of nonusers say no.

Dr. Robert L.H. Miller of Danvers, chairman of the state Department of Education Drug Commission, is opposed to present marijuana laws and objects to the term "legalization of marijuana."

"I'm not interested in approval or disapproval," he said. "It's not a question of legalizing marijuana. It's a matter of removing restrictions on crimes where there is no victim. The point is we must let kids learn to make decisions for themselves."

If the experts project a collective feeling of ambivalence about marijuana, many other adults clearly are misinformed.

A national poll by Columbia Broadcasting System, conducted in August 1970, revealed that out of every 10 Americans:

9 said marijuana is damaging to both mental and physical health;

8 said marijuana is addictive and leads to violence;

7 said marijuana harms the babies of pregnant women.

There is no conclusive evidence to prove any of these assumptions, but Massachusetts state law reflects the beliefs. Though never applied by local judges, the law allows up to 3½ years of prison for possession of marijuana; and 5 to 10 years for sale.

In sharp contrast to the laws and the attitudes of many adults, The Salem News survey revealed these attitudes of local students:

(1) None of the students who use drugs regularly think marijuana users should be punished; and only one in 10 of the nonusers thinks those who experiment with marijuana should be punished.

(2) Nearly half of the high school students think marijuana should be legalized; and about one in 4 in junior high school thinks so, with another 21% undecided.

(3) The vast majority of regular drug users think marijuana should be legalized, and the majority of non-users think it should remain illegal. This conclusion suggests, in general, that only students who have not tried marijuana have confidence in marijuana laws.

The pressure to experiment with marijuana should not be underestimated. Students are faced with confusion of adults, the natural curiosity of youth and the reassurance of friends.

The survey does not indicate whether the general lack of confidence in the laws is justified, but it does suggest the need for truthful information. Adults appear to be faced with the prospect of either: (1) eventually legalizing marijuana; or (2) proving, to the satisfaction of youths, that marijuana should be illegal.

#### IV. POLICE AND DRUGS

Salem Police Inspector John W. Moran has a reputation that epitomizes the police image among the North Shore's youth.

Students know him as a tough cop and many parents remember him as the man who busted their kids.

But few really understand the motives of Inspector Moran, least of all the average youth who never will be arrested on a drug charge.

"I don't like the image of being a monster," said Moran, who served 8 years ago on the Boston Strangler police team, representing Salem. But we need a man like this. When somebody calls me with drug information, I feel like they're calling up a guy with a club."

"What is harassing me and the people of this city," he said, is that we have hardcore drug users. People are afraid to stay home alone. This city is getting robbed, so stopping the sale of heroin is my prime job."

It is no secret that many youths and police don't get along, in general, but The Salem News survey revealed what seems to be an inconsistency in the attitudes of youths about policemen:

Most students indicated that a police officer is probably the last person they would trust or count on to help with a personal drug problem. Half of those who never used drugs and 80% of the users said they wouldn't even consider talking about drugs with a police officer.

On the other hand, an overwhelming majority of students see a definite role for police in helping to solve the drug problem. Nearly all students who do not use drugs think police should try harder to halt the flow of illegal drugs into the North Shore area, and 53% of the users think so.

Students definitely think law enforcement is important, but they are not satisfied with the performance of local police in 2 respects. According to local students:

(1) police do not concentrate enough on apprehending drug suppliers; and

(2) police fail to perform their duties without antagonizing most honest youths.

#### Should police try harder to keep drugs out of the North Shore area?

Among regular drug users, 53% say yes. 71% of experimenters say yes.

94% of non-users say yes.

#### Is a student willing to discuss a drug problem with a policeman?

Among students in Salem and Peabody: 60% say never, 25% say maybe, 9% say probably, 6% say definitely.

7th-8th graders: 50% never.

9th-11th graders: 66% never.

Regular drug users: 80% never.

Drug experimenters: 51% never.

"We'd all be better off if police didn't show off those guns," commented Judge Philip J. Durkin of Salem District Court. "We're all inclined to run over kids, and enough kids are resentful as it is. Police don't have the finesse at handling someone; they don't have the training."

"An eighth grade boy in Salem's Horace Mann School commented anonymously that police should let drug users speak freely and get help without having to worry about being arrested."

Lt. William D. Cowles, a Beverly police detective, thinks "police officers must enforce the laws that are on the books with common-sense." But he confessed that some patrolmen "flaunt their authority."

Salem Police Marshal Joseph F. Reagan admitted Salem police need training, but he pointed out the police side of the story:

"The average policeman is compassionate, but we see the results of drug use every day. If there are any good effects of drugs, we

don't see them. Instead, we see drug users going to the mental hospital."

If policemen don't see the good side of drugs, youths don't see the good side of police.

Inspector Moran, for example, is a tough, but compassionate officer, who says he'll "give anybody a chance. You've got to have confidence in people."

Atty. Robert A. LeDoux agrees. As president of Project Rap drug center in Beverly, LeDoux said Moran is "a tough guy. I know what he's trying to do and law enforcement is important. If it weren't for him, the problem would run rampant. Little do kids know how much this guy is trying to help them."

Some Peabody students responding to The News questionnaire mentioned the Peabody juvenile officer, William Tsapatsaris, as "one policeman who really understands kids." But, in general, most students objected to the way policemen treat them, though they see a need for better law enforcement.

A junior boy in Peabody High School summarized what appears to be a general student sentiment:

"What should be done about drugs is older people, such as parents, clergy, and even police, should get a lot more friendly instead of hiding behind the power given them in their respective titles."

#### V. PARENTS SHOULD LISTEN

Whether they realize it or not, many parents on the North Shore don't try hard enough to understand youths and don't have the confidence of their sons and daughters.

And, according to local students, parents don't know much about drugs.

Drug experts have suspected parents of playing a major negative role in the drug abuse problem, and The Salem News survey provides further evidence.

These are the results:

(1) Nearly all students agree that "parents should listen to kids and try harder to understand their problems," and 3 out of 5 drug users as well as non-users emphatically agree.

(2) Students, in general, agree that "parents should learn more about drugs and their effects," though most youths indicated they would rather have their parents learn about kids than about drugs.

(3) There is a direct relationship between the extent of drug use and the confidence youths have in their parents.

Twice as many drug users said they never could count on their parents to help with a drug problem as did non-users. Only one out of every 5 regular users said they would seek their parents' help.

Students also indicated more confidence and trust in their friends and in treatment centers than in their own parents. On the other hand, if a student had a choice between a parent, a teacher, a religious leader and a policeman, he most likely would go to one of his parents for help, if anyone.

About 80% of the students also responded that the most important personal problem of a student deeply involved in drugs concerns the attitudes of his parents.

#### Should parents learn more about drugs?

83% say yes.

6% say no.

11% are undecided.

Most students indicated they are concerned about their parents, rather than indifferent, and what concerns students most are such frequently-mentioned criticisms as these, along with typical anonymous comments on The News' questionnaire:

#### Should parents try harder to understand the problems facing their kids?

The Salem News asked their kids:

93% say yes, 60% emphatically.

2% say no.

5% are undecided.



*Can a student count on his parents to help with a drug problem?*

Among all students surveyed:

44% say definitely or probably.

24% say maybe.

32% say never.

Among regular drug users:

21% say definitely or probably.

25% say maybe.

54% say never.

Youths accused parents of a double standard. "My father sees a bunch of kids sitting on a street corner, and automatically they're a bunch of dope addicts. But if you look across the street, there are a bunch of old guys standing around doing nothing. He never makes a comment about them." (An 11th grade Salem boy who said he uses drugs occasionally).

Students criticized both neglect and over-protection by parents. "I know someone on drugs whose parents don't care what he does or where he goes." (A seventh grade girl in Salem's Bowditch School who never used drugs); and "Parents don't seem to understand today's generation. My father treats me like a baby and my mother pays more attention to her dog." (A ninth grade Salem boy who never used drugs.)

Students accused parents of hypocrisy. "Most grownups have a fear about death. Yet they ruin their lungs with cigarettes, their liver by drinking and are addicted to prescribed pills. This is some hell of an example, isn't it?" (A Salem 11th grade girl who did not indicate whether she uses drugs.)

The youths said their parents are prejudiced. "I know a boy on drugs whose parents love him, I'm sure, but they think all his friends are jerks. His father calls them all creeps—even his best friend because he has long hair and a beard." (A Salem 11th grade boy who uses drugs occasionally.)

Students said their parents are too authoritarian. "Grownups dictate to students; they should talk to them. They never listen to what we have to say. We should have a fair chance to express our feelings about drugs and parents should listen to us for once." (An 8th grade girl in Peabody's Seelig Junior High School who never used drugs.)

Dr. Robert L.H. Miller of Danvers, chairman of the state Department of Education Drug Commission, cautions against "reading too much" into students' feelings about their parents.

"Adolescents are discovering their own independence, and the parent is the most visible symbol of the dependent role," Dr. Miller said.

"But there is a tremendous need for parent education, not about drugs, but about their own values and about adolescents. We must establish lines of communication through education."

Thomas Durkin, a West Peabody father, a sixth grade teacher in Beverly and chairman of the Beverly Drug Curriculum Committee, thinks parents don't understand the problem and their "natural reaction is to keep their mouths shut or to put the child down. If a kid gets support in the home, the chances of needing an escape through drugs are lessened."

Atty. Robert LeDoux, of Salem defends many youths arrested on drug charges and says, "It's absolutely necessary when these kids get arrested for the parents to come in and talk about it. 'What can I do?' they ask. I feel like telling them, 'Why didn't you do something 3 years ago?'"

"It's up to the parents not to talk down to the kids, but to realize they're the most socially aware group in history. Parents have to know the problem. They have to know the kids."

"I'm not saying that parents are all to blame," he added. "The kids are, too. They've got to learn to put up with society."

#### VI. TREATMENT CENTERS

The thought may offend professionally oriented adults on the North Shore, but the real experts in helping youths with drug problems, according to the youths themselves, are not doctors or lawyers or psychiatrists.

They're the volunteer staff members of drug centers, most of them youths and non-professional young adults. And despite overwhelming faith youths appear to have in drug centers, the centers continually face the prospects of bankruptcy.

At the new drug center in Peabody, Project Breakthrough's executive director, Bro. James Corrado, doesn't know where the money is going to come from.

The new Fire House center in Marblehead has a director, a building and a telephone hotline, but no operating budget;

And even the established and well-known Project Rap in Beverly continually struggles to keep financially solvent. It has more prominent directors on its board than dollars.

Ironically, the students surveyed generally expressed more confidence in drug centers than in any other individual or institution.

The survey showed that a North Shore youth with a drug problem is more likely to seek help from a stranger on a drug center's staff than from one of his parents, a doctor, a teacher, a guidance counselor, a religious leader or even a friend.

#### *What do students think of drug centers?*

Can they count on drug centers for help?

72% yes, 22% maybe, 6% no.

Do they trust the staff in centers?

71% yes, 22% maybe, 7% no.

All but 6% of the youths in grades 7 through 11 indicated at least some degree of trust in drug centers, and all but 7% said they would consider going to a center for help. Seven out of every 10 students, drug users as well as nonusers, strongly indicated their trust and confidence in drug centers.

"A lot of people think they're a bunch of freaks over at Rap," commented Atty. Robert A. LeDoux, the project's president, "but these kids really know how to relate to a kid with a drug problem."

"When somebody comes to us with a problem, there's no condemnation," said Jan Teresko, Rap director. "We're not personally involved and we're not subjective. Many parents—when they find out a kid is using drugs—say, 'You're hurting me.' All we tell them is, 'You're hurting yourself.'"

Jeordie Rahaim, recently appointed director of Fire House over 76 other applicants, says the center offers "acceptance and warmth—with rules." The rules are similar to those of Project Rap, which greets all guests with the sign: "Come clean—or not at all."

"This is a place to grow in," said Rahaim. "Kids come here because they know they're not going to get ratted on. We offer understanding and experience rather than emotionalism."

At Project Breakthrough, Bro. Corrado says, "Kids are seeking somebody to talk to, not somebody who's going to pat them on the back. They lack guidance."

Fire House, according to Rahaim, will become a center where youths will work, exercise creativity, read and participate in organized talk sessions.

Rap offers a daytime hotline for crisis calls, a drop-in center and counseling sessions; and Project Breakthrough organizers, who presently operate an all-night hotline, hope eventually to develop a live-in rehabilitation center for addicts.

All participate in a variety of other drug-related activities, such as community lectures, counseling and referrals, but they have been slow in reaching their goals usually because of financial difficulties.

The staff members know they must walk a tightrope to preserve the confidence and trust of youths while still gaining acceptance by the communities that offer financial subsistence. Staff members frequently spend more time raising funds than spending them.

Jan Teresko says Beverly and surrounding communities are aware of Rap's service, but "when you start a center like this, the people in the community think it removes the responsibility from them."

The City of Beverly this year offered Project Rap \$2,500, enough to cover about one month's operating costs; Marblehead appropriated \$15,000 but Fire House director Rahaim still seeks funds; Salem recently voted \$10,000 to start a drug program in conjunction with the YMCA, "drop in the bucket," according to Police Marshal Reagan.

In Peabody, Bro. Corrado, who helped to found Project Turnabout in Brighton and Project Discovery in Framingham, says the difficulties for Project Breakthrough are "a carbon copy of the others."

"You have to start in a fighting situation," he said. "In Peabody, the financial difficulties have been harder to overcome than elsewhere."

In general, the amount of money North Shore youths spend on illegal drugs every week may well exceed the amount most communities spend on drug centers every year.

#### VII. CHURCHES CAN HELP

As pillars of the establishment, churches continually stand accused of failing to change with the times, of inability to deal with persons as individuals, and, recently, of helping to lose the battle against drug abuse.

Some church-goers insist that religious institutions should condemn illegal drug use and ignore the problem; others insist that drug abuse, in part, is a reflection of the failure of churches to keep up with the times.

Peabody and Salem students responding to The News' questionnaire revealed these facts:

Youths are nearly equally divided about whether clergymen deserve their trust and confidence. About one-third of the 1,184 students indicated they could count on a religious leader to help with a drug problem. Another third said they might consider seeking help from a religious leader; and one-third indicated no confidence or trust in clergymen.

A student with a drug problem is less likely to consult a clergyman than a friend, a doctor, a drug center or one of his parents. On the other hand, if it were a choice between a clergyman, a teacher and a policeman, a student more likely would choose a clergyman, if anybody.

A male student is more likely to trust and confide in a religious leader than is a female. Nearly 40% of the males said they definitely or probably would consult a clergyman. Only 25% of the girls said so.

Many students are indifferent about churches while most others feel churches should be doing more for youths. About half of the students agreed that "churches and religious organizations should be more devoted to the problems of students." Most of these who do not agree, expressed no opinion.

*Should churches be more devoted to the problems of youth?*

The Salem News asked local students:

52% said they should.

18% said they should not.

30% are undecided.

Regular drug users are much more disenchanted with religious leaders than are non-users. More than half of the users said they never would seek help from a clergyman and only 17% said they would seek help.

In short, most students, especially males and those who never have used drugs, think there is a potential role for churches in help-

ing to solve the drug problem, but religious organizations have not lived up to the expectations of youths.

If there is a role in the drug problem for organized religion, what is it?

Rev. Everett Kuder, chaplain at Salem State College and pastor of the Lafayette Street Methodist Church, thinks churches "should educate the people and teach them not to pass judgment, to be open-minded and realize that kids are people like everybody else."

"There's a potential to reach young people," the Rev. Mr. Kuder said, "But churches have to open their doors. As it is, when young people get in the door, they feel unwelcome. They find churches are not dealing with people as real people."

Rev. John B. McCormack, an organizer of the proposed drug rehabilitation center in Salem, is convinced that clergymen "have to meet kids where they are. Churches should re-evaluate the distribution of their energy in meeting man where he is, and begin to meet the needs of young people."

Fr. McCormack, executive director of the North Shore Catholic Charities, said, "The church has to adapt to the changing society and help society reflect on what it's doing."

*Will a student discuss a drug problem with a religious leader?*

14% say they would.  
17% say they probably would.  
35% say maybe.  
34% say never.  
Regular drug users:  
17% probably or definitely.  
31% maybe.  
52% never.

Bro. James Corrado, co-founder of the Project Breakthrough drug center in Peabody, agrees that "churches have gotten too far away from the people business. Kids just don't have the trust in the church as an institution, so it has to be the individuals in the church who deal with kids."

"Youths have the idea that the priest is far-removed," he said, confessing, "With the majority, it's true."

Another clergyman known for his ability to communicate with youths is Rev. John W. Wilbur, of the First Baptist Church in Beverly.

"Churches can help out in the drug problem," he said, but they must open up physically and philosophically and help set the stage for interpersonal relationships between kids and adults."

The Rev. Mr. Wilbur also is convinced that most local religious leaders are prepared to help with drug problems, despite the evidence that youths are not convinced.

"Most clergymen are knocking themselves out to be educated about drugs," he said. "They're learning to help with the problem."

But even if clergymen do know how to cope with drug abuse, many students, particularly those drug users who need help most, do not have trust or confidence in religious leaders, who they see as representatives of the rigid establishment.

#### VIII. DRUGS IN SCHOOLS

There has been a sense of urgency about drugs in the schools, and many local educators have responded to the sudden awareness with increased efforts to find a positive role for public education in the drug problem.

Meanwhile, two ironies have emerged more clearly than ever:

One is that illegal drugs are readily available in the corridors of local schools while meaningful drug programs have not been available in the classroom, according to most students.

The other is that many students use drugs in school and need help, yet students in general do not find school staff members helpful.

The Salem News survey, seeking solutions rather than heroes and goats, revealed these

predominant student attitudes about schools:

A student with a problem involving drugs is more likely to seek help from a friend, one of his parents, someone at a drug center, a doctor or a clergyman than from a teacher or a guidance counselor.

Only one student out of every 5 indicated trust and confidence in teachers and counselors when it comes to drug problems.

In addition, many students anonymously wrote comments on The News' questionnaire such as one from an 11th grade Peabody boy who said "Drugs are the school's fault for doing the same uninteresting thing day after day."

A distinct majority of students asked for more open-minded teachers. Three out of every 4 students agreed that "teachers should listen to kids and try harder to understand their problems," and less than 10% disagreed. Many students added comments such as this one from an 11th grade girl in Peabody:

"A better-trained, easy-going and open-minded faculty might help the drug problem, but teachers don't want to get involved. So what's the use?"

Most students indicated a need in the schools for drug education specifically, and generally for a freer atmosphere where students can discuss their problems openly.

Nearly 80% of the students agreed that "students should be taught more about drugs" and that "students should be encouraged to talk about their problems in school without fear."

Junior high students and youths who had never used drugs tended to express more interest in drug education while senior high students and regular drug users stressed the need for problem-oriented discussions in school.

In addition, many students related drug abuse directly to the schools, in comments such as the following:

"One reason for drug use is the atmosphere in school. The building, the teachers and the management of the school lends itself all too well to the despair of students who are on the brink of taking dope." (A Salem 11th grade boy.)

A drug education specialist who defends the role of teachers is Dr. Robert L.H. Miller of Danvers, chairman of the state Department of Education Drug Commission, who sees a need for drastic changes in the educational system.

#### What should schools do about drugs?

The Salem News asked Salem and Peabody students:

Should students be taught more about drugs?

78% say yes, 11% say no, 11% are undecided.

Should kids' problems be discussed in school?

77% say yes, 12% say no, 11% are undecided.

Should teachers be more openminded?

76% say yes, 9% say no, 15% are undecided.

[In percent]

Will a student discuss a drug problem with—		
	A teacher?	A counselor?
Definitely.....	5	6
Probably.....	14	17
Maybe.....	40	35
Never.....	41	42
Total.....	100	100

"Teachers would like to help with the drug problem," he said, "but because of the structure, they're afraid to. Unless administrators can free teachers, you can't get anywhere."

Dr. Miller commented that, in the long run, "We need a basic revamping of the educational system, a willingness to make the students find life more meaningful."

Meantime, Dr. Miller said, "schools must introduce student-centered programs. Fear tactics in drug education are useless and drug information courses are passe. The problem isn't whether kids know the effects of drugs. The important thing schools should stress is decision-making."

Paul J. Andrews, the state's drug education director, added that "We've desperately failed in decision-making education, and in order to be effective in drug education, we have to change educational systems."

Dr. Donald W. Dunnan, former Peabody schools superintendent, commented last year that "the institution that conforms closest to a prison is our secondary school system."

"We're not skilled at controlling large numbers. The way the least skilled do it is with guns; the most skilled use motivation."

Motivation, decision-making and open-mindedness, on paper, are the themes of drug education courses that are being adopted in Salem, Beverly and Danvers, among other systems, but students clearly are seeking more than paper work.

As the Beverly drug curriculum committee concluded this summer after adopting a drug program, "We must not accept a curriculum and call the job done."

If students had authority, what would they do about—	Percent	What does the State law say about—
Adult drug pushers?		
Punish them.....	49	First offense, 5 to 10 years in prison.
Offer counseling.....	41	
Educate them.....	8	
Do nothing.....	3	
Students who sell drugs?		
Offer counseling.....	45	First offense, 5 to 10 years in prison.
Punish them.....	41	
Educate them.....	21	
Do nothing.....	6	
Drug addicts?		
Offer medical treatment.....	88	First offense, they can choose treatment instead of 5 years in prison, \$5,000 fine.
Offer counseling.....	41	
Educate them.....	5	
Punish them.....	5	
Do nothing.....	2	
Students who experiment with drugs?		
Offer counseling.....	49	First offense, they can choose treatment instead of 3½ years in prison, \$1,000 fine, for marijuana possession.
Educate them.....	40	
Offer medical treatment.....	14	
Do nothing.....	14	
Punish them.....	7	
Students who drink alcoholic beverages?		
Do nothing.....	43	Fine up to \$50.
Offer counseling.....	33	
Educate them.....	15	
Punish them.....	11	

Note: Percentages add to more than 100 percent because of multiple answers.

#### IX. HELP OR PUNISHMENT?

Most local youths are convinced that education and rehabilitation, rather than punishment, are among the solutions to the drug problem.

And, despite recent liberal changes in drug laws and proposals for sweeping liberalization in the state legislature this year, the opinions reflected in state laws and the attitudes of North Shore youths still are far apart.

An increasing minority of youths continue to experiment with marijuana, for example, and nearly half think it should be legalized, yet state law makes possession punishable by up to 3½ years in prison.

"Drug laws are completely out of focus with reality," summarized State Sen. Jack H. Backman, D-Boston, chairman of the legislative Drug Abuse Commission. "Police don't arrest anybody, courts close their eyes. Everybody is humanitarian and knows the laws don't work, so people don't enforce the laws."



"As a result, kids walk out of court and they laugh at the system. What they don't realize is that they've got a court record to follow them."

Sen. Backman, one of many state legislators seeking liberalized drug laws, feels that laws will have to be changed before youths have confidence in them. Present penalties include 5 years in prison for possession of heroin; 3½ years and a \$1,000 fine for possession of other illegal drugs; 5 to 10 years for sale of drugs, and 5 years for being present where narcotics are found.

These penalties are never applied in the cases of local youths because of discretionary powers granted judges in the Comprehensive Drug Rehabilitation Act which went into effect this year and allows rehabilitation rather than punishment for first-time drug offenders.

Judge Abraham Ankeles of Peabody District Court said the act is "the most far-reaching and most progressive drug legislation in the nation."

*If regular drug users had the authority, what would they do about persons involved in drugs?*

66% said they would help, not punish drug sellers; 29% advocate punishment.

91% would offer medical treatment and counseling to drug addicts.

65% would offer help to youths who experiment with drugs; 35% would leave them alone; and 0% would punish them.

71% said they would do nothing about youths who drink alcoholic beverages.

But the harsh penalties for drug violations still are on the books, and they differ sharply with the predominate feelings of local students.

The Salem and Peabody students surveyed were asked what they would do about the drug problem if they were making the laws.

Nearly all students surveyed, drug users as well as non-users, expressed the need for treatment and counseling for drug addicts rather than punishment. Nine out of every 10 students said medical treatment should be available, and 2 of every 5 said counseling is important. Less than 5% advocated punishment as a means to help the drug addiction problem.

Many students would deal differently with adults who sell drugs than they would with students who sell drugs. About half of the students advocate punishment as a remedy for adult pushers, but fewer think student drug sellers should be punished. Instead, most students would insist upon counseling and education.

Male students tended to place a greater value on punishment as a remedy for the sale of drugs and drug addiction, while female students tended to prefer counseling.

Regular drug users as well as non-users, in general, agreed that drug use is a serious problem, but nearly all indicated that students who experiment with drugs should not be punished.

Significantly, slightly more students would punish minors who drink alcoholic beverages (11%) than the number who would punish drug experimenters (7%).

This sharply contrasts the predominant feeling among North Shore adults who, by a 6 to 1 margin, ranked marijuana as a more serious drug than alcohol in a recent local survey. The student attitude also distinctly contrasts state law which provides for a \$50 fine for minors who drink and up to 3½ years for pot smokers.

Regular drug users are more liberal in their attitudes about drug users, obviously. But, perhaps more significant, is that the predominant attitudes of users are similar to those of non-users.

Except when it comes to sale of narcotics, there is a near-unanimous attitude that punishment is not an adequate answer to the drug problem.

Sen. Backman agrees with the students

that "punishment is a rather punitive way to help kids. The real answer has to be in the education of society."

Working with other legislators and representatives of the executive branch toward a consensus drug bill, Sen. Backman hopes the state will produce "far-reaching changes," one which will come closer to reality and the attitudes of youths.

The proposed changes may provide a recodification of drugs, reduce illegal possession of marijuana from a felony to a misdemeanor, repeal laws requiring doctors to report addicts seeking help and prohibiting persons from being present where drugs are found, broaden the probationary powers of judges, increase the state's effort at drug research and increase efforts at drug education.

#### X. CARING IS NOT ENOUGH

There are adults who ignore youths, ridicule their idealism, doubt their wisdom and are insensitive to their frustrations, particularly when students' comments are painfully honest:

"It's called civilization, but how civilized are we when we have to resort to drugs to be happy?," wrote a Salem youth who will enter his senior year in high school this fall.

"It seems like a crime to ride a motorcycle, wear long hair, a beard and different clothes. Kids think society is trying to mass-produce good people and the only way to fight back is to become different. If the social pressure won't stop, they resort to drugs to make them forget."

Nobody is more sensitive to the drug problem than youths. The Salem News' survey sought a student perspective about drugs.

The survey produced no simple explanations or instant solutions, but it did offer the opinions of a cross-section of youths, most of whom welcomed the opportunity to assess the problem they understand better than most adults.

The News learned that there are no outstanding heroes in the fight against drug abuse—though youths indicated confidence in volunteers who work in drug centers—and neither are there any outstanding villains.

One prevailing attitude that did emerge is an underlying feeling among students of frustration with society. "Drugs help students escape from the world," one wrote, "and the way to solve the drug problem is to make a better world."

"You can't solve the drug problem by solving all the ills of society," commented Rev. John B. McCormack, of Salem, adding that "drugs make us think about them all over again. Drugs help us re-evaluate what we are doing."

Students, in general, appear to agree that the drug problem never will be resolved without basic revisions in adult attitudes and rethinking about the functions of institutions such as the church, the schools and the law.

Idealists that they are, youths seek nothing less than a cooperative effort by adults to solve the drug problem.

"I think the biggest problem is society and how people run it," commented a Salem High School girl, a regular drug user. "They condemn everything and make everything into a big, complicated mess. I feel for people with a dependence on a hard drug. But the people who created the problems are the first to condemn kids for using drugs."

Youths will continue asking questions that adults are accustomed to answering with authority, rather than reason.

A freshman girl in Salem, for example, apparently thought about the state's severe penalties for possession of marijuana before inquiring: "Is it really a crime to smoke grass?"

Other youths, like many adults, simply have abandoned the hope of bridging the gap in understanding between generations.

"I wonder," pondered a Peabody High School girl, "Can anything really be done about drugs with attitudes as they are? I

think it's going to be up to the kids to decide what's right and what's wrong."

A Peabody girl complained that adults don't care about students' opinions, then proposed this solution to the drug problem:

"If people care about others, then I don't think there would be as many drug addicts. Caring is the best thing a person can do."

Most local adults do care, according to a poll in May, 1970, which indicated that the greatest problem in the state, ranking ahead of inflation, pollution and crime, is drugs.

More than a year later, however, youths still were convinced that adults, whether they care or not, are not contributing enough to solve the drug problem.

In the judgment of Salem and Peabody students, the schools are moving too slowly in meeting the needs of their students; parents are not making an adequate effort to understand youths and to learn about drugs; police are unreasonable; drug centers are helpful, but struggling because of dwindling support by adults; the laws are out of line with reality; churches are closed institutions; and caring is not enough.

#### CONCLUSIONS . . .

Illegal drugs are readily available to youths in school as well as out of school; a substantial minority, approaching a majority in 11th grade, have experimented with illegal drugs; 90% consider drug abuse a serious problem.

Students first try drugs, in most cases, because they are curious about the effects and because of encouragement by friends; many continue drugs for a complexity of reasons generally associated with school, family and personality problems and frustration with society.

Among persons available to help a student with a drug problem, the most highly favored by youths is someone in a drug center, such as Project Rap in Beverly. Friends rank second.

Students proposed no single solution to the drug problem, but they ranked the role of their parents as the most important. Youths are nearly unanimous that parents should try harder to understand students' problems and that parents should learn more about drugs.

The second most important role in the drug problem, according to students, is that of the schools. Junior high students stressed the need for meaningful programs in drug education, while senior high students emphasized their need for discussions in school of their problems.

Students, in general, indicated that police have a distinct role in helping with the drug problem. Most said police should try harder to keep illegal drugs out of the North Shore area. Many commented that police also should try harder to avoid antagonizing youths.

Nearly all students indicated attitudes that conflict with drug laws. Almost half advocate legalization of marijuana, and nearly all youths think treatment and education, rather than punishment, should be emphasized in the law.

Churches have a potential role in the drug problem, but to a lesser extent than that of parents, schools and police. Most students indicated churches should be more devoted to the problems of youths.

#### SOME OTHER IMPLICATIONS OF THE PRAYER AMENDMENT

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. SCHWENGEL. Mr. Speaker, after counseling with some competent lawyers

and knowledgeable people on the prospects of how the proposed prayer amendment to the Constitution might effect public institutions other than schools, some specific illustrations as to how some of the points might work out in actual practice might be worthwhile.

For instance, how would this amendment affect the religious practices in Methodist, Lutheran, Baptist, or Catholic hospitals that have received Hill-Burton money and/or other finances through public funds?

Suppose a non-Catholic patient decided that he objected to the sectarian religious objects and practices in the Catholic hospital that was built by public funds. He could probably file suit and with the aid of the Civil Liberties Union, restrict all religious practices in such a hospital to "nondenominational" practices. Some Government authority would then have to decide what religious practices could and could not take place in the Catholic hospital. It does not take much imagination to conclude that this could cause a lot of consternation in the hospitals that serve the public and it certainly would disturb the religious atmosphere that has prevailed in these hospitals through the years.

From the history books, we can benefit from another illustration that would, it seems to me, give us call not to disturb the church-state separation philosophy.

In 1818, when the church was disestablished in Connecticut, Lyman Beecher, one of the leading clergymen of his day and a strong defender of the establishment of religion, was severely depressed. The story is told by his son, Charles Beecher.

"I remember seeing father, the day after the election," Charles said, "sitting on one of the old-fashioned, rush bottomed kitchen chairs, his head drooping on his breast, and his arms hanging down. 'Father,' I said, 'what are you thinking of?' He solemnly answered, 'The Church of God.' Beecher himself confessed that 'It was a time of great depression and suffering. . . . It was as dark a day as ever I saw. The odium thrown upon the ministry was inconceivable. The injury done to the cause of Christ, as we then supposed, was irreparable. For several days I suffered what no tongue can tell.'"

For almost a decade, Beecher had led the fight and masterminded the campaign in defense of the establishment. To him, the establishment meant the preservation of true religion, good morals, and sound government. Without these three supports, he was convinced, society would rush headlong to disaster. Like Timothy Dwight, his good friend and great teacher, Beecher was unable "to conceive of true religion and good morals without the support of a sound government or, conversely, of a sound government without true religion." The three, in his mind, were indissolubly linked. Sound government could not endure without good morals, and good morals were dependent upon true religion. Disestablishment, therefore, could mean nothing less than the triumph of irreligion and immorality, and the destruction of society. "The great object" of those who were seeking to undermine the existing order, wrote Theodore Dwight, "is to destroy every trace of civilization in the world, and to force mankind back into a savage state." It never occurred to Beecher that true religion, good morals, and sound government might survive disestablishment, and so he waged his war and battled valiantly to stave off the seeming forces of evil

which had already won the day outside of New England.

After the churches had been disestablished, Beecher was obliged to confess that he had been mistaken. He found himself forced to acknowledge that what he had feared as the worst thing that could happen had turned out to be "the best thing that ever happened in the State of Connecticut." For, as he said, "It cut the churches loose from dependence on state support," and "threw them wholly on their own resources and God." Before the change, he declared, "our people thought they should be destroyed if the law should be taken away from under them. . . . But the effect, when it did come, was just the reverse of the expectation." Being "thrown on God and ourselves," there was "created that moral coercion which makes men work. Before we had been standing on what our fathers had done, but now we were obliged to develop all our energy." There were some who felt that ministers had "lost their influence," but "the fact is," Beecher asserted, "they have gained." By voluntary efforts, societies, missions, and revivals, they exert a deeper influence than ever they could by queues, and shoe buckles, and cocked hats, and gold-headed canes.

Mr. Speaker, in the future I will be calling attention to the reactions in the religious publications and their concern about the adoption of the prayer amendment.

Mr. Speaker, in the insertion in the RECORD of September 28, page 33726 apparently there was a mistake in the transcription in the third column, the paragraph beginning "Leaders of 11 Protestant denominations," in the last part of the paragraph which reads "have indicated strong disapproval of permitting even voluntary prayers in the public schools." This should have read "have indicated approval of permitting only voluntary prayers in schools."

#### NORTH VIETNAMESE TREATMENT OF AMERICAN POW'S

### HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. QUIE. Mr. Speaker, it has been 7 years and 193 days since Capt. Floyd Thompson was captured by the North Vietnamese and held as a prisoner of war.

The North Vietnamese have flaunted the Geneva Convention relating to the treatment of prisoners of war. They have refused to give information on the individuals who have been captured; they have refused to allow the prisoners to send and receive mail as outlined in the convention.

I am pleased that the House of Representatives yesterday adopted a joint resolution protesting this treatment of U.S. prisoners of war. The resolution calls for the release of equal numbers of North Vietnamese prisoners held in South Vietnam and Americans held in North Vietnam.

History records that negotiations over the release of prisoners in the Korean conflict led to the ultimate cessation of hostilities there. I am hopeful that pursuing such a course could bring a quick end to the Vietnam conflict.

CALVIN WRIGHT

### HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, October 5, 1971

Mr. CHURCH. Mr. President, recently an article from the South Idaho Press in Burley, Idaho, came to my attention. It concerns the career of one of my State's most noted citizens, Calvin Wright, of Boise.

Cal, as he is known to his scores of friends, is the Idaho director of the Internal Revenue Service, a position he has held for more than 20 years. Prior to that time, he held several elective and appointive offices in Idaho.

As the South Idaho Press put it:

Calvin E. Wright has made a name for himself in local, state and federal government. He has been honored many times in his 30-year career as civic leader, politician, educator and journalist. . . . It is about time that we recognize the abilities of a man, raised in our area, who still has sentimental ties and a vital interest in our community.

Mr. President, I ask unanimous consent that the article from the South Idaho Press be printed in the Extensions of Remarks.

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

#### AROUND TOWN

(By Al Dawson)

Recently the Stanford University class of 1930 honored him and his wife on their 41st wedding anniversary at a reunion party at the Fairmont Hotel in San Francisco. The college grads of that early Depression era had good cause to be proud of their illustrious alumnus.

Calvin E. Wright has made a name for himself in local, state and federal government. He has been honored many times in his 30-year career as civic leader, politician, educator and journalist. In 1965 he was the subject of a feature article in the Idaho Statesman, the "Portrait of a Distinguished Citizen."

The Bible appraisal comes to mind—"A prophet is without honor in his own country." Mr. Wright is really one of our own. It is about time that we recognize the abilities of a man, raised in our area, who still has sentimental ties and a vital interest in our community.

"Cal," as he is known by his many personal friends, was born Jan. 29, 1909 in Herington, Kan. When he was nine years old his parents, Mr. and Mrs. Lee A. Wright, with their family, moved to Burley. The father himself was prominent as a businessman and politician. Mr. Wright operated the first service station in Burley in 1918, at the former location of Bonanza Motor, corner of Overland and 14th St. The elder Wright also distinguished himself in politics, serving as state senator.

Calvin Wright attended Miller School and then went on to the old Burley High School where he graduated in 1926. The ambition and drive that was to be the motivation which brought him future success started early. While attending school he worked, and later he managed his father's service station. Education, however, was the prime objective of young Calvin at this point. He entered the University of Idaho, later transferring to Stanford University, where he graduated in 1930.

Upon receiving the diploma, he, along



with that generation of graduates so enthusiastic and ready to conquer the world, found that at best economic conditions made that victory difficult. The Great Depression had started.

"Cal," in 1929, one year before graduation, had married his University of Idaho sweetheart. His bride was Gwen Sathre, daughter of Andrew G. Sathre, prominent Burley attorney. Upon leaving school the couple settled in this city and Mr. Wright started looking for work. The prospects were bleak. Never in the history of this country had there been so many unemployed.

As Mr. Wright recalls today, he was lucky. He obtained a job in teaching. "I weathered the Depression years as a high school teacher and did a little newspapering on the side."

The wages of an educator were low, and in order to augment his income, "Cal" worked on the staffs of the Minidoka News in Rupert and the Herald Bulletin in Burley from 1930 to 1934. Other journalistic assignments included writing for the old Capitol News in Boise, staff correspondent for area and out-of-state dailies, and one year as associate editor of the Minidoka News.

At the age of 24 he entered and won the election as county auditor. In 1937 he was appointed manager of the State Insurance Fund.

Following this employment Mr. Wright seriously embarked upon his political career. At 28, he became one of the youngest county and state officials in the nation when he was elected to the office of state auditor. He served three terms, from 1939-1944.

In 1950 Calvin Wright reached a peak of his political career when he was named the Democratic candidate for governor. In a close race with our now-United States Senator Len Jordan, he was defeated by a small margin.

Shortly afterwards, he was appointed as U.S. Internal Revenue director for Idaho, a post that he now holds and has maintained for almost 20 years.

To enumerate the many civic and professional achievements of Mr. Wright is almost impossible, especially in this limited space.

Outstanding in his civic activities might be listed the five-year service as Idaho federal chairman for Radio Free Europe. In this official capacity in 1966, he was a member of the American delegation which inspected RFE facilities and programming in Europe. This mission included visiting the borders of the Iron Curtain countries, and both sides of Berlin's "Wall of Shame."

Other posts held include membership on board for the Boise United Fund, Idaho Territorial Centennial Commission, Governor's Committee for Employment of Handicapped, and Governor's Prayer Breakfast Committee. In 1935 he was active in the Idaho Jaycees.

Fraternal and religious associations include membership in Rotary Club, Sigma Chi Fraternity, Elks, Masonic Lodge, and president of Boise Federal Executive Committee.

Mr. and Mrs. Wright are both active in the Christian Church and devoted to their family, including their nine grandchildren. Of their two children, son, Tom Wright is a school magazine publisher in Minneapolis, and daughter Mrs. A. B. (Beverly) Brunelle lives with her husband in Boise.

Many of "Cal's" brothers and sisters are well known in Burley. Mrs. Sanford (Dorothy) Connell now lives in Shoshone, while another sister, Mrs. Harley (Marjorie) Maggart, one-time Burley and Declo teacher, now resides in Pleasant Hill, Calif.

One sister, especially well known in this area, is Mrs. E. M. (Casilda) Steelsmith, now a resident of Boise. Many remember Casilda as a very capable correspondent for the old Herald Bulletin.

Two other brothers, Lee Jr. and Tom (Homer) Wright, are both engineers, and to

complete the dual image, have selected Dayton, Ohio as their home.

Mr. Calvin Wright recently demonstrated a sentimental tie to our community when he became a charter member of the Cassia County Historical Society, "Cal," we are pleased that you still have fond memories of your boyhood home. We too consider you a distinguished citizen, and are mighty proud of your record as a man and civic-minded individual.

HUGO L. BLACK

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BLATNIK. Mr. Speaker, many of my colleagues have spoken most eloquently of the qualities of intellect, wit and wisdom that we celebrate in the person and career of the late Justice Hugo Lafayette Black. Legislators of no small personal distinction in the law have paid their own tributes to the splendid intellectual and judicial traits of Justice Black.

Justice Black has been called both a liberal and a "strict constructionist." And, indeed, he was both of these—but he was more. He was a man who could reconcile these two seemingly contradictory terms and still maintain consistency in his judicial decisions.

Justice Black was above all the champion of the little man. He was dedicated to seeing that the law was to the benefit of all; no matter what their race, color, creed or national origin. Until the advent of Justice Black on the Court, the law of the land had been fashioned and interpreted more to the benefit of the corporate individual—an individual or person that Justice Black was to declare, in an early dissent, did not exist. Justice Black saw to it that each individual American is granted the same judicial standing and consideration granted to American corporations.

Mr. Speaker, there is evident concern for the individual in the many opinions penned by Justice Black. He sought to guard the guarantees expressed in the Bill of Rights for every American. Some have criticized him for this seemingly slavish and literal adherence to the Bill of Rights. And, indeed, the protection of rights granted by the first, fourth, fifth, sixth, eighth and 14th amendments to the Constitution owes a great deal to the thinking and written opinions of Justice Black.

Justice Black sought to make these rights inviolable, or reasonably secure, as the Constitution may state. But, was his focus here only to the individual? Was Justice Black blind to those needs of the State that inherently constitute a threat to these personal rights—rights that Justice Black labored so long to protect and enhance? Was Justice Black the wearer of judicial blinders that gave his view of the Constitution and our Nation's history and future strengths more the aspect of tunnel vision than that of broad perspec-

tive? The answer to these questions is a resounding no.

For in a man of such lucidity of thought and expression, we confront in Justice Black the complex blending of two seemingly conflicting points of view into a single vision of our national life—life and personal security for individual citizens and perdurance for the Republic itself.

Justice Black saw most clearly that the only way in which a democratic republic could survive—the only way in which a free people could continue to govern themselves—the only way in which continuing dialogue between state and people, the cornerstone of a free government and the sign of a free people, could be preserved, was to insure the protection of those rights that made a people secure from governmental encroachment and kept clear the channels of peaceful communication which guarantee that in America "Here the people truly govern."

In this area where certain fringe elements demand this and insist on that, Justice Black was not tempted to hedge his declarations supporting the rights of free speech, free press, and free assembly. He realized that the best way to insure that these extremists are successful would be to countenance the curtailment of these basic rights. The best way in which to insure that these extremists would gather power into their own hands from the hands of the people, would be to permit them to succeed in this temptation, this entrapment built on justifiable outrage at their methods—methods saying, "power to the people" but really meaning "power to themselves." Justice Black knew that power does indeed rest with the people—power to change our laws, right injustices through both the legislative and judicial processes—power to support our form of government, and power to guarantee these rights to all citizens—even to those trying to destroy them through abuse.

Mr. Speaker, this is what I salute in Justice Black. This balance of individual and state is, I believe, the judicial and philosophical genius of this giant of the Court—a giant of a human being—a man who could express his belief in America and America's future in the most transcendent yet lucid prose and yet continue the sharp competition on the tennis court that I first saw over 25 years ago, when I was a freshman Congressman.

We shall all miss this protector of these rights—rights which permit this Nation to grow and to improve—and to do it peacefully and with regard for the rights of all. Only death could have taken this protector of the Republic from us. That is what Hugo Black dedicated his life to—a free nation of free men.

AN UNREASONABLE DECISION

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Tuesday, October 5, 1971

Mr. GRIFFIN. Mr. President, last week, a Federal judge ruled that the Detroit school system, which has been in-

tegrated for many years, is guilty of de jure as well as de facto segregation. It now appears that this ruling may lead to an order requiring the busing of students across municipal and even county lines in the metropolitan Detroit area.

I ask unanimous consent that a well reasoned editorial published in the Detroit News of September 29, 1971, be printed in the RECORD.

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

#### IT IS UNREASONABLE

U.S. District Judge Stephen Roth's ruling this week on Detroit school integration was an unreasonable and impractical decision which opens a Pandora's box of strife and confusion for this and surrounding communities.

Everybody knows by now that deliberate segregation of schools in this country is unconstitutional. But the U.S. Supreme Court expects lower courts and school boards to use good sense and restraint in identifying and correcting illegal segregation.

It is nonsense to say that Detroit deliberately and willfully operates a segregated school system. Obviously, there are segregated schools here but Judge Roth himself acknowledges the essential reason.

"The principal causes undeniably have been population movement and housing patterns," he writes in one section of his ruling. "Residential segregation within the city and throughout the larger metropolitan area is substantial, pervasive and of long standing," he writes in another.

He adds in each instance that official actions and failures to act have bolstered and preserved a segregated system in violation of the Constitution. He fails to distinguish clearly between de jure, or legislated, segregation and de facto segregation, which is not necessarily unconstitutional.

Detroit school officials through the years have done what was practical and necessary to keep the schools operating and to get each student into a school reasonably near his home. In the main, we see no sinister purpose.

Indeed, the most eloquent testimony to the good faith of the Detroit board with regard to the racial question is offered by Judge Roth, himself.

A large portion of his ruling is devoted to an elaborate, step-by-step proof that the board has gone to great lengths to integrate the district's school facilities. "The Detroit School Board has, in many other respects," he adds, "undertaken to lessen the impact of the forces of segregation and attempted to advance the cause of integration."

Thus, the weight of Judge Roth's own logic is against the conclusion he finally reached.

Although Judge Roth did not rule on a motion which would involve 85 other school districts in Wayne, Oakland and Macomb counties in the question of achieving racial balance in Detroit, he certainly left the door open to such involvement. He suggested that those asking for the inclusion of the 85 districts might want to amend their proposal and "resubmit it as a comprehensive plan of desegregation."

It sounds like an invitation for a comprehensive plan of chaos. Judge Roth appears to contemplate rushing into a whole new and uncharted area of school integration.

If a distant, suburban district is to be integrated with Detroit, can't that distant district fairly inquire whether it shall be given the chance to vote in the Detroit school district? Will there be integration without representation?

If this theory of comprehensive integration were carried out in a city such as Washington, D.C., logic would dictate that the plan reach across District of Columbia boundary

lines into sovereign states. Where does it all lead, and where does it all end?

Recently, Chief Justice Warren Burger, observing the zeal of some lower courts in the use of bussing as a method of achieving school integration, circulated a reminder that the court requires not absolute racial balance but reasonable efforts to achieve it. It seems that Judge Roth failed to get the message.

#### ADDRESS BY EDWARD J. DRISCOLL BEFORE THE INTERNATIONAL AVIATION CLUB IN WASHINGTON, D.C.

#### HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. ADAMS. Mr. Speaker, Mr. Edward J. Driscoll, president of the National Air Carrier Association, recently addressed the International Aviation Club on the subject, "Sanity in the Air—An Impossible Dream?" In his address, Mr. Driscoll declared that it is time to lay aside the divergent views of special interest and "to come to some consensus on what is best for all elements of the air transportation industry and the American public." It is an address containing challenges to Mr. Driscoll's own industry and one which each Member of the House might likely find both provocative and informative:

#### SANITY IN THE AIR—AN IMPOSSIBLE DREAM?

(By Edward J. Driscoll)

In looking at the title I selected for this talk several weeks ago, I begin to wonder if I might not have the gift of ESP.

For the events and actions of recent days could make one believe that "Sanity in the Air" is truly an impossible dream.

It is really ironic that an industry like ours, so advanced in technology, could have become so irrational and self-destructive.

All of us associated with the International Aviation Club can be proud of the role we play in a 20th century industry that has become the keystone of the world's transport system. We are proud to play a socially significant role in bringing the people of the world closer together and in transporting the products of industry and agriculture to every corner of the globe. But I dare say that we are not equally proud of the evolving practices which make us appear like peddlers in a Casbah bazaar, apparently with little worry as to the morrow.

Let me make it clear from the outset that when I chose the title for my talk, I did not anticipate the so-called "transatlantic rate war." I say "so-called" deliberately because to my mind the situation that some of my scheduled airline friends consider "fun and games" is nothing more than an outright plan to eliminate effective competition in air transportation. This was made clear when Lufthansa admitted that it would lose money during the first year of operation under its recently announced new fare structure.

The charter airlines favor low fares. We introduced them. We promoted them. We built our success on the conviction that the consumer has the right to the lowest cost of air transportation that could be provided by the carrier—without burdening other classes of passengers, without government subsidy—while still earning a fair and reasonable profit. It's history. It's a fact.

The latest fare announcements are merely outward symptoms of a much deeper problem. Even without them, we still feel that psychiatric advice is needed by an industry that refuses to take rational actions to cure its ills.

Perhaps we were so successful in riding the crest of a new and booming business that we never took the time to learn how one operates a public service business; how new markets are developed; and how one must operate within a budget. Isn't it time to forget the "glamor" of aviation, to put aside the notion that we're in show business, to stop dealing in such irrelevancies as live entertainment in 747 lounges, gourmet meals, exotic wines, and get about the business of air transportation? Isn't it about time that we thought less about pirating the other guy's customers and thought more about that vast and untapped market of Americans who have not yet been exposed to the advantages of safe, dependable and low-cost air transportation?

Let me cite some examples of the kind of irrational behavior that we accept as normal in the air transportation industry.

Is it rational that a youth or student pay less than another passenger for his transportation? Does he take less room? Does he eat less? Does it really cost less to furnish him air transportation or is the adult in the next seat paying an unnecessary premium to make this bargain possible? Think for a minute. Does he pay less for his typewriter, or his clothes, or his records? Are his tuition fees lower than those of an adult who goes to night school? The answers are no. Now it can be argued—with justification—that it is socially desirable for young people to have the educational experience of international travel. But we all know that these opportunities are already available, through student charters pioneered by the supplemental carriers. Each student pays his pro-rata share of the cost for such flights. These types of charters are available to students through their schools and through other arrangements, by scheduled and supplemental carriers. If we are going to furnish below-cost fares as a social service, why not provide them to our senior citizens? Why not increase rates again so that discounts can be given to low-income workers?

If student and youth fares are to be allowed, shouldn't we at the same time adopt the regulations which are followed in Europe, where all students are able to participate in charters without the necessity of adhering to any affinity regulations.

Is it rational behavior to create a fare structure that tells consumers that the longer they stay abroad the cheaper the fare, while at the same time announcing that they can secure reduced rates on domestic transcontinental travel of four days or less? It's Alice in Wonderland for the travel agent who tries to explain this to one of his customers. If it costs the airline less to carry the passenger who goes abroad for 14 to 28 days, and even less for those who have 29 to 45 days to spend abroad, a reasonable person would expect to travel free if he spends a year abroad. And if he is informed about our dollar drain and the Visit USA program, how can he understand a policy that encourages longer trips abroad but penalizes him if he wishes to take more than a four day trip across his own country?

Is it rational to tell the customer who wishes to purchase a fixed price Inclusive Tour to a particular vacation spot that government regulations require a minimum stay of 7 days, 3 overnight stops—50 miles apart even though he wishes to visit one particular vacation area. Yet that is what is required if he is to be eligible for the savings of an ITC—an inclusive tour charter. With our holidays now falling on Monday, these archaic rules make it impossible for us to exploit the vast potential of three-day holiday trips. We pride ourselves in the United States in being



a progressive industry, yet in Europe a gigantic inclusive tour industry has been built on the ability of charter carriers there to offer short tour packages to a single destination.

Is it rational for U.S. charter carriers to be subject to daily bureaucratic whims of foreign civil aviation authorities concerning landing and uplift rights when governments protect the rights of scheduled carriers through bilateral agreements? Why isn't the American citizen who carries a valid passport and visa and who chooses to travel on a charter flight given the same government protection as his neighbor who travels on an individually ticketed basis on a route carrier?

Look at the situation that exists in so many foreign countries with regard to landing and uplift rights for U.S. supplemental air carriers. Now, I ask you, is there really any rational basis for giving preferential treatment to a charter operated by a scheduled carrier over one operated by a supplemental airline?

Neither are covered by any inter-governmental agreement. But, in most cases, a scheduled carrier can fly a charter between points A and B merely by filing notice, whereas the charter carrier must obtain prior approval for each and every flight—with no guarantee that approval will be granted in any given instance. How long can the United States go on being "Mr. Nice Guy," handing out licenses and permits on a non-reciprocal basis—providing foreign carriers with five year operating permits for charters, while U.S. carriers must ask permission for each and every flight to those same countries. Where is the reciprocity? By what stretch of the imagination can this be considered good for the United States, or even good for world aviation?

We must, therefore, come up with a system whereby permits for charter services, whether performed by independents, IATA carriers, or their charter subsidiaries, are provided for in bilateral agreements covering air transport services between respective countries.

Is it rational for our government to allow foreign charter carriers the right to carry transatlantic cargo to or from the United States, while at the same time prohibiting its own charter carriers—the U.S. supplemental airlines—from transporting a single pound of commercial cargo on transatlantic flights? Why can't we develop a cargo industry that will be truly responsive to the needs and cost requirements of American shippers?

Let's not take piecemeal action such as restricting the right of air freight forwarders to charter. Before we take precipitous action, let's analyze the whole structure and system and develop a program for expanding the cargo market—for I believe a balanced system requires not only an individually way-billed system but equally an efficient cargo charter system.

Is it rational to have non-IATA charter subsidiaries of IATA airlines? Lufthansa, BOAC, KLM, and others have formed such companies. What kind of relationship can we expect to see between these non-IATA "daughter" carriers and their IATA fathers. I have chosen the father-daughter analogy carefully, because I have the feeling that these young things are going to be well-protected and well-cared-for by their doting parents. Will these "subsidiary" charter carriers be permitted to operate without restriction in the United States while the governments that spawned them practice an exclusionary policy against the U.S. charter airlines that have Presidential approval to operate internationally.

I am not in any way opposed to scheduled carriers operating charter flights, and governments certainly should not try to dictate to any country what type of carrier should be used to perform its transportation services.

Just who is going to get reciprocal rights when these non-IATA daughter carriers start

operating in and out of the U.S.? Certainly not Pan Am and TWA. They are expressly prevented by law from establishing any kind of non-scheduled subsidiary. And you can rest assured that foreign governments aren't planning to voluntarily grant reciprocal rights to the U.S. supplementals. Reciprocity must be obtained if these carriers are to be permitted to operate into the United States.

One of the things that troubles me most is that in any given situation, more often than not, it's the U.S. carriers—and I'm talking about scheduled airlines as well as supplementals—who come out with the short end of the stick.

Is it rational to force consumers to join an organization before they can secure the benefits of low-cost charter travel? Would it not make more sense to allow any group of individuals to band together to buy bulk transportation at plane load rates? The CAB has moved in this direction in its non-affinity charter proposal, which we hope soon will be adopted.

Is it any wonder then that I question whether sanity in the air is an impossible dream?

The latest thrust, and I am sure that we may be in for more of the same, is that of the comic strip's Red Baron who advertises his "Everybody's Fares." If it is truly everybody's fare, why does the businessman or government traveler who cannot stay abroad for 14 days or more have to pay double the price for the same transportation?

I might remind the U.S. scheduled carriers who will have to match this fare that the Red Baron is eligible for a subsidy from his government . . . and when the damage has been done, and they count their losses for '72, it will do them no good to run around like Snoopy, shouting, "Curse you, Red Baron!"

Our industry's basic problem is that it still does not understand that the consumer will support an everybody's fare that really is fair to all; that does not discriminate on the basis of length of stay, time of year, day of week, time of day, and age of passenger. Once the scheduled airline industry recognizes this and comes up with a low-cost, across-the-board rate structure in which the cost of service is borne equitably among all the passengers, I believe that regularly scheduled service will again begin to prosper.

The Department of Transportation recognized this principle in its recent opposition to youth fares. It said, in essence, that if the youth fare is not discriminatory, then it must be predicated upon reasonable cost. If it is, why not make it available to everybody? You can bet that if they did make it available to everybody, the airlines would accelerate their losses. You can't continue to amass the kind of losses that they have been suffering in recent years—and which some are going to experience in 1971—and then expect that a lower yield per passenger will put you in the black.

The IATA carriers apparently do not recognize what was so well stated in the President's International Air Transportation Policy, namely that there is a need for two separate and distinct types of air services to move goods and passengers. These are the scheduled and the charter services. There is a need for both in a properly balanced system of air transportation.

Ladies and Gentlemen:

It is time for a return to reason.

It is time to forget the past, to dispense with "traditional" solutions to our problems, and to start finding answers that do more than shuffle passengers back and forth from one class of service to another, or from one class of carrier to another. We are just kidding ourselves if we think that is any way to fill the empty seats that have resulted from the vastly increased capacity of the past few years.

It is time for action.

As you know, Senators Magnuson and Can-

non have announced that hearings on international air fares and other matters will be held on October 19, 20 and 21. In thirty days, the Senate Commerce Committee will hear the views of government, industry and the public.

In the past, the divergent views of every special interest have often side-tracked vital legislation. In the present crises, I believe that all of us have a higher duty. We have the duty to come to some consensus on what is best for all elements of the industry and the American public. More of the same old claims and counterclaims will only serve to prevent constructive action.

Therefore, I respectfully request that responsible government leadership bring all parties to the conference table. Let's make the maximum use of the next thirty days to assess the views of government—the CAB, the Department of Transportation and the Department of State; the industry—both scheduled and supplemental carriers; and the consumer of our services—the traveling public.

First, let's get an overview of our problems and the proposed solutions. Let's stop taking piecemeal action.

Then, let's see if we can agree on a plan, a program, and what needs to be done by Congress, the executive branch and the industry.

I'm not talking about another study designed to gather dust in government archives. I believe a properly designated representative group given a mandate for action, and irrevocable deadlines, can overcome parochialism and bring back some sanity in our air transportation system. We will all have to make some concessions if we are to right our ailing industry and restore it to its proper role in world aviation.

All of us will have our own ideas for consideration by this blue-ribbon panel. For my part, I would suggest that it consider the following five-point program.

First, broaden the base of air travel for both the scheduled and supplemental transportation systems. For example, this can be accomplished by the introduction of one-stop inclusive tour charters, non-affinity charters, and properly structured individually-ticketed promotional systems designed to reach the untapped markets which now exist. Markets such as low-income groups, the weekend holiday set, ski charters within the U.S. and the like. Let's make the three-day weekend really mean something. Let's develop two vacations a year rather than one. Let's not only make the people air-minded, let's make them air travelers.

Second, create a balanced air transport system which recognizes retail and wholesale concept of air transportation, and that individually ticketed and charter—or bulk—services are complimentary. Basic to the establishment of such a system would be a greatly simplified and rational fare structure. Adoption of two basic elements, cost and service, should be the guiding criteria in setting figures that benefit both the public and the airline industry.

Third, safeguard the U.S. market, which is the largest air transport market in the world into which all countries enjoy traffic-generating operations. Give the Civil Aeronautics Board adequate authority to deal with complex and destructive loss leader fares proposed or filed as tariffs by international scheduled carriers. Foreign scheduled carriers, of course, are protected by their governments and are subsidy eligible.

Fourth, recognize that landing rights are government rights, not carrier rights. Each government has the right to designate and certificate the carriers which will provide the services for its country. Once designated and certificated by the President, attempts to frustrate these rights must be vigorously opposed.

Rights into the country should not be granted under the bilateral agreement or

pursuant to a permit, except on a satisfactory record that insures reciprocal rights to U.S. designated and certificated interests.

Permits must be conditioned to terminate rights granted by the U.S. should reciprocal rights be withdrawn!

And fifth, protect the consumer's right to reasonably priced air transportation and guarantee that his rights to free movement are not inhibited or abridged by reason of arbitrary and anticompetitive rules or regulations rife against a particular class of carrier. Insure that the consumer is adequately represented in fare-setting and other regulatory proceedings.

I make no claim that these five points offer an all-inclusive cure to the current problems of the aviation industry. They merely represent my perspective. The blue-ribbon panel I have proposed should examine and assess everyone's ideas, for there are no pat solutions. All of us must recognize the claims of others. But above all, we must realize that our first priority is the perfection of a sound and balanced air transportation system that meets the needs of all travelers and all shippers.

I know the thirty day time-limit I have suggested may sound like an unrealistic deadline. But we are faced with a rate war in which there can be no victors. We are in a crisis situation that calls for emergency measures.

I think we owe it to the future of world aviation to make this effort.

#### SNAKE RIVER BIRDS OF PREY NATURE AREA

#### HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, October 5, 1971

Mr. CHURCH. Mr. President, during the congressional recess I had the opportunity to attend the dedication of a sanctuary for the golden eagle and the prairie falcon in the Swan Falls area of Idaho. The Department of the Interior's Bureau of Land Management has dedicated 26,266 acres of land along the Swan Falls reach of the Snake River Canyon as a sanctuary for these rare and valued birds of prey. This area of Idaho has the largest concentration of golden eagle aeries in the United States and perhaps in the world. Similarly, the prairie falcon nests in profusion on the rugged cliffs of the Snake River Canyon.

Mr. President, I wish to commend the Department of the Interior for so recognizing our invaluable wildlife. It stands in marked contrast to the actions of those callous individuals responsible for the illegal destruction of eagles in Montana and Wyoming.

Mr. Bill Meiners, chief of the Division of Resources in the Bureau of Land Management State Office in Boise, Idaho, recently wrote an article entitled "Sanctuary for Birds of Prey" for the spring 1971 edition of the quarterly, *Incredible Idaho*. I ask unanimous consent that it be printed in the Extensions of Remarks.

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

SANCTUARY FOR BIRDS OF PREY: PAYMENT  
ON A PAST DEBT  
(By Bill Meiners)

Soaring high against the azure sky, that acrobatic speck is one of Idaho's native birds

of prey. Only by the immensity of its wing-spread can man identify these monarchs of the sky, each with its peculiar pattern of aerodynamics.

Remote and desolate along the Snake River is the unique Swan Falls area: a desert, river and cliff complex. This is in fact a sector which has been viewed by more people than possibly any other similar spot in the United States. The reason is that two nationally televised films have been made here: Disney's "Ida the Off-Beat Eagle" and the Wild Kingdom series, "The Valley of the Eagles."

The area is one of Idaho's hidden but priceless treasures appreciated by world renowned experts and viewed by millions of ordinary persons, all because of its unique characteristics which constitute one of the finest nesting areas for birds of prey in the entire world. Experts have appraised the area as priceless for what it is, namely, a wildlife sanctuary for raptors, specifically the golden eagle and the prairie falcon.

In this stretch of the Snake River both Sinker Creek and Castle Creek dump their waters into the mighty river confined in a turbulent sector where nature's forces have worked throughout eons of time.

Cliffs, eroded and worn away by the elements, rise almost perpendicularly into the air. Some are only 30 feet high, but others tower above the canyon floor perhaps 800 feet. The jagged roughness of the stone defies almost all but the experienced climber. It is said to be a drab area; however, a closeup shows a landscape in reality rich with subtle variations of earth colors.

When coupled with the general orientation of the canyon to the sun, the prevailing winds, and close proximity to water, this area comprises one of the finest habitats for birds of prey that is known to exist.

Morian Nelson, Idaho's world-renowned authority on eagles and birds of prey, says that southwestern Idaho has about 100 golden eagle aeries, probably the largest concentration in North America and possibly the entire world. Nelson is an employee of the Idaho State Office of the Department of Agriculture's Soil Conservation Service.

It is generally admitted that the golden eagle has no peer in its ability to soar freely through the heavens. This bird likewise can easily ride a hundred mile an hour wind which would flatten a man. When the golden eagle plummets from the sky in a dive, experts say it equals the peregrine, achieving speeds of 150 to 200 miles a hour. Even ordinary glides can average 120 miles an hour enabling the hunter to cover an amazing amount of territory. This bird has often been considered "king of the winds."

The height of its flying prowess is displayed during the mating season. It will rise in spirals, making headlong dives with half closed wings, and finish with a glorious upsweep. It will roll and dive at its mate; then as the birds approach each other at blinding speed the female turns over on her back and dips below at the last second, at which moment they touch talons. One eagle was seen hurtling straight down, as if in play, all the while spinning like a rifle bullet. Fortunate is the man permitted to witness these fantastic feats.

These magnificent birds of prey mate for life. When a pair of eagles inhabit the same aerie over a period of years they keep adding to it. The nest itself varies from 3 to 8 feet in diameter. The average life expectancy of golden eagles in the wild is about 10 years, rarely up to 20 years.

What is it about the eagle that has always fascinated man? Does it have some practical value? Man's relationship to the eagle is a strange paradox. He does not eat the bird, cannot clothe himself with eagle feathers; cannot concoct saving remedies from eagle chemistry.

The secret of the great paradox is simply that the noble bird personifies the true spirit of man—that divine spark which makes man Man. This bird represents courage,

pride in self, genuine freedom of spirit, strength to face life's woes, scorn for the base necessities of life if purchased at the expense of loss of dignity. Perhaps this explains why the North American Indian revered this bird of prey, why it held a place of honor in the lives of Roman emperors.

This canyon is one of the few places in the world today where the golden eagle can exist and multiply with some degree of certainty. The Swan Falls reach of the Snake River Canyon is then a place where people today should begin looking toward the future and the preservation of this regal creature which is sometimes referred to as "a living vibrant shadow of man's true self."

Another inhabitant of this area is the prairie falcon which has been put on the "rare bird" list by the Audubon Society. In this sector the prairie falcon outnumbered the golden eagle about 2 to 1. Forty-nine pairs of prairie falcons were sighted in the spring of 1970, which means that there is a nest of prairie falcons every 300 to 400 linear yards in the Swan Falls area of the canyon. While the eagles build nests upon hard-to-reach pinnacles, the smaller prairie falcon selects more recessed nooks and clefts.

To preserve this priceless heritage, reclaim this living environment, and to provide opportunity for this singular encounter with nature, the Department of the Interior upon the recommendation of the Bureau of Land Management has established a protective withdrawal of 26,255 acres of land along the Swan Falls reach of the river. This withdrawal is now designated a "Nature Area," a unique and exceptional sanctuary for rare birds of prey.

The timely recognition of this unique habitat and continuing research activities will assure perpetuation of these splendid birds and will provide scientific insight into the lives and habits of such birds of prey. The 150 million people throughout the world who have viewed the films made here will surely agree. Experts are unanimous in praising it as a natural situation for raptors.

The canyon has a beauty all its own. It provides rich research opportunities into the nature, lives, and habits of the golden eagles, prairie falcons, and other birds of prey. It is an ideal situation as a desert, river, and cliff complex to investigate and perhaps inaugurate a set of principles, difficult and elusive at best in the barely charted area of raptor management.

If the experience of another similar situation (Hawk Mountain near Dreherstown, Pa.) be used as a criterion, guided tours and stationary lookouts could prove a financial asset to the State and locale.

Something has been done, now, to preserve such an area: a priceless heritage. In the Swan Falls reach of the Snake River Canyon the Nation has made a payment on its debt to the past by establishing this sanctuary, for the golden eagle, for the prairie falcon... for man.

#### SEX DISCRIMINATION AUTHORIZED BY LAW IS UNCONSTITUTIONAL

#### HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mrs. GRIFFITHS. Mr. Speaker, laws which confer different rights, or impose different obligations or responsibilities, on persons solely because of their sex distort our daily lives with a pattern of sex discrimination that has no justification except ancient prejudices and stereotypes.



Sex discrimination in the law hurts both men and women. It is high time—indeed, it is long overdue—that all legalized sex discriminations be removed from the law. The Congress has already taken several steps in this direction. Here are some examples:

The Equal Pay Act of 1963 (29 U.S. Code 206) requires equal pay for equal work regardless of sex in jobs covered by the Fair Labor Standards Act.

Title VII of the Civil Rights Act of 1964 (42 U.S. Code 2000e-2) bars sex discrimination by labor unions, employment agencies, and employers having 25 or more employees.

The Act of November 8, 1967—Public Law 90-130—removed the legal ceiling on promotion opportunities for women in the Armed Forces.

The Act of January 8, 1971—Public Law 91-658—eliminated discrimination against male survivors of female Federal employees under the Civil Service Retirement Act.

The Act of August 5, 1971—Public Law 92-65—declares that no person shall be subjected to sex discrimination in any program or activity aided by the Public Works and Economic Development Act, and the Appalachian Regional Development Act.

The Act of August 11, 1971—Public Law 92-88—removed the "males-preferred-to-females" provisions from the District of Columbia Code governing appointment of administrators of decedents' estates.

There are literally hundreds, probably thousands, of laws and regulations of the Federal, State, and local governments—some blatant, some obscure—which lay like hidden traps in the law books to impose sex-based discriminations—usually against women, but also against men. That is why I hope the Congress will soon approve House Resolution 208, which I introduced, to adopt the equal rights amendment to guarantee that "Equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex." After Congress approves it, the amendment must be ratified by at least 38 States. House Resolution 208 provides that the amendment will become effective 2 years after such ratification.

Obviously, in the meantime we must resort, at Federal, State, and local levels, to both legislative action and case-by-case litigation to combat sex discrimination in our laws. I have long believed that the 14th amendment guarantee of "Equal Protection of the Laws" to "any person" should be applied by the courts to protect everyone against legalized sex discrimination in the same manner that the courts have extended this equal protection guarantee in the past two decades to protect people against discrimination based on race or ancestry.

There are now several cases in, or on their way to, the Supreme Court of the United States which squarely present this fundamental constitutional issue. The principal case now pending there is *Reed v. Reed*, No. 70-4, an appeal from the Supreme Court of Idaho which had upheld an Idaho statute requiring that whenever several persons apply for ap-

pointment as administrator of a decedent's estate, "males must be preferred to females". I have joined with five distinguished lawyers to file an amicus curiae brief in this case. Since it will help Members of Congress and the public to understand and follow the issues presented to the Supreme Court, I include our amicus brief in the *Reed* case at this point in the CONGRESSIONAL RECORD:

REED V. REED—No. 70-4, OCTOBER TERM, 1971  
JOINT BRIEF OF AMICI CURIAE AMERICAN VETERANS COMMITTEE, INC., NOW LEGAL DEFENSE AND EDUCATION FUND, INC.

#### INTEREST OF THE AMICI CURIAE

The American Veterans Committee, Inc. (AVC) is a nationwide organization of veterans who served honorably in the Armed Forces of the United States during World War I, World War II, Korean Conflict and Vietnam Conflict, and who have associated themselves, regardless of race, color, religion, sex, or national origin, to promote the democratic principles which they fought to preserve. AVC was founded in 1943 and its membership includes both men and women who participate in AVC's affairs in full equality.

The NOW Legal Defense and Education Fund, Inc. is the legal-aid arm of the National Organization for Women, Inc. (NOW), a nationwide organization of men and women who have associated themselves, regardless of race, color, religion, sex, or national origin, "to bring women into full participation in the mainstream of American society NOW, exercising all the privileges and responsibilities therein in truly equal partnership with men." One of NOW's objectives is "to isolate and remove patterns of sex discrimination, to ensure equality of opportunity in employment and education, and equality of civil and political rights and responsibilities on behalf of women, as well as for Negroes and other groups." (NOW's Statement of Purpose at Organizing Conference, Oct. 29, 1966.)

This case starkly presents for decision by this Court the issue whether a statute can constitutionally deny to women, solely because of their sex, a right which is granted to all others and the exercise of which is not materially relevant to the functional or structural differences of sex.

Arbitrary sex discriminations in our legal system resulting from ancient prejudices, assumptions and stereotypes have lingered on despite the mandate of the 14th Amendment's Equal Protection Clause. This is largely because various courts, like the Idaho Supreme Court in this case, have mechanically accepted the idea that since the common law treated men and women differently and since "men and women are not identical," any difference in the legal classification of men and women is constitutional no matter how irrelevant to the function of sex.<sup>1</sup> See footnote 12, *infra*. But such an approach has failed to recognize that their rights as "persons" are protected by the Equal Protection Clause from any discrimination not necessitated by the difference of sex.<sup>2</sup>

We believe that discriminations based on sex are, in most instances, as unjustifiable and as unconstitutional as the discriminations based on race which this Court has so roundly condemned. For the reasons stated below, we contend that the sex discrimination perpetuated by section 15-312 and 15-314, Idaho Code, violate the Equal Protection Clause of the 14th Amendment.

#### THE ISSUE

Does section 15-314 of the Idaho Code—which specifies that "males must be preferred to females" as between several petitioners for letters of administration who are

in the same preference class of entitlement to administer an estate—deny equal protection of the laws to a woman whose petition for letters of administration is denied, in favor of a male petitioner of the same preference class, solely because of that statute?

#### THE FACTS

Richard Lynn Reed, the adopted son of appellant Sally M. Reed and appellee Cecil R. Reed, died in March 1967, in Idaho. He left no will. His parents were his only heirs-at-law. Sally, as the decedent's mother, filed her petition for probate of his estate in November 1967. Before the time set for hearing on the petition, Cecil, the father, also petitioned for letters of administration. The probate judge appointed the father as administrator. His order noted that Cecil and Sally were equally entitled to letters of administration, because they were both in class 3 under section 15-312, Idaho Code (1948 ed.).<sup>3</sup> However, he ruled that the father was entitled to preference because another section (15-314) provides that, as between persons "equally entitled to administer" an estate, "males must be preferred to females."<sup>4</sup>

On Mrs. Reed's appeal, Judge Donaldson of Idaho's Fourth Judicial District Court reversed the probate court's order. He held that section 15-314 violated the Equal Protection Clauses of both the U.S. Constitution (14th Amendment) and the Idaho Constitution (Art. I, section 1), and remanded the matter to the probate court to determine "which of the two parties is best qualified to serve as administrator or administratrix of the estate."

On appeal by the father, the Idaho Supreme Court upheld the constitutionality of section 15-314 and reversed the district court. *Reed v. Reed*, 93 Ida. 511, 465 P.2d 635 (1970).

#### SUMMARY OF ARGUMENT

The mandatory priority which section 15-314, Idaho Code, gives to men over women when several persons of the same preference class apply for appointment as administrator of an estate is purely sex-based—"simply that and nothing more." Its discrimination is greatly similar to race discrimination:—Both are based on the assumption that women (racial groups) are inferior, and on a status thrust upon them by birth which they cannot change. Both lack necessary, fair, substantial and rational relationship to the objective of the statute. In both cases, the discrimination is imposed on "easily identifiable groups" which are grossly underrepresented in the decision-making processes, are easy targets of both public and private discrimination, and have a history of unduly slow progress toward legal and political equality in the face of considerable resistance; and the resulting legal distinctions have prolonged the inferiority status of both groups and, in fact, have reinforced it.

Any law imposing such discrimination is constitutionally suspect and subject to the most rigid scrutiny. Even if it were enacted pursuant to a valid state interest, it bears a heavy burden of justification and will be upheld only if it is necessary, not merely rationally related, to the accomplishment of a permissible state policy.

Uncritical acceptance of the notion that "sex *per se* is a valid basis for classification" has caused many courts to disregard the truism that a woman is a "person" entitled to the guarantee of Equal Protection. However, there is a growing judicial recognition that sex discrimination imposed by law is, in most instances, as unconstitutional as is race discrimination.

None of the rationalizations offered by the Idaho Supreme Court can constitutionally justify section 15-314. The assertion that the state law helps to avoid hearings to determine qualifications of competing applicants does not justify the invidious and arbitrary discrimination it imposes on women. Hear-

Footnotes at end of article.

ings will still be required not only to determine basic qualifications but also whenever the competing applicants are all male or all female. The discrimination is applied only against women when a male applicant seeks appointment. The asserted justification for the statute is thus so much more tenuous than many other justifications for invidious discrimination heretofore rejected by this Court as to be really fictional. It is plain that it would not be accepted if the statute had involved priority as between white and Negro applicants. It should not be accepted here where the necessary and rational relationship between the distinction (sex or race) and the permissible statutory objective is equally lacking.

The Idaho court's assumption that women are less qualified than men to act as administrators is inconsistent with the principle that constitutional rights must be protected for each person rather than averaged between groups. In addition, its assumption is contradicted by Census data showing that women are not so inferior in education, business experience, participation in civic matters, and talent. Furthermore, none of the precedents cited by the Idaho court support the constitutionality of the sex discrimination in sec. 15-314.

There, the decision below should be reversed, so that the probate court can determine which of the applicants "is best qualified to serve as administrator or administratrix of the estate."

#### ARGUMENT I. A WOMAN IS A "PERSON" ENTITLED TO EQUAL PROTECTION OF THE LAWS AGAINST INVIDIOUS DISCRIMINATION BASED ON SEX

We start with the truism that a woman is a "person" within the protection of the 14th Amendment. That Amendment forbids any State to "deny to any person . . . the equal protection of the laws," which, as this Court pithily put it 85 years ago, "is a pledge of the protection of equal laws." *Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886). This Court has recognized the applicability of the Equal Protection Clause to a woman in various types of cases not specifically involving sex discrimination. *E.g.*, cases involving racial discrimination: *Sipuel v. Board of Regents*, 332 U.S. 631 (1948) (Negro woman); *Brown v. Board of Education*, 347 U.S. 497 (1954) (Negro girl); *Adickes v. Kress Co.*, 398 U.S. 144 (1970) (white woman with Negroes); and even discriminatory state taxation: *Hillsborough v. Cromwell*, 326 U.S. 620 (1946) (wealthy Doris Duke Cromwell). But there has been far less recognition that invidious sex discrimination also violates the Equal Protection Clause.

A. A sex characteristic is rarely a proper basis for legislative distinctions. There must in addition, be a necessary and material relation between the legislative distinction and the legitimate objective of the legislation.

We agree, of course, that sex is a significant and fundamental difference between men and women. However, that difference does not provide a valid basis for making legal distinctions between men and women if the legal distinctions are not directly and materially related to the physical characteristics unique to one sex. Thus, a law relating to wet nurses, or regulating or restricting the donation of sperm, or concerning the provision of obstetrical services or voluntary maternity benefits, or punishing forcible rape, or imposing paternity responsibilities, or regulating certain homosexual acts, or permitting employers to discriminate on the basis of sex when they employ persons to model male, or female, clothing—would not violate the Equal Protection Clause simply because the law relates to one sex. This is because that law relates to a characteristic that is unique to one sex.

Where the law makes distinctions that are not based on characteristics obviously unique

to one sex, however, the Equal Protection Clause demands that the government justify the distinction as having a necessary relationship to a valid legislative objective. The relationship must be necessary, not simply conceivably possible. Indeed, even if a particular characteristic or activity is found more often, but not always, in one sex, to treat all members of that sex differently than all members of the other sex would violate the Equal Protection Clause.

The emphasis upon sex alone as the basis for the legal distinction ignores the fact that the characteristics or activity being legislated on are the same despite the sex of the individuals, and applies a sex distinction to a situation where sex is irrelevant to the legitimate purpose of the legislation. This is precisely what happens in a racial discriminatory law—race is made the basis for the distinction in treatment despite the fact that the activity being legislated on is the same for persons of all races. In such cases, this Court has not hesitated to strike down such laws because the distinction (race) has had no national bearing on that activity.

The guarantee of Equal Protection against invidious discrimination of race, or sex, rests upon a principle which was articulated with great precision by the Equal Employment Opportunity Commission in its regulations on sex discrimination in employment under Title VII of the Civil Rights Act of 1964 (29 Code of Fed. Reg. 1601.1(a)(11): "The principle of non-discrimination requires that individuals be considered on the basis of individual capacities and not on the basis of any characteristics generally attributed to the group." See *Weeks v. Southern Bell Tel. & Tel. Co.*, 408 F. 2d 228, 234-236 (C.A. 5, 1969); *Bowe v. Colgate-Palmolive Co.*, 416 F. 2d 711, 717-718 (C.A. 7, 1969).

The fact that there are many sex-based distinctions in American laws, customs and practices does not mean that biologic differences between the sexes give *carte blanche* constitutional immunity to every governmentally-imposed sex discrimination. On the contrary, a law with sex-based distinctions—which disregard individual abilities and capacities and are not rationally related to the factor of sex—results in the invidious discrimination which is condemned by the 14th Amendment's guarantee of "Equal Protection of the Laws."

The crux of this case is that although Idaho may constitutionally regulate the appointment of administrators of estates, it may not make a distinction between men and women which is not rationally related to the duties or functions of an administrator.

The 14th Amendment prohibits the State from making arbitrary and unreasonable classifications in connection with an activity the State may otherwise regulate.

This Court has often ruled that the "ultimate test of validity" of a classification is whether it has a fair and substantial relation to the object which the legislature seeks to accomplish—whether the statute has a rational basis—"whether the differences . . . are pertinent to the subject with respect to which the classification is made." *Asbury Hospital v. Cass County*, 326 U.S. 207, 214 (1945); *Metropolitan Casualty Ins. Co. v. Brownell*, 294 U.S. 580, 583 (1935); *McLaughlin v. Florida*, 379 U.S. 184 (1964); *Rinaldi v. Yeager*, 384 U.S. 304, 308-309 (1966); *Baxstrom v. Herold*, 383 U.S. 107, 111, 115 (1966). When a law singles out a distinct class of persons "for different treatment not based on some reasonable classification, the guarantees of the Constitution have been violated." *Hernandez v. Texas*, 347 U.S. 475, 478 (1954).

More than 70 years ago, this Court emphasized, in *Gulf, C. & S. F. Ry. Co. v. Ellis*, 165 U.S. 150, 155 (1897), that a classification "must always rest upon some difference which bears a reasonable and just relation

to the act in respect to which the classification is proposed, and can never be made arbitrarily and without any such basis." And this Court admonished that "arbitrary selection can never be justified by calling it classification." (*Ibid.* at 159). In order to be valid under the Equal Protection Clause "a statutory discrimination must be based on differences that are reasonably related to the purposes of the Act in which it is found." *Morey v. Doud*, 354 U.S. 457, 465 (1957); *Smith v. Cahoon*, 283 U.S. 553, 567 (1931). ". . . the classification must be reasonable, not arbitrary, and must rest upon some ground of difference having a fair and substantial relation to the object of the legislation, so that all persons similarly circumstanced shall be treated alike." *Royster Guano Co. v. Virginia*, 253 U.S. 412, 415 (1920).

This Court has repeatedly ruled that where a statutory classification adversely affects the rights of a person, the "classification which might invade or restrain them must be closely scrutinized and carefully confined." *Harper v. Virginia Bd. of Elections*, 383 U.S. 663, 670 (1966), and that the State must carry the burden of proving that the classification is rationally related to the objective of the statute. *Griswold v. Connecticut*, 381 U.S. 479, 484 (1965); *Bates v. Little Rock*, 361 U.S. 516, 524-527 (1960); *McLaughlin v. Florida*, 379 U.S. 184, 192 (1964); *Shelton v. Tucker*, 364 U.S. 479, 489 (1961). The State does not carry that burden by simply "a showing of equal application among the members of the class defined by the legislation;" in addition, "courts must reach and determine the question whether the classifications drawn in a statute are reasonable in light of its purpose." *McLaughlin v. Florida*, 379 U.S. 184, 191 (1964); *Carrington v. Rash*, 380 U.S. 89, 93 (1965). In making such determination, this Court has applied the severe standard of "necessary" to a statute which "trenches upon the constitutionally protected freedom from invidious official discrimination based on race. Such a law, even though enacted pursuant to a valid state interest, bears a heavy burden of justification, as we have said, and will be upheld only if it is necessary, and not merely rationally related, to the accomplishment of a permissible state policy." *McLaughlin v. Florida*, *supra*, at 196. (Emphasis supplied).

B. Sex and race discrimination are greatly similar and deserve similar constitutional treatment.

Most of the sex distinctions now present in many statutes are as irrelevant to the legislative purpose of the statute as were the governmental racial distinctions which this Court held unconstitutional in the past two decades.

There is great similarity between racial and sex discriminatory statutes. Each type generally reflects the ancient canards about the "inferiority" of women and Negroes (or oriental, or other proscribed race). See, e.g., Gunnar Myrdal, *An American Dilemma*, Appendix 5, pp. 1073-1078 (1944); H. M. Hacker, "Women as a Minority Group," 30 Social Forces 60 (Oct. 1951) (reprints available from U.S. Women's Bureau). Both women and racial minorities are "easily identifiable groups which have at times required the aid of the courts in securing equal treatment under the laws." *Hernandez v. Texas*, 347 U.S. 475, 478 (1954). Both are grossly under-represented in Federal, State and local formal decision-making processes. Thus, both are easy targets of both public and private discrimination. Secondly, the history of both women and racial minorities has been marked by unduly slow progress toward legal and political equality, often the face of considerable resistance from the dominant group. Thirdly, the resulting legal distinctions have



prolonged the inferiority status of both groups and, in fact, have reinforced it.

The special significance of both racial and sex discrimination imposed by law is that each is based on a status which was thrust upon the person without his or her volition and which he or she is powerless to change. It is fundamentally unfair, and therefore unjustifiable under the Equal Protection Clause, to impose a discrimination upon a person solely because of his or her inherited characteristics such as race, color, national ancestry or sex, unless there is a necessary, substantial and rational relationship between such a distinction and the legitimate purpose of the statute.

The long course of race litigation has rendered the courts sensitive to the fact that race generally lacks such necessary and rational relationship and hence is an invalid statutory distinction. *Ray v. Blair*, 343 U.S. 214, 226, footnote 14 (1952) ("... a requirement of color, as we have pointed out before, is not reasonably related to any legitimate legislative objective."); *Loving v. Virginia*, 388 U.S. 1 (1967).

The principle, however, is not limited to race. For example, the same principle has been applied to the status of illegitimate birth where the statute "created an insurmountable barrier" which prevented the child from suing for the death of the mother. *Levy v. Louisiana*, 391 U.S. 68 (1968); cf. *Labine v. Vincent*, 401 U.S. 532 (No. 5257, March 29, 1971) (upholding a statute denying an illegitimate child inheritance rights in the father's estate because the father, who had opportunity to do so, had not legitimated the child as required by state law). Another example of the same principle is *Robinson v. California*, 370 U.S. 660 (1962) which held that punishing a person solely because of his involuntary status, i.e., illness, is cruel and unusual punishment violating the 8th and 14th Amendments.

It is this principle—that it is fundamentally unfair to legislate against a person solely because of his or her birth—which underlies the doctrine that "legal restrictions which curtail the civil rights of a single racial group" are "constitutionally suspect", *Bolling v. Sharpe*, 347 U.S. 497, 499 (1954), and are subjected to "the most rigid scrutiny". *Korematsu v. United States*, 323 U.S. 214, 216 (1944); *Takahashi v. Fish & Game Comm.*, 334 U.S. 410, 420 (1948).

Because sex and race discrimination are so similarly based and motivated, they deserve similar constitutional scrutiny and treatment. Cf. *Skinner v. Oklahoma*, 316 U.S. 535, 541 (1942) (invalidating sterilization statute because it "made as invidious a discrimination as if it had selected a particular race or nationality for oppressive treatment.")

C. There is growing judicial recognition that sex discrimination imposed by law is unconstitutional.

Lack of systematic study of sex-based discriminations is perhaps the principal reason why the courts have been less vigorous in recognizing that irrational governmentally-imposed discrimination is as great an evil, and as unconstitutional, when it is sex-based as when it is race-based. It is only since the mid-sixties that the nation has begun to examine the extent of sex discrimination in our laws and practices and its grievous impact upon the rights and welfare of people (principally women, and in some instances men).<sup>4</sup>

Nevertheless, there is already a considerable body of judicial decisions invalidating various forms of sex discrimination on the ground that the Equal Protection Clause is violated by:

A statute requiring that women convicted of crime be sentenced to longer term than men convicted of the same crime; *Commonwealth v. Daniel*, 430 Pa. 642, 243 A.2d 400

(1968); *United States ex rel. Robinson v. York*, 281 F. Supp. 8 (D.C. Conn. 1968) (adults); *United States ex rel. Sumrell v. York*, 288 F. Supp. 955 (D.C. Conn. 1968) (minors); *Liberti v. York*, 28 Conn. Sup. 9, 246 A.2d 106 (1968).

A statute requiring imprisonment of women in penitentiaries for a crime that would put a man into only a local county jail; *Commonwealth v. Stauffer*, 214 Pa. Super. 113, 251 A.2d 718 (1969).

A statute punishing women, but not men, for engaging in the same immoral conduct; *City of Portland v. Sherrill*, No. M-47623, Circ. Ct. Multnomah County, Ore. (Jan. 9, 1967).

A statute barring women from serving on state juries; *White v. Crook*, 251 F. Supp. 401, 408 (D.C. Ala. 1966).

The refusal by a licensed tavern owner to admit women patrons; *Seidenberg v. Old McSorley's Ale House*, 308 F. Supp. 1253, 1260 (D.C. N.Y. 1969); *Ibid.*, 317 F. Supp. 593 (1970).

A statute barring women police officers from taking exam for promotion to police sergeant; *Shpritzer v. Lang*, 17 App. Div. 2d 869, 234 N.Y. Supp. 2d 285, 291 (1962), *aff'd*, 13 N.Y. 2d 744, 241 N.Y. Supp. 2d 869, 191 N.E. 2d 919 (1963).

A statute imposing inheritance taxes on property when devised by husband to wife, but not when devised by wife to husband; *In Re Estate of Legatos*, 1 Calif. App. 3d, 657, 81 Calif. Rptr. 910 (1969).

Judicial refusal to recognize a woman's right to sue, as a man may, for loss of consortium resulting from tortious injury to the spouse; *Owen v. Illinois Baking Co.*, 260 F. Supp. 820, 822 (D.C. Mich. 1966); *Karczewski v. Baltimore & Ohio R.R. Co.*, 274 F. Supp. 169 (D.C. N.D. Ill. 1967); *Millington v. Southeastern Elevator Co.*, 22 N.Y. 2d 498, 239 N.E. 2d 897 (1968); *Cf. Miskunas v. Union Carbide Corp.*, 399 F. 2d 847, 850 (C.A. 7, 1968), *contra*, *cert. den.* 393 U.S. 1066 (1969).

The refusal by the University of Virginia to admit women as students; *Kirstein v. Rector and Visitors of University of Virginia*, 309 F. Supp. 184 (D.C. Va. 1970); *Cf. Williams v. McNair*, 316 F. Supp. 134 (D.C. S. Car. 1970), *aff'd*, 40 U.S. 951 (No. 1133, O.T. 1970, March 8, 1971) (upheld South Carolina statute limiting its Winthrop College to women students).

Although there have been a number of earlier decisions by this Court which rejected 14th Amendment challenges to certain forms of sex discrimination, none of them justifies the invidious discrimination perpetrated by section 15-314, Idaho Code.

For example, *Bradwell v. State*, 16 Wall. (83 U.S.) 130 (1873) and *In re Lockwood*, 154 U.S. 116 (1894) held that States may deny women the right to practice law, and *Minor v. Happersett*, 21 Wall. (88 U.S.) 162 (1874) upheld a Missouri statute restricting voting to male citizens. This Court's opinions in those cases discussed only the Privileges and Immunities clause. But if the challenge had been based on the Equal Protection Clause it would have fared no better, in view of the philosophy so plainly expressed by Justice Bradley, Field and Swayne in the *Bradwell* case (p. 141) as follows:

"... the civil law, as well as nature herself, has always recognized a wide difference in the respective spheres and destinies of man and woman. ... The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. The constitution of the family organization, which is founded in the divine ordinance, as well as in the nature of things, indicates the domestic sphere as that which properly belongs to the domain and functions of womanhood. ... The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator."

Decisions like *Bradwell*, *Lockwood*, and *Minor* would certainly not be repeated today. When this Court on February 23, 1971, prevented Arizona from denying to Mrs. Sara Baird, a person with the requisite qualifications of legal learning and moral character, the right to practice law (*Baird v. State Bar of Arizona*, 401 U.S. 1, No. 15), this Court cited *Schwartz v. Board of Bar Examiners*, 353 U.S. 232, 238-239 (1957) which held that the Equal Protection clause protects such right. See also *Konigsberg v. State Bar of California*, 353 U.S. 252, 262 (1957). And in *Gray v. Saunders*, 372 U.S. 368, 379 (1963), this Court stated that the Equal Protection Clause requires equality in voting rights as between men and women and forbids a State from giving greater weight to votes by men than to votes by women.

Another example of an earlier decision which, we believe, would not be repeated today is *Gosselin v. Kelley*, 328 U.S. 817 (1946). It "dismissed for want of a substantial Federal question" an appeal from *Ex parte Gosselin*, 141 Me. 412, 44 A. 2d 882 (1945) wherein the Maine Supreme Court upheld a state statute authorizing imprisonment for 3 years of a woman convicted of a misdemeanor (intoxication in a public place), whereas the maximum term for a man convicted of the same crime would not have exceeded 2 years.<sup>5</sup> Compare the *Daniel*, *Robinson*, *Sumrell*, *Liberti*, *Stauffer*, and *Sherrill* decisions cited above.

Section 15-314, Idaho Code, can get no comfort from this Court's decisions upholding statutes prohibiting employers from employing women for more than a certain number of hours per day,<sup>6</sup> or for night work,<sup>7</sup> or in certain occupations.<sup>8</sup> Most of these decisions were based on the supposition that the different treatment prescribed for women would be beneficial to them. Now, however, there is widespread belief that those laws and decisions were based on erroneous assumptions and therefore resulted in invidious discrimination. Murray and Eastwood, "Jane Crow and the Law: Sex Discrimination and Title VII," 34 *Geo. Washington L. Rev.* 232 (Dec. 1965); Hearings, Equal Employment Opportunity Commission (May 2 and 3, 1967); Hearings on Equal Rights Amendment cited in *fn. 6 supra*; *Mengelkoch v. Industrial Welfare Comm.*, 39 U.S. Law Week 2419 (C.A. 9, Jan. 11, 1971) (Advance Sheets, 437 F. 2d 563).

In any event, none of this Court's decisions has expressly postulated that sex *per se* is a sufficient basis for legislative classification treating women differently, or more restrictively, than men.<sup>9</sup> Rather, the opinions in those cases went to considerable lengths to define the pertinencies of the classifications to valid and reasonable objectives which the legislatures sought to accomplish. They were based on findings or assumptions that there then was, in fact, such rational and pertinent relationship and therefore that the statute comported with the standards by which legislative classifications must be measured and tested under the Equal Protection Clause. No reasonable and rational relationship exists between the sex classification and any valid legislative objective concerning the appointment of the administrator for an estate.

## II.

Section 15-314, Idaho Code, perpetuates an invidious and unjustifiable discrimination against women, solely because of their sex, and therefore is invalid under the equal protection clause.

The Idaho Supreme Court, acknowledging that the 14th Amendment "prohibits classifications which are arbitrary and capricious" (465 P.2d at 637), sought to justify the sex distinction in section 15-314 on three grounds. None of them has merit.

A. The argument that the sex classification in section 15-314 serves the purpose of avoiding hearings to determine qualifications

Footnotes at end of article.

of competing applicants for appointment as administrator does not justify the invidious and arbitrary discrimination it perpetrates against women.

The Idaho court pointed out (a) that section 15-312, which classifies the persons entitled to appointment as administrator, is a rational classification because it is based generally on "their relationship to a decedent" and is "in accord with the law as to the intestate succession of property in Idaho";<sup>12</sup> and (b) that since the court generally appoints only one administrator, "the court is faced with the issue of which one should be named." (465 P.2d at 637-38). The court then stated:

"... By I.C. section 15-314, the legislature eliminated two areas of controversy, i.e., if both a man and a woman of the same class seek letters of administration, the male would be entitled over the female, the same as a relative of the whole blood is entitled over a relative of the same class but of only the half blood. This provision of the statute is neither an illogical nor arbitrary method devised by the legislature to resolve an issue that would otherwise require a hearing as to the relative merits as to which of the two or more petitioning relatives should be appointed.

"Philosophically it can be argued with some degree of logic that the provisions of I.C. section 15-314 do discriminate against women on the basis of sex. However nature itself has established the distinction and this statute is not designed to discriminate, but is only designed to alleviate the problem of holding hearings by the court to determine eligibility to administer. This is one of those areas where a choice must be made and the legislature by enacting I.C. section 15-314 made the determination.

"The legislature when it enacted this statute evidently concluded that in general men are better qualified to act as an administrator than are women. . . ."

The foregoing rationale not only misapprehends the issue, but is also quite misleading. The fact that the court must make a choice between competing applicants for appointment as administrator, does not *ipso facto* authorize making that choice by an arbitrary and discriminatory classification.

Furthermore, the sex discriminatory classification made in section 15-314 does not go very far "to alleviate the problem of holding hearings by the court to determine eligibility to administer." First, the court must in every case make the determinations required under section 15-317, Idaho Code, which provides:

"15-317. Disqualifications.—No person is competent to serve as administrator or administratrix who is:

1. Not a bona fide resident of the state;
2. Under the age of majority;
3. Convicted of an infamous crime;
4. Adjudged by the court incompetent to execute the duties of the trust by reason of drunkenness, improvidence or want of understanding or integrity."

Second, whenever petitions for appointment are filed by two or more persons of the same class, each of whom meets the competency requirements of section 15-317, and they are either all male, or all female, the court must determine which petitioner is better qualified for appointment. Such determinations will in most cases require "holding hearings by the court." The only instance in which the "problem of holding hearings" is "alleviated" by section 15-314 is where all applicants are clearly competent and female applicants are competing with male applicants. It is apparent that the objective of avoiding hearings which is supposedly sought by section 15-314 is a highly fictional objective, except where its effect is to discriminate against women on the basis of sex. Thus, the discrimination "is defined wholly in terms" of sex—"simply that and

nothing more." *Shelley v. Kraemer*, 334 U.S. 1, 10 (1948).

Even if the supposed objective of avoiding hearings provides "some remote administrative benefit to the State," *Carrington v. Rash*, 380 U.S. 89, 96 (1965), such "benefit" does not justify the invidious discrimination it inflicts on women without regard to their qualifications to administer an estate. That supposed objective, indeed, is much more tenuous and farfetched than most of the various kinds of legislative justifications that have been often urged by those defending racially discriminatory statutes and uniformly rejected by this Court. For example:

*Oyama v. California*, 332 U.S. 633 (1948). The state statute created the presumption that a conveyance of land, financed by an alien father whose Japanese ancestry made him ineligible to hold it and recorded in the name of his citizen son, violates the state law prohibiting ownership of land by aliens. This Court held that such presumption, applicable only to conveyances by persons of Japanese ancestry, violates the Equal Protection Clause despite the asserted need to prevent evasion of State law concerning alien ownership of land.

*Takahashi v. Fish and Game Comm.*, 334 U.S. 410 (1948). The State statute barred resident aliens of Japanese ancestry, but not other aliens, from working as commercial fishermen. This Court held the statute violates the Equal Protection Clause despite the asserted needs to conserve fish in coastal waters and to protect State citizens engaged in commercial fishing from the competition of Japanese aliens.

*Buchanan v. Warley*, 245 U.S. 60, 81 (1917). The racial zoning statute violated the Equal Protection Clause despite the asserted need to maintain "purity of the races" and "preservation of the public peace."

*Shelton v. Tucker*, 364 U.S. 479 (1960). A statute requiring teachers to file annual affidavits listing all organizational associations violated the 14th Amendment despite the State's asserted need to inquire into the fitness and competency of state employees.

*McLaughlin v. Florida*, 379 U.S. 184, 193 (1964). The statute forbidding unmarried interracial couples, but not couples of the same race, from occupying the same room at night violated the Equal Protection Clause despite the State's asserted need to control illicit extramarital and premarital promiscuity.

In 1968, this Court ruled that a Louisiana statute which denied a civil cause of action to illegitimate children for the wrongful death of their mother (*Levy v. Louisiana*, 391 U.S. 68), and to a mother for the wrongful death of her illegitimate children (*Glover v. American Guarantee Co.*, 391 U.S. 73), while allowing such cause of action when the children are legitimate, creates invidious and irrational discrimination which violates the Equal Protection Clause. In both cases, this Court rejected the argument that the statute can be justified on the State's purpose to "discourage bringing children into the world out of wedlock" and thus prevent "sin." (at pp. 70 and 75).

It has been the consistent practice of this Court, particularly where a statute restricts or discriminates against a person's constitutional rights rather than simply applying to business classifications, to "weigh the circumstances and . . . appraise the substantiality of the reasons advanced in support of the" restriction or discrimination. *Schneider v. State*, 308 U.S. 147, 161 (1939); *Thornhill v. Alabama*, 310 U.S. 88, 96 (1940). On such weighing and appraisal, it is plain that the alleged purpose of avoiding a hearing to determine whether a man or a woman is more qualified to administer an estate does not justify the discrimination against women that is perpetrated by section 15-314, Idaho Code. Could anyone suppose, if section

15-314 had given priority of appointment as administrator to white persons over Negroes, that this Court would uphold the statute because it alleviates the problem of holding hearings to determine their respective qualifications as administrator?

B. The legislative determination that women are less qualified than men to act as administrators is constitutionally insufficient to justify section 15-314.

The Idaho court's statement—that the legislature "evidently concluded that in general men are better qualified to act as an administrator than are women"—instead of shielding the statute against the withering condemnation of the 14th Amendment, simply lays bare the statute's fatal weakness as an "arbitrary and invidious" discrimination which necessarily violates the Equal Protection Clause. This Court has uniformly and repeatedly held that the right to be free from irrational governmentally-imposed discrimination is a "personal" right, not one to be merged with those of all others of the same class and balanced against the claims of those in a different group, where the differences between the groups are not rationally related to the statutory objective. *Henderson v. United States*, 339 U.S. 816, 825-826 (1950); *Shelley v. Kraemer*, 334 U.S. 1, 22 (1948); *Mitchell v. United States*, 313 U.S. 80, 97 (1941); *Buchanan v. Warley*, 245 U.S. 60, 80 (1917); *McCabe v. Atchison, T. & S. F. Ry. Co.*, 235 U.S. 151, 161-162 (1914); *Missouri ex rel. Gaines v. Canada*, 305 U.S. 337, 351 (1938).

Can there be any doubt that this Court would summarily strike down this statute if it had given priority to white persons over Negro persons, even though it is still probable that this country has more white persons than Negroes qualified to act as administrators of estates?

The Idaho Supreme Court admitted that classifying all men as "better qualified to act as an administrator than are [all] women" "may not be entirely accurate, and there are doubtless particular instances in which it is incorrect, [but] we are not prepared to say that it is so completely without a basis in fact as to be irrational and arbitrary." 465 P.2d at 638. That approach to the constitutional guarantee of Equal Protection is a total distortion of the policy manifested in the 14th Amendment. It lumps all women into an inferior class, and deprives them of equality of rights whenever there is competition from a man, notwithstanding the fact that the particular woman who applies for appointment as administrator may be better qualified, and notwithstanding the fact that her sex has absolutely nothing to do with her ability to administer the estate.

Indeed, the Idaho court's rationalization that sec. 15-314 reflects the legislature's concern about who is "better qualified" is simply a fictional after-thought to avoid the searing scrutiny of the Equal Protection clause. First, sec. 15-314 does not disqualify a woman when she alone, or other women too, petition for appointment as administratrix. It is only when a male appears that the Idaho court talks about who is "better qualified"—and then it refuses to ascertain whether the particular woman or the particular man applying for appointment is in fact "better qualified". Second, sec. 15-312 (to which sec. 15-314 is essentially an appendage) establishes preference classes based on family relationships that are in no way relevant to "qualifications" to administer an estate. E.g., a barely qualified brother or grandchild would be preferred to a highly qualified cousin or creditor. Thus, the whole statutory structure is based on status (and sex discrimination), not legislative concern about who is "better qualified."

But the Idaho Court's statement is not even factually accurate. It is not true that all men, or even most men, are better qualified



than women to act as administrator, or that there are only "particular instances" in which women are equally, or better, qualified.

For example, the following data from the *Statistical Abstract of the United States 1970* (91st ed., U.S. Census Bureau) shows

that women in this country (and in Idaho) are not as inferior in ability as the Idaho statute assumes:

## UNITED STATES

	Citation		Date of data	Men	Women
	Table	Page			
Persons in civilian labor force, 16 years and over.....	316	213	April 1970.....	50,667,000	31,960,000
Percentage of their sex.....	316	213	do.....	75.4	43.2
Median school years completed by persons 25 years and over.....	157	109	1969.....	12.1	12.1
Bachelors and first professional degrees conferred in 1968.....	198	131	1968.....	392,830	278,761
Voters in 1968 elections.....	555	368	1968.....	38,014,000	40,951,000
Owners of publicly issued common and preferred stock.....	684	456	1970.....	15,689,000	15,161,000
Persons having \$50,000 or more gross assets.....	509,510	333	1962.....	2,538,643	1,594,564
Federal employees in occupation of:					
Accounting and budget.....	599	400	1969.....	59,618	54,803
Legal and kindred.....				24,234	21,302

## IDAHO

	Citation		Date of data	Men	Women
	Table	Page			
Public high school graduates in 1969.....	186	125	1969.....	5,924	5,863
Students enrolled in higher education in Idaho.....	196	129	1969.....	16,939	10,850

In April, 1970, 4,431,000 women worked in professional and technical jobs and 1,301,000 as managers, officials and proprietors (T. 334, p. 225). In 1969, there were 39,506 women on active military duty, of whom 13,183 held officer rank (T. 386, p. 257). In 1968, there were 27,833 women scientists on the National Register of Scientific and Technical Personnel (T. 808, p. 525).

C. The judicial precedents on sex discrimination cited by the Idaho court do not constitutionally justify the discrimination in section 15-314.

The Idaho court cited an anonymous law review Note and seven state court opinions as precedent for the validity of classifications "discriminating on the basis of sex." None of these supports the constitutionality of section 15-314.

(1) *Note*, 2 Stanford L. Rev. 691 (1950) ("Sex Discrimination and the Constitution"). As the Idaho court correctly stated this Note showed that States have upheld governmental classifications based on sex in a variety of situations. But the court does not mention that the Note pointed out (a) that the Equal Protection Clause requires the state to give equal treatment to all persons unless it has a reasonable basis for differentiation; (b) that to be constitutionally valid a sex-based legislative differentiation must be rationally related to matters in which the sex of the individual is a material factor; and (c) that many sex classifications are invalid (e.g., the Note emphasized, at pp. 724-725, that a sex classification limiting jury service to men "seems as arbitrary as one based on race" since neither sex nor race "has any conceivable connection with the jury function.")

(2) *Craig v. Lane*, 60 Ida. 178, 89 P.2d 1008 (1939).—This case is a striking example of how sex discrimination produced a shocking injustice. Mrs. Craig, a married woman, signed a surety bond to support her son's appeal in his law suit against Lane. Lane moved to dismiss the appeal on the ground that a married woman could not sign a surety agreement except one solely for her benefit or in connection with her separate property. Despite Mrs. Craig's affidavit that the bond was for her benefit and that she intended to be bound thereby, the Idaho court ruled that the bond was defective and dismissed the son's appeal. The court stressed that at "common law a married woman had no right to contract generally," and ruled (at p. 1009) that the Federal constitution "gave a married woman no rights in addition to those

she had at the time of its adoption," citing *Minor v. Happersett*, 21 Wall. 162, which held that the 14th Amendment did not entitle women to vote. Thus, in the name of "protection of a married woman's separate property", the court simultaneously denied the woman the right to help her son, and destroyed his right of appeal in a litigated case. The decision is clearly erroneous in holding that married women have no constitutional rights. But even if it were correct as to married women it is no precedent for the sex discrimination in section 15-314, which does not involve the status of marriage. Cf. Idaho Code, section 15-317, which allows a married woman to be an administrator.

(3) *State v. Hunter*, 208 Ore. 282 300 P.2d 455 (1956).—This case upheld the conviction of a woman for violating a state statute prohibiting women (but not men) from "participating in wrestling competition and exhibition". The court did not seek to examine whether there was a factual and rational basis to forbid this activity by women only. Instead, it ruled (p. 457): "It is axiomatic that the Fourteenth Amendment to the U.S. Constitution does not protect those liberties which civilized states regard as properly subject to regulation by penal law." Such negation of the 14th Amendment simply disregarded this Court's numerous decisions applying the Equal Protection Clause (not to mention the Due Process Clause) to penal laws. *McLaughlin v. Florida*, 379 U.S. 184 (1964); *Loving v. Virginia*, 388 U.S. 1 (1967). Indeed, the Oregon court's blindness to sex discrimination is revealed by its cavalier statement, after noting that the legislature which enacted the statute was "predominantly masculine": "Obviously it intended that there should be at least one island on the sea of life reserved for man that would be impregnable to the assault of woman." (at pp. 457-458).

(4) *Patterson v. City of Dallas*, 355 S.W. 2d 838 (Tex. Civ. App. 1962) involved an ordinance prohibiting any person from administering massage to a person of the opposite sex in a massage establishment, but exempted chiropractors, physical therapists and nurses operating under a doctor's direction. On the basis of evidence that there had been many lewd acts committed by operators of massage parlors, and that the ordinance was enacted to curb that evil and contained appropriate exceptions for massages for medical purposes, the court upheld the ordinance as a reasonable effort to

protect public health and morals. The ordinance applied to both men and women alike, and was based on a rational relationship to a legitimate legislative objective. Hence, it in no way supports the irrelevant sex discrimination perpetrated in section 15-314.

(5) In *State v. Hollman*, 232 S. Car. 489, 102 S.E. 2d 873 (1958), a man convicted of criminal assault contended on appeal that women had been excluded from the petit jury. The court held (p. 878) that the point "not having been argued on appeal" is "deemed abandoned," and that it was "devoid of merit" because the exclusion of women from the jury "does not violate the Fourteenth Amendment." The latter dictum is certainly not good law today. See *White v. Crook*, 251 F. Supp. 401, 408 (D.C. Ala. 1966).

(6) *Esckridge v. Dr. of Alcoholic Bev. Control*, 30 N.J. Super. 472, 105 A.2d 6 (1954) upheld the conviction of a bartender for violating an ordinance prohibiting service of liquor to women over a bar except when said seated at tables. The court held (p. 8) that the state's power over sale of intoxicating beverages "is plenary. It is a subject by itself, to the treatment of which all the analogies of the law appropriate to other topics cannot be applied." However, the Idaho Supreme Court cited the *Esckridge* decision without mentioning that fifteen years later the New Jersey courts virtually overturned it, holding that such ordinance is "an unreasonable exercise of the police power" and therefore could not validly "limit the rights women." *Galegher v. City of Bayonne*, 106 N.J. Super. 401, 256 A. 2d 61, 62-63 (1969), *aff'd per curiam*, 55 N.J. 159, 259 A. 2d 912 (1969); see also *Paterson Tavern & Grill Owners Assn. v. Borough of Hawthorne*, *int.* 11, *supra*. In any event, even if we assume that the regulation of liquor sales is unrestricted by constitutional limitations of equal protection (Cf. *Goesaert v. Cleary*, *supra*, and *Seidenberg v. Old McSorleys' Ale House*, *supra*) it is plain that the *Esckridge* case in no way supports sex discrimination in appointing the administrator of an estate.

(7) *State v. Emery*, 224 N. Car. 581, 31 S.E. 2d 858 (1944). This decision (2 judges dissenting) upset a man's conviction by a jury composed of 10 men and 2 women, on the ground that the state constitution referred to juries of "good and lawful men" and thus made women ineligible for jury service. This decision would not be good law today. *White v. Crook*, *supra*, p. 14.

(8) *In re Mahaffay's Estate*, 79 Mont. 10, 254 Pac. 875 (1927). This decision ruled that a State statute limiting the power of a married woman to dispose by will of more than  $\frac{1}{2}$  of her estate without her husband's consent was neither superseded by the married women's statutes nor invalidated by the 14th Amendment, even though the husband could make such a testamentary disposition without his wife's consent. The court held (a) that the legislature has unlimited power to condition the right of testamentary disposition and (b) that the "essential differences which have always been recognized between a married man and a married woman" in connection with disposition of property have been "so long acquiesced in . . . that we must presume it is based upon such substantial difference and conditions as to make it natural and reasonable." (pp. 878-879). As to holding (a), compare *In re Estate of Legatos*, p. 14, *supra*. As to holding (b) ("it-has-always-been-that-way"), this Court stated in *Levy v. Louisiana*, 391 U.S. 68, 71 (1968): "However that might be, we have been extremely sensitive to basic civil rights . . . and have not hesitated to strike down an invidious classification even though it had history and tradition on its side. *Brown v. Board of Education*, 347 U.S.; *Harper v. Virginia Board of Elections*, 383 U.S. 663, at 669." See also *Moragne v. State Marine Lines*, 398 U.S. 375 (1970) which overturned an ancient doctrine barring suits under general maritime law for wrongful death caused by violation of maritime duties because it "had little justification except in primitive English legal history" (at p. 379); and *Loving v. Virginia*, 388 U.S. 1 (1967) which held miscegenation laws unconstitutional even though they had been long established, and adhered to with emotional fervor, in at least 30 states.

## CONCLUSION

The Idaho Supreme Court's decision in this case simply echoes the obsolete Bradley-Field-Swayne philosophy about the inferiority of women, a philosophy that no longer has vitality under the Equal Protection Clause. The irrational and irrelevant sex discrimination imposed by sections 15-312 and 15-314 is plainly unconstitutional. The decision of the Idaho Supreme Court should be reversed, so that the probate court can determine which of the applicants "is best qualified to serve as administrator or administratrix of the estate."

Respectfully submitted,

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April 14, 1971.

## FOOTNOTES

<sup>1</sup> Oliver Wendell Holmes, later a Justice of this Court, perceptively noted, in his classic *The Common Law*, p. 5 (1881):

"A very common phenomenon, and one very familiar to the student of history, is this. The customs, beliefs, or needs of a primitive time establish a rule or a formula. In the course of centuries the custom, belief, or necessity disappears, but the rule remains."

See also Roscoe Pound, "Mechanical Jurisprudence," 8 Colum. L. Rev. 605 (1908).

<sup>2</sup> The continuance of sex discrimination in our legal system and the widely felt need to remedy the resulting injustices have stimulated a national demand for a constitutional amendment declaring that "Equality of rights under the law shall not be denied or abridged by the United States or any State

on account of sex." 91st Cong.: H.J. Res. 264, S.J. Res. 61; 92nd Cong.: H.J. Res. 208, 231, 35; S.J. Res. 8, 9. The history of the drive for this Amendment reflects dissatisfaction with the slow pace of judicial attack on sex discriminatory laws, not belief that this Court lacks power to do so under the 14th Amendment. See Hearings cited in footnote 6, *infra*.

<sup>3</sup> "Section 15-312. Priorities in right of administration.—Administration of the estate of a person dying intestate must be granted to someone or more of the persons herein-after mentioned, and they are respectively entitled thereto in the following order:

"1. The surviving husband or wife or some competent person whom he or she may request to have appointed.

"2. The children.

"3. The father or mother.

"4. The brothers.

"5. The sisters.

"6. The grandchildren.

"7. The next of kin entitled to share in the distribution of the estate.

"8. Any of the kindred.

"9. The public administrator.

"10. The creditors of such person at the time of death.

"11. Any person legally competent.

"If the decedent was a member of a partnership at the time of his decease, the surviving partner must in no case be appointed administrator of his estate." [Prob. Prac. 1864, section 52; R.S., R.C., & C.L., section 5351; C.S., section 7487; I.C.A., section 15-312; am. 1943, ch. 162, section 1, p. 340.]

<sup>4</sup> "Section 15-314. Preferences.—Of several persons claiming and equally entitled to administer, males must be preferred to females, and relatives of the whole to those of the half blood." [Prob. Prac. 1864, section 53; R.S., R.C., & C.L., section 5352; C.S., section 7488; I.C.A., section 15-314.]

<sup>5</sup> For example, *Oyama v. California*, 332 U.S. 633 (1948) (land ownership by U.S. citizen of Japanese ancestry); *Shelley v. Kraemer*, 334 U.S. 1 (1948) (racial land covenants); *Takahashi v. Fish and Game Commission*, 334 U.S. 410 (1948) (right of persons of Japanese ancestry to work); *Sweatt v. Painter*, 339 U.S. 629 (1950) (exclusion of Negro from law school); *McLaurin v. Oklahoma State Regents*, 399 U.S. 637 (1950) (racial segregation in university classroom); *Brown v. Board of Education*, 347 U.S. 483 (1954) (racial discrimination in public schools); *Reitman v. Mulkey*, 387 U.S. 369 (1967) (racial discrimination in housing).

<sup>6</sup> See, for example, Kanowitz, *Women and the Law* (1969);

*American Women*, Rept. of President's Commission on the Status of Women, and reports of its seven Committees on: Civil and Political Rights; Education; Federal Employment; Home and Community; Private Employment; Protective Labor Legislation; Social Insurance and Taxes (1963);

Reports, Interdepartmental Committee and Citizens Advisory Council on the Status of Women (1963-64, 1965, 1966, 1963-68);

Reports, National Conferences of Commissions on the Status of Women (1965, 1966, 1968, 1971);

Reports, Task Forces to Citizens Advisory Council on Status of Women on: Family Law and Policy; Health and Welfare; Labor Standards; Social Insurance and Taxes (1968);

*A Matter of Simple Justice*, Rept., President's Task Force on Women's Rights and Responsibilities (April 1970);

Hearings, *The Equal Rights Amendment*, S.J. Res. 61, 91st Cong., Senate Subcommittee on Constitutional Amendments (May 1970); Hearings, *Discrimination Against Women*, Section 805 of H.R. 16098, 91st Cong., House Special Subcommittee on Education (July 1970); Hearings, *Equal Rights 1970*, S.J. Res. 61 and 231, 91st Cong., Senate Judiciary Committee (Sept. 1970); Hearings, House

Judiciary Committee, H.J. Res. 208, 231, 35; and H.R. 916, 92nd Cong. (March-April 1971).

<sup>7</sup> The Bradley-Field-Swayne philosophy of sex which dominated the *Bradwell*, *Lockwood* and *Minor* decisions is, indeed, quite reminiscent of, and essentially the same as, the race philosophy of *Plessy v. Ferguson*, 163 U.S. 537 (1896) which spawned more than 50 years of judicial sanction for race discrimination before it was overruled in the 1950's. This Court said in *Plessy*:

(p. 544): "The object of the [Fourteenth] Amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either."

(p. 544): "Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other . . ."

(p. 550): "Segregation of white and colored people is 'a reasonable regulation' with respect to which the State 'is at liberty to act with reference to the established usages, customs and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order.'"

(p. 551): "The [plaintiff's] argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the Negro except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits and a voluntary consent of individuals . . . Legislation is powerless to eradicate racial instincts or to abolish distinctions based on physical differences . . ."

<sup>8</sup> Maine has since amended its laws, so as to eliminate the disparity of sentences for men and women. Me. R.S., 1964 ed., Title 34, sections 802 and 853, as amended, Me. Pub. Laws, 1967, ch. 391, sections 12 and 18.

<sup>9</sup> *Muller v. Oregon*, 208 U.S. 412 (1908); *Riley v. Massachusetts*, 232 U.S. 671 (1914); *Miller v. Wilson*, 236 U.S. 373 (1915); *Bosley v. McLaughlin*, 236 U.S. 385 (1915).

<sup>10</sup> *Radice v. New York*, 264 U.S. 293 (1924).

<sup>11</sup> *Goesaert v. Cleary*, 355 U.S. 464 (1948). This decision, upholding a statute denying a bartender license to all women except the wife and daughters of the male owner of a liquor shop, rested largely on the unfettered scope long allowed to legislative regulation of liquor sales. Its effect has been weakened or undermined by more recent decisions, changes in laws and practices, and new insights into the invidious effects of sex prejudice and discrimination and their lack of consistency with the constitutional guarantee of "the protection of equal laws." See *Seidenberg v. Old McSorleys' Ale House*, *supra*; *Paterson Tavern & Grill Owners Assn. v. Borough of Hawthorne*, 57 N.J. 180, 270 A. 2d 628 (1970); Title VII of Civil Rights Act of 1964 (42 U.S.C. 2000e-2); *McCrimmon v. Daley*, 418 F. 2d 366, 369-371 (C.A. 7, 1969); *Phillips v. Martin Marietta Corp.*, 400 U.S. 542, 39 U.S. Law Week 4160 (Jan. 25, 1971) (holding that sex discrimination in employment is invalid if not rationally related to the factor of sex).

<sup>12</sup> *Muller v. Oregon*, *supra*, footnote 9, has been often cited for the proposition that "sex per se is a valid basis for classification" without regard to the purposes of a particular law or the reasonableness of the relation between that purpose and the sex-based classification. Justice Brewer there said (at pp. 421-422):

[H]istory discloses the fact that woman has always been dependent upon man. He established his control at the outset by



superior physical strength, and this control in various forms, with diminishing intensity, has continued to the present. As minors, though not to the same extent, she has been looked upon in the courts as needing special care that her rights may be preserved. . . . Though limitations upon personal and contractual rights may be removed by legislation, there is that in her disposition and habits of life which will operate against a full assertion of those rights. . . . Differentiated by these matters from the other sex, she is properly placed in a class by herself, and legislation designed for her protection may be sustained, even when like legislation is not necessary for men, and could not be sustained. It is impossible to close one's eyes to the fact that she still looks to her brother and depends upon him. Even though all restrictions on political, personal, and contractual rights were taken away, and she stood, so far as statutes are concerned, upon an absolutely equal plane with him, it would still be true that she is so constituted that she will rest upon and look to him for protection. . . . (Emphasis added).

But the *Muller* decision was much narrower than Justice Brewer's words. It upheld the Oregon maximum hours for women only on the basis of its assumption that the law protected women in a situation where the court found no other protection available and believed that the physical differences between men and women was rationally related, at that time, to the purpose of the statute. See Kanowitz, *Women and the Law*, p. 153-154 (1969).

<sup>23</sup> Although the Idaho court's statement, citing Idaho Code section 14-103 governing succession to property, is generally correct, it is surprisingly incorrect insofar as concerns the specific issue of sex discrimination here involved. Section 14-103 places brothers and sisters in the same class for receiving interstate property, as is generally true in most jurisdictions (23 Am. Jur. 2d 793, "Descent and distribution," section 48). But section 15-312 discriminates against sisters by putting brothers in class 4 and sisters in class 5. We believe this discrimination is as unjustifiable, and as unconstitutional, as the discrimination perpetrated by the section (15-314) involved in this appeal.

## CHIEF JUSTICE BURGER JOINS IN CALL FOR SPEEDY TRIALS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. MIKVA. Mr. Speaker, a recent article in the Washington Post reported that Chief Justice Burger has joined in the call for speedy trials. Burger said:

What is desperately needed is to have a few of the serious cases brought on for trial in 60 days after indictment and the appeal disposed of in another 60 days.

Legislation has been introduced in both the House and the Senate which would do just this. My bill, the Pretrial Crime Reduction Act (H.R. 7107) would require Federal courts to try all criminal cases within 120 days after arrest, and 60 days in the case of crimes of violence. On the Senate side, Senator ERVIN has introduced S. 895, requiring all trials be commenced within 60 days following arrest.

Recently the Senate Subcommittee on Constitutional Rights held hearings on Senator ERVIN's "speedy trial" bill. For

the first time, the Justice Department expressed its approval of the concept, though they objected to certain aspects of the Ervin bill.

Perhaps with the support of the Justice Department, the Chief Justice, and the Federal judiciary, Congress can enact legislation which will help cut the present inexcusable delays in our trial courts, and will restore meaning to the constitutional guarantee of speedy and public trials.

I would like at this point to insert in the Record the text of the Washington Post article, and a copy of my testimony before the Senate Subcommittee on Constitutional Rights:

[From the Washington Post, Sept. 11, 1971]

### CHIEF JUSTICE URGES COURTS TO SET TRIAL TIME LIMITS

(By Robert C. Maynard)

Chief Justice Warren E. Burger, repeating his oft-stressed theme that the judicial process is taking too long in some serious cases, suggested yesterday specific time limits for trials and appeals.

"What is desperately needed," the chief justice said, "is to have a few of the serious cases brought on for trial in 60 days after indictment and the appeal disposed of in another 60 days."

He declared that such a time structure is possible "with complete and total fairness to both sides" in an address to the Second Circuit Judicial Conference, meeting yesterday at Manchester, Vt.

Burger told the appellate judges that such a time limitation for trials and appeals "ought to be done and it is your responsibility and mine to see that it is done."

"We must re-examine some of the non-essential frills and luxuries of printed briefs and records that we appellate judges have become accustomed to and get on with the substance, which is fair and speedy justice," Burger said.

He added that today's copying devices make printed briefs less essential to the judicial process than they once were.

Burger, who said he is concerned that the public image of justice is being tarnished by lengthy delays, especially in the state courts, told the judicial conference:

"When riots develop in jails as a protest against long delays in trials, or when a notorious case takes 2, 3, 5 or more years to complete, people make judgments. To them, 'courts are courts,' 'jails are jails,' 'delay is delay.'"

"And we should not be critical of the news media because they do not emphasize the distinctions between state and federal cases," Burger said. "Even if they did, the readers would not care. They are paying the bills for both and they want results."

What the public thinks, the chief justice said, "becomes the measure of confidence in the courts, and that confidence is indispensable."

Burger said lengthy delays occur in only two per cent of the criminal cases handled in the federal system, but he said these are frequently the "notorious" or the "spectacular" cases because of the nature of the crime, the defendant, his counsel or a combination of those factors.

"The delays," Burger said, "must stop." And to help in stopping them, he said he has requested that the Judicial Conference Committee on Court Administration's chairman "propose a method of identifying the cases in which delay must not be permitted."

Burger suggested three areas which he said were "ripe for consideration" in that regard. They are cases in which bail has been denied, those involving serious felonies, and those involving persons "whose release on bail may therefore present a larger risk to the community."

TESTIMONY OF HON. ABNER J. MIKVA, BEFORE THE SENATE SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS ON S. 895 AND H.R. 7107, PRETRIAL CRIME REDUCTION ACT, SEPTEMBER 14, 1971

Mr. Chairman, distinguished members of the subcommittee, I am honored to have this opportunity to discuss with you the Pretrial Crime Reduction Act.

As you may recall, I first came before you on the subject of speedy trials in November 1969. At that time the atmosphere was dominated by the Administration's preventive detention proposal. I offered a Pretrial Crime Reduction Act, H.R. 15888 (91st Congress) as an alternative approach to preventive detention—a more constructive way of dealing with crimes committed between arrest and trial. A similar bill was subsequently introduced in 1970 by the distinguished Chairman from North Carolina. Unfortunately, the emotional mood of the Congress was more attuned at that time to placebos such as preventive detention than to the more substantial concept of speedy trial.

Since that time we have witnessed the predicted failure of the preventive detention gimmick, both as a public relations stunt and as a tool for reducing crime.

Now we are free to deal with the speedy trial issue on its merits, in a more dispassionate atmosphere. Both the Chairman and I have reintroduced our speedy trial bills this year, after having each made some changes. Since I am more familiar with the provisions of my bill, H.R. 7107, I will refer to it in my subsequent comments. Copies of the bill have been provided for the members of the subcommittee, and I have appended to my statement a summary table comparing the major provisions of H.R. 7107 and S. 895.

### IMPORTANCE OF SPEEDY TRIALS

The statements presented at the outset of these hearings in July by members of this subcommittee and other witnesses have eloquently stated the importance of speedy criminal trials. Before going into the specifics of the proposed bills, let me quickly summarize the more cogent arguments for legislation implementing the Constitutional guarantee of speedy trials in all criminal cases.

First, disposition of all criminal cases within 60-120 days after arrest will help reduce crime, by increasing respect for the efficacy of the criminal process and by restoring meaning to the deterrent function of the criminal law.

Second, speedy trials will reduce the incidence of pretrial crime, without necessitating unconstitutional restraints on the liberty of presumptively innocent defendants. As the 1970 study conducted in the District of Columbia by the National Bureau of Standards showed, and the more recent study by researchers at Harvard University confirmed, most serious crimes committed during pretrial release were committed after the first 60 days following release. Swift justice, in the form of a trial on the original charge in less than 60 days, would have prevented the second crime without infringing on the rights of all the others who were released awaiting trial and who did not commit additional crimes.

A third benefit speedy trials offer is the diversion of scarce resources currently being wasted on pretrial incarceration. As the LEAA national jail survey showed, more than half of the total jail population consists of people awaiting trial. This represents a colossal waste of human and material resources. For the innocent who cannot afford bail, the delay means prolonged unjustified incarceration. Where trial delays are upwards of a year, the innocent accused may actually spend less time behind bars if he cops a plea than if he insists on proving his innocence in court. For the

guilty, time spent in an overcrowded jail is "dead time." No rehabilitation takes place in these colleges for crime. Both the guilty man and certainly the society to which he will someday return are better off if he is swiftly convicted and sentenced to a program or an institution which can begin to try to help him straighten out.

Fourth, a system of speedy trials for all criminal cases infuses justice with fairness, in accordance with the Constitutional guarantee of the 6th Amendment.

#### IS FEDERAL LEGISLATION THE BEST WAY TO OBTAIN SPEEDY TRIALS?

Inevitably there will be those who criticize Congress for presuming to dictate to the states and the federal judiciary how criminal trials should be conducted. Of course, both H.R. 7107 and S. 895 would apply only to federal courts, though they would certainly provide a model for the states.

The Chairman in his opening statement in the July hearings accurately documented the steps which some states and some federal judicial circuits have taken to cut trial delay. Their actions have been commendable. But Congress still has a role to play, especially in the case of circuits which do not have the resources to implement a successful speedy trial program. Furthermore, Congress does have an obligation to assist in implementing Constitutional guarantees, including the 6th Amendment. Let me mention at this juncture that I am fully in agreement with recommendation #10 of Mr. Reznick, who testified in July on behalf of the A.C.L.U. The Pretrial Crime Reduction Act should not be viewed as defining or limiting the scope of the Constitutional right to a speedy trial—it merely seeks to implement that right.

#### H.R. 7107: TITLE I

Section 3161 requires that trial of all defendants charged with offenses against the United States be commenced within 120 days. In the case of a person charged with a crime of violence [as defined in Section 3161(c)], trial must begin within 60 days. By way of comparison, S. 895 sets a time of 60 days for all crimes.

Any such fixed time for trial raises the question of how the time period shall be calculated. When does it begin? What days are counted and what days excluded? Section 3161 provides for a number of obvious exceptions, but there are undoubtedly others which are necessitated by variations in locale and practice. What seems fair and sensible in terms of the Northern District of Illinois with 13 judges sitting continuously may not be reasonable in Wyoming with its lone District Court judge. A way must be found to allow for unanticipated bona fide exceptions to the time limit, without creating so large a loophole as to deprive the time limit of its meaning and intent. For example, California imposes a time limit of 120 days, but the requirement may be waived by the defendant. This opens the door to considerable pressure on the defendant to waive the time limit, depriving the speedy trial requirement of its stringency.

Section 3162 is the heart of the speedy trial requirement, or rather, the teeth. It provides sanctions for unexcused trial delays—criminal contempt if the delay is caused by the defendant or his attorney; dismissal with prejudice if the delay is the fault of the prosecution. In private conversations with sources in the Justice Department, it has appeared that dismissal represents a harsh sanction as far as the Department is concerned. Again, by way of comparison, S. 895 provides only for dismissal; it makes no provision for punishing delays caused by the defense.

At the heart of the Justice Department's objection seems to be the feeling that not all delays which are not attributable to the

defense are necessarily within the prosecution's control. This raises the question of whether additional sanctions should be authorized where delay is caused by the court itself. One suggestion has been a requirement that reports be filed with the Administrative Office of the Court explaining the reasons for delay of any case past the time limit.

We have no data from which to judge who is primarily responsible for trial delays. Some claim that it is the defendants themselves, since they know their chances for acquittal improve with the passage of time. This may be true for defendants who are out on bail. It is hard to believe it is true of those who sit rotting in jail deprived of contact with friends and family, deprived of a chance to earn a living and to support their families, deprived of all independence and self respect. A quick look at the characteristics of the average jail inmate awaiting trial makes it clear that these people are not benefiting by trial delay. Overwhelmingly they are poor, otherwise they would be out on bail. As the July testimony of Mr. Venezia indicated, those in jail awaiting trial are more likely to be ultimately convicted than those out on bail. They are less likely to be represented by private counsel of their choice. They are more likely to be incarcerated if convicted, rather than released under supervision of some sort. And if incarcerated, they are more likely to get longer sentences. When these facts are laid alongside the abysmal physical conditions found in most jails, it becomes clear that it is not defendants who seek trial delay—at least not those thousands of unwealthy defendants who are unable to get released on bail.

A second possible source of trial delay is judicial inefficiency. Once again, hard data is very difficult to come by, but any practicing lawyer knows that there are judges who view their office more as a due reward than as a demanding challenge. I fear that in our effort to create respect for the judiciary we have made the bench a haven for the lazy and the incompetent. The hours are great, and the pay attractive. Too often the motive is unabashedly political. In most circuits, there are a few pieces of dead wood. The conscientious, hard working judges are forced to pick up the slack. We should do what we can to help them do their job, by insuring that federal court appointments are less politically and more professionally oriented.

It is impossible to lay blame for trial delay entirely on any single party—the court, the prosecutor, the defendant, or defense counsel. But it is clear that there is little incentive at present for any of the parties to vigorously pursue speedier trials. The case-loads of prosecutors and judges are staggering. Defendants who are free on bail are in no hurry to be tried. And those sitting in jail awaiting trial, the ones with the strongest interest in speedy trials, are also the ones with the least voice. Overwhelmingly they are poor. Overwhelmingly they are represented if at all, by public defenders to whom they are little more than another file folder to be skimmed just before trial.

If we are serious about implementing a requirement of trial within 60-120 days after arrest, we must provide sanctions that have some teeth. Mere exhortations or inducements are unlikely to be effective. If the Justice Department objects to dismissal as indiscriminate and unfair to the diligent prosecutor, then let them come forward with serious alternative suggestions.

I am pleased to see that the Justice Department has finally agreed that this legislation is worthy of their attention. I shared the disappointment expressed by the Chairman in July over the Department's failure to participate at that time. If we in Congress are to make meaningful progress in solving the problems of the criminal justice system, we must have the assistance and cooperation of the chief law enforcement agency of the nation. I hope we are not expecting too much

in asking that political one-upsmanship be laid aside in favor of serious cooperative efforts to remedy the grave weaknesses of our present system of criminal justice.

Section 3164. This section is intended to insure that Congress does not merely pass the buck by imposing on the courts an impossible requirement which they cannot meet with existing resources. Each judicial circuit is required to submit a plan showing how the speedy trial requirements are to be met. If the problem is poor management, it is up to the court to devise better procedures. Perhaps a professional advisory commission, consisting of professional administrators, should be made available to help review the plans submitted, and to advise the circuits on how best to utilize present resources to cut trial delays. In this regard, I found the testimony of Judge Oxberger participating exciting. The efforts of Des Moines should serve to remind us that innovative techniques are often far more productive than merely pouring more money and more manpower into existing approaches.

Nevertheless, it may well be that even if all the judges in a given circuit were putting in a full week's work on the bench, and even if the most modern, efficient administrative techniques were employed, we would still find that the available resources are inadequate to achieve the goal of speedy and fair trials.

In this event, Section 3164 allows for a postponement of the speedy trial requirements of Section 2161. The Attorney General is required to submit legislation to Congress providing the needed additional resources. This places the burden back where it belongs—on the shoulders of Congress. It will then be up to the representatives of the taxpayers of America to decide whether we are serious enough about crime prevention to expend the money and effort necessary to obtain it. In other words, the buck will stop here.

#### TITLE II

The provisions of Title II attempt to deal with the problem of pretrial crime by changing the handling of bail and pretrial supervision. Under Section 201 of the bill, judges are permitted to consider the likelihood that an accused person will commit a crime while awaiting trial in making the determination of the appropriate conditions of release. Additional penalties are provided for crimes committed by defendants released on bail prior to trial. Senator Ervin deleted this provision from his bill, after receiving numerous unfavorable comments. If further study suggests that such an added penalty would not provide an effective deterrent to pretrial crime, then I would concur in the deletion.

The remainder of Title II deals with the problem of crime committed by persons who are on probation or parole. A means is provided by which a speedy determination can be made following arrest as to whether or not the accused is presently on parole or probation. If so, he may be held and turned over to the supervising authority in the event that he has violated the conditions of his earlier release. Private conversations with people at the Justice Department have raised some question as to the need for these provisions. Once again, I am happy to yield if the data shows that there is no substantial incidence of pretrial crime committed by persons who were already on probation or parole when arrested for the offense which was awaiting trial.

#### TITLE III—PRETRIAL SERVICES AGENCIES

Title III of the Pretrial Crime Reduction Act attempts to reduce pretrial crime by providing a mechanism for enforcing the conditions of release. The Pretrial Services Agencies would supervise pretrial release, and would provide the necessary supportive services to help keep people out of trouble during the period of pretrial release. Medical help is especially important in light of the high rate of drug addiction among some groups of defendants.



One of the most destructive effects of present trial delay, especially where the accused is held in custody awaiting trial, is the lost opportunity to begin providing the defendant with much needed rehabilitative services. Eventually, nearly all criminal defendants will be returned to society. What we do with them while in custody will in large measure determine whether or not they will represent a threat to society upon their release. The Pretrial Services Agencies provided under this bill should give an added boost to the rehabilitative effort.

## CONCLUSION

Mr. Chairman, our failure to develop a criminal justice system capable of trying cases within 60-120 days after arrest has

produced a whole range of serious social costs. It has undercut respect for the swift certainty of punishment for criminal behavior. It has undermined the deterrent effect of the criminal law. It has added to crime by failing to speedily identify and take into corrective custody some criminals who may commit further crimes during the pretrial period. And finally, it has exacted a staggering cost by requiring elaborate custodial and supervisory systems to keep tabs on accused criminals while they await trial. Over 50% of the nation's expenditures on corrections are diverted from rehabilitation of convicted offenders to custodial care of accused people awaiting trial.

Our system of criminal justice is on trial

today. If given a speedy trial, I fear it would quickly be convicted as an abysmal failure. The bills before this subcommittee will not alone reverse that indictment. But they represent an honest attempt to turn our criminal justice system around. I wish to commend the Senator from North Carolina for convening these useful hearings, and for his leadership in introducing S. 895. I hope that we can obtain speedy and serious consideration both in the Senate and in the House of these and other bills which are designed to move us closer to a constitutional system of justice of which we can be proud. The sanctions that will be imposed against us, if we don't will be those of history and they will be harsh.

SUMMARY AND COMPARISON OF PROVISIONS OF SENATOR SAM ERVIN AND CONGRESSMAN ABNER J. MIKVA SPEEDY TRIAL BILLS  
H.R. 7107 (Mikva)

(H.R. 7198 and H.R. 7789 are identical bills.)

Trial of persons charged with federal crime must be commenced within 120 days of arrest or indictment; within 60 days if charged with a crime of violence.

Certain allowable delays are excepted from the 60 or 120 days period, such as delays caused by defendant himself.

Sanctions are authorized for unexcused trial delays caused by either the prosecution or the defense. In the former, dismissal of the indictment with prejudice (further prosecution for same offense is barred); in the latter case, criminal contempt is authorized.

Cases involving violations of antitrust, securities, or tax laws are exempted from speedy trial requirement.

Each district court is required to prepare and submit a plan for compliance with the speedy trial requirement. If, because of insufficient manpower or resources, a district is unable to implement its plan within the required time, the Justice Department is authorized to grant an extension and is further directed to submit appropriate legislative proposals for Congressional action.

Whenever a person charged with a violent crime appears before a federal court, the prosecution must present evidence as to whether or not the defendant is currently on parole or probation before he can be released on bail. If the defendant is found to be a parolee or probationer, he may be detained up to 72 hours until the agency or court responsible for his supervision is notified of the arrest.

An additional sentence of up to 3 years is authorized for crimes of violence committed while free on bail.

Pretrial services agencies are to be established on a demonstration basis to supervise persons released before trial and to provide supportive services (halfway houses, counseling centers, treatment centers for addicts and alcoholics):

Trial of all crimes must commence within 60 days of arrest or indictment.

Same, plus a restriction on the granting of continuances immediately before trial, and on the length of continuances. Provision for dismissal, but none for criminal contempt.

Same.

Same.

No comparable provision.

No comparable provision.

Same.

CONGRESSMAN EDWARD KOCH'S  
TRAVELING OFFICE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. RANGEL. Mr. Speaker, I have always felt that my friend and colleague, Representative EDWARD I. KOCH, was a good source for imaginative and progressive ideas. In addition, he has always worked hard to keep himself informed of the needs and opinions of his constituency.

To reach his constituents better, Ed KOCH makes use of the "traveling office" concept. Each week he travels across the 17th Congressional District, meeting residents at scheduled stops throughout the district. These face-to-face meetings help him to do the outstanding job he is doing in the House of Representatives.

The October 2 issue of the New Yorker published an article about Ed KOCH's traveling office. I am pleased to share it with my colleagues:

TRAVELING OFFICE

Since January 1969, when he took office in Congress as the successful candidate of the Democratic and Liberal Parties, Representa-

tive EDWARD I. KOCH has made himself available to his constituents, in New York's Seventeenth Congressional District, every Friday morning (except holidays) by means of a "traveling office," which has a regular but fleeting existence in unoccupied rooms in churches, synagogues, and various other buildings in his district. The Seventeenth includes most of Greenwich Village, much of the upper East Side, and parts of the upper West Side, and a while ago we called his office—his non-traveling one, in Foley Square—and asked if we could visit the traveling office some Friday. The answer was yes, and at eight o'clock on the next Friday morning we met him outside the I.R.T. station at Sixty-eighth Street and Lexington Avenue, where he was handing out reprints of one of his speeches in Congress before moving on to his traveling office—set up on the West Side that morning. A tall, friendly-faced man of forty-six, Mr. KOCH was standing at the top of the subway stairs, saying, "Hello. I'm your congressman. I'm Ed KOCH. I represent you in Washington."

At about eighty-thirty, when Mr. KOCH had held brief conversations with several dozen people and distributed nearly a thousand reprints, he told us that he was ready to proceed to his traveling office, in the Stephen Wise Free Synagogue, on West Sixty-eighth Street. We got into a cab with him, and headed westward. Mr. KOCH explained that he begins every Friday at a major bus or subway stop in his district. "Some people tell me I'm doing a good job, and some of them bawl me

out," he said. "At least, these activities bring us face to face. For today, I've sent out a notice to everyone who lives in the part of my district that's on the upper West Side, so they all know that I'll be at the synagogue."

The cab soon pulled up in front of the synagogue, and we accompanied Mr. KOCH upstairs to a room where two young members of his staff were waiting for him. They were Monica Blum, who works in his Foley Square office, and Peter Bernuth, who is in charge of that office. Mr. KOCH sat down near one end of a long table, and Miss Blum and Mr. Bernuth began going over the day's schedule with him. Before they had finished, Mr. KOCH's first visitor arrived. She was a well-dressed woman, with carefully sprayed hair. He offered her a chair at the table and introduced his two staff members. Holding her purse in both hands, the woman began to speak in a firm voice, saying, "I have a cerebral-palsy child. We used to have him at home, but now he's in a state institution." She paused, and Mr. KOCH asked her to continue. She glanced around her and said, "The conditions in that place are not good. They are not feeding those children properly. And some of the staff are mistreating the children physically. I've seen it. I've been there, and so have some of the other parents, and there are things going on there that—You see, we used to have our boy at home. We would like to have him at home again, but . . ." Suddenly the woman began to cry. Mr. KOCH did his best to comfort her, and eventually she told him that she wanted to make

an official complaint but was afraid that members of the institution's staff might retaliate against her son.

"Believe me, they will not," Mr. Koch said. He continued to reassure her, and he asked her to write a letter describing the situation in detail, which he would forward to Governor Rockefeller. After promising to do so, the woman thanked him and left.

The next visitor was a man who wanted Mr. Koch to sponsor a private bill concerning a resident alien. Mr. Koch replied that he sponsored very few private bills in Congress but he would look into the matter. The man was followed by a woman who complained about having to pay taxes on her husband's estate, which was large. Mr. Koch made it clear that he favored estate taxes, and at the end of an increasingly heated discussion the woman got up and made for the door, saying angrily, "I can see I've come to the wrong place."

Two more women arrived. The first wanted to learn more about a plan for day-care centers (Mr. Koch asked her to come to his Foley Square office the following week), and the second explained that she had suffered a heart attack, had lost her job, and was without money (he advised her to apply for welfare benefits). Then a small, slightly built woman of about seventy came in and took a seat near Mr. Koch. She had large, pale eyes, and she began to speak in a hushed voice, saying, "Some very dangerous things are going on in my building. I live in a very good building on the East Side, but there's a gang there, and they are trying to take over. They are manufacturing television sets and radios and drugs and things, and they hammer in the apartment above me all night. I've been to the police, but they say there's nothing happening in my building at all." Mr. Koch spoke to her sympathetically, pointing out that he could do nothing for her himself, and suggesting that she go to the District Attorney's office. Finally, she seemed satisfied, and thanked him and scurried to the door.

At about ten, Mr. Koch prepared to leave for his next appointment. Miss Blum and Mr. Bernuth headed back to Foley Square, and Mr. Koch invited us to accompany him uptown to the studios of TelePrompTer Cable TV, where he was scheduled to make a television tape. We got into a cab, and as the driver headed for the Henry Hudson Parkway, Mr. Koch said, "I think one of the most fascinating things about these Friday mornings is that so many people come to me with problems that have nothing to do with Congress. The average guy today simply doesn't know how to deal with things that are troubling him vis-a-vis the government—it has become so huge. So when he can't figure out what else to do, he just naturally turns to someone like me. I've really come to consider it part of my job."

#### MAN'S INHUMANITY TO MAN— HOW LONG?

**HON. WILLIAM J. SCHERLE**  
OF IOWA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 5, 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?

#### COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS FEDERALIZE U.S. CHILDREN

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 5, 1971

Mr. RARICK. Mr. Speaker, September 30 was a dark day for America. The Orwellian nightmare of 1984 has become a reality in the America of 1971. The Federal Government has now been authorized to take over our children.

Passage of the Brademas child development programs as an amendment to the OEO bill, H.R. 10351, by a vote of 186 to 183 lays the foundation for the Federal Government to replace the home and for bureaucratic "experts" to replace the parents.

One of the salient selling features was the repeated assertion that the day care centers were necessary to help working mothers and to provide facilities for youth care to encourage unemployed mothers to seek gainful employment. Yet the bill as passed by the House excludes mothers earning over \$4,320 a year. This makes a mockery of the propaganda that the bill is intended to help or encourage mothers to work. On the contrary, it would discourage employment and discriminate against the working mother making over \$4,320. Nor can we assume that the child development programs are mere federally funded baby sitting or "new" education or, for that matter, confined to youth. President Nixon, addressing Congress in 1969, recommended that the Government become involved in developing children during "the first 5 years of life." The anticipated age range can be expected to be from infancy to kindergarten. What significant educational training can there be for babies in arms except to condition them to be away from their mothers and look to the State for security and guidance?

We are being told that something must be done for the millions of our children who have no parents, are from broken homes, and are from homes where they are mistreated or the parents are insensitive to the child's demands. This reveals the real intent. The child development programs are not to help working mothers but rather to establish Federal custodial centers. The suggestion that society could curtail the increase in crime by caring for those described as criminals and dissidents in society is repulsive and unsupported by statistics, logic or truth.

Likewise, repeated inferences that parents do not know how to control their children or lack the understanding and interest to discipline them is hypocrisy. For years the progressive experimenters of the new educational system have encouraged smart aleckness as free speech and dissent. Children have been taught that their parents are old fashioned—out of step with and ignorant of the needs of changing times. In fact, the Congress has supplied the parents' and taxpayers' funds to finance this teaching of dis-

obedience, disrespect, and rebellion. It is revolting that the same organizations and movements which have encouraged rebellion against parental control and respect of the home now offer this conflict as an argument that parents are now incompetent to rear their own children.

Supporters of the child development programs urge that the service is voluntary not mandatory, and that there will be nothing further to make the law apply to other than disadvantaged children—that it is an end in itself. The American people have heard these arguments and assurances before. Public education was not originally compulsory. Congress is on record as prohibiting the use of busing to achieve racial balance—children are bused anyway. Furthermore, the bill indicates that it is but a beginning—the foot in the door—until the people can be conditioned to accept more. The language of the bill makes this most clear:

Section 522 (b) (5)—"It is the purpose of this Act to . . . establish the legislative framework for the future expansion of such programs to provide universally available child development services."

Anyone who assumes these programs as being voluntary is either misinformed or ignorant of the facts. The American people know better. They have learned otherwise the hard way on too many occasions.

History records many examples of attempts by governments to gain control over the minds and bodies of its young people. Hitler with his regimentation and dreams of a new world order never achieved what these programs provide—"the formation of a partnership of parents, community, State and local governments to provide every child with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs and services."

The child development programs authorize "comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program." Congress has instructed the Federal Government to establish programs to take children away from their parents, place them in custody of the State and rear them according to State-ordained programs and activities. There is no prohibition or restriction on any sort of instruction so long as it affects the child and is approved by the established authorities:

Child development proposals go further than providing for government-controlled nursery schools, Headstart programs, or kindergartens. They provide for programs to keep the child away from parents. The Secretary of Health, Education and Welfare is instructed to program a 24-hour day by providing for specially designed health, social, and educational programs. Just when the parent is allowed time with the child apparently depends on the comprehensive program or the person administering it. This power grab over our youth is reminiscent of the Nazi youth movement; in fact it goes far beyond Hitler's wildest dreams or the most outlandish of the Communist plans.

The law provides for in-home services and training in fundamentals of child develop-



ment for parents, older family members acting as parents, youth, and prospective parents. The law is clear that where it is impracticable to replace the parents with the State, then the bureaucracy would train those functioning in the capacity of parent as a paid agent of the State.

Child development proposals should remind us of Communist teachings on destruction of the family unit. Leon Trotsky, writing in "The Revolution Betrayed," 1936, commented that:

You cannot 'abolish' the family, you have to replace it.

The hand that rocks the cradle rules the nation!

Similar child development legislation passed the Senate on September 9. There were small differences to be worked out in the two bills. The matter has now gone to conference and there may be additional votes in both Houses before the proposal becomes law.

I include the Statement of Findings and Purpose of the Comprehensive Child Development Act and the U.N. declaration on the rights of the child:

#### STATEMENT OF FINDINGS AND PURPOSE

SEC. 522. (a) The Congress finds that (1) millions of American children are suffering unnecessary harm from the present lack of adequate child development services, particularly during their early childhood years; (2) comprehensive child development programs, including a full range of health, education, and social services, are essential to the achievement of the full potential of America's children and should be available to all children regardless of economic, social, and family background; (3) children with special needs must receive full and special consideration in planning any child development programs and, until such time as such programs are expanded to become available to all children, priority must be given to preschool children with the greatest economic and social need; (4) while no mother may be forced to work outside the home as a condition for using child development programs, such programs are essential to allow many parents to undertake or continue full- or part-time employment, training, or education; and (5) it is crucial to the meaningful development of such programs that their planning and operation be undertaken as a partnership of parents, community, State and local governments.

(b) It is the purpose of this Act to provide every child with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs and services so as to (1) assure the sound and coordinated development of these programs; (2) recognize and build upon the experience and successes gained through the Headstart program and similar efforts; (3) make child development services available to all children who need them, with special emphasis on preschool programs for economically disadvantaged children and for children of working mothers and single parent families; (4) provide that decisions as to the nature and funding of such programs be made at the community level with the full involvement of parents and other individuals and organizations in the community interested in child development; and (5) establish the legislative framework for the future expansion of such programs to provide universally available child development services.

#### DECLARATION OF THE RIGHTS OF THE CHILD

On 20 November 1959, the General Assembly of the United Nations unanimously adopted the Declaration of the Rights of the Child. The spirit of the document was reflected in the preamble, which said, in part, "mankind owes the child the best it has to

give". Many of the rights and freedoms set forth in the Declaration were restatements of sections of the 1948 Universal Declaration of Human Rights and other earlier documents, but the international community was convinced that the special needs of the child were so urgent that they called for a separate, more specific declaration.

As early as 1946, the United Nations had demonstrated its deep concern over the problems of children by establishing UNICEF, the United Nations Children's Fund. In its early years UNICEF concentrated on emergency aid for the children who were victims of the war in Europe. Later it broadened its activities to include long-range programmes designed to prepare children all over the world for productive lives. UNICEF stressed the importance of making full use of human resources that are so essential to economic and social development. The Declaration of the Rights of the Child provided UNICEF with inspiration as well as meaningful guidance as the Fund entered a period of impressive expansion. Today, UNICEF is helping "mankind give the best" to 700 million children in 120 countries.

The enduring value of UNICEF's work was perhaps best symbolized by its winning the 1965 Nobel Peace Prize. In 1969, the tenth anniversary of the Declaration of the Rights of the Child, the task of implementing the document was still far from completion. However, the guidelines for solid progress on behalf of the children were bold and clear.

The full text of the United Nations Declaration of 20 November, 1959, is reproduced below. In ten carefully worded principles the Declaration affirms the right of the child to enjoy special protection and to be given opportunities and facilities to enable him to develop in a healthy and normal manner and in conditions of freedom and dignity; to have a name and a nationality from his birth; to enjoy the benefits of social security, including adequate nutrition, housing, recreation and medical services; to receive special treatment, education and care if he is handicapped; to grow up in an atmosphere of affection and security and, wherever possible, in the care and under the responsibility of his parents; to receive education, to be among the first to receive protection and relief in times of disaster; to be protected against all forms of neglect, cruelty and exploitation; and to be protected from practices which may foster any form of discrimination. Finally, the Declaration emphasizes that the child shall be brought up "in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood".

#### DECLARATION OF THE RIGHTS OF THE CHILD— PREAMBLE

Whereas the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights, and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Whereas the United Nations has, in the Universal Declaration of Human Rights, proclaimed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Whereas the child, by reason of his physical and mental immaturity, needs special safeguard and care, including appropriate legal protection, before as well as after birth,

Whereas the need for such special safeguards has been stated in the Geneva Declaration of the Right of the Child of 1924, and recognized in the Universal Declaration of Human Rights and in the statutes of specialized agencies and international organizations concerned with the welfare of children.

Whereas mankind owes to the child the best it has to give,

Now therefore,

The General Assembly

Proclaims this Declaration of the Rights of the Child to the end that he may have a happy childhood and enjoy for his own good and for the good of society the rights and freedoms herein set forth, and calls upon parents, upon men and women as individuals and upon voluntary organizations, local authorities and national Governments to recognize these rights and strive for their observance by legislative and other measures progressively taken in accordance with the following principles:

#### PRINCIPLE 1

The child shall enjoy all the rights set forth in this Declaration. All children, without any exception whatsoever, shall be entitled to these rights, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family.

#### PRINCIPLE 2

The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose the best interests of the child shall be the paramount consideration.

#### PRINCIPLE 3

The child shall be entitled from his birth to a name and a nationality.

#### PRINCIPLE 4

The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end special care and protection shall be provided both to him and to his mother, including adequate prenatal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services.

#### PRINCIPLE 5

The child who is physically, mentally or socially handicapped shall be given the special treatment, education and care required by his particular condition.

#### PRINCIPLE 6

The child, for the full and harmonious development of his personality, needs love and understanding. He shall, wherever possible, grow up in the care and under the responsibility of his parents, and in any case in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances, be separated from his mother. Society and the public authorities shall have the duty to extend particular care to children without a family and to those without adequate means of support. Payment of State and other assistance towards the maintenance of children of large families is desirable.

#### PRINCIPLE 7

The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him on a basis of equal opportunity to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The child shall have full opportunity for play and recreation, which should be directed to the same purposes as education; society and the public authorities shall endeavor to promote the enjoyment of this right.

## PRINCIPLE 8

The child shall in all circumstances be among the first to receive protection and relief.

## PRINCIPLE 9

The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form.

The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development.

## PRINCIPLE 10

The child shall be protected from practices which may foster racial, religious and any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

## PUBLICITY TO BE GIVEN TO THE DECLARATION OF THE RIGHTS OF THE CHILD

*The General Assembly,*

Considering that the Declaration of the Rights of the Child calls upon parents, upon men and women as individuals, and upon voluntary organizations, local authorities and national Governments to recognize the rights set forth therein and strive for their observance.

1. *Recommends* Governments of Member States, the specialized agencies concerned and the appropriate non-governmental organizations to publicize as widely as possible the text of this Declaration;

2. *Requests* the Secretary-General to have this Declaration widely disseminated and, to that end, to use every means at his disposal to publish and distribute texts in all languages possible.

## HELP FOR THE CHILDREN OF AMERICAN SERVICEMEN IN VIETNAM

## HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. WALDIE. Mr. Speaker, according to estimates given me by the State Department, some 10,000 to 15,000 children have been fathered in South Vietnam by American servicemen.

Regrettably, all together too many of these children have been abandoned by their fathers and have either lost or been deserted by their mothers.

The United States must see that these children are given a chance to live a decent life.

Today I am introducing a bill which will represent a declaration by the Congress that these children are as much a consequence and a responsibility of this Nation as an American soldier who suffered loss of life, limb, or home from this war.

In the case of the Vietnamese citizen or the American soldier, the United States is paying some form of reparation.

However, the United States makes no formal reparation to these children. In some cases they benefit from the social aid given the Vietnamese Government, but in many, many cases, perhaps, most

cases, these children are either existing as outcasts in their own environment or are institutionalized.

Mr. Speaker, this legislation will provide for the orphaned or abandoned Vietnamese children with American fathers to be given an opportunity to come to this country to be cared for, housed, educated and adopted into American homes in order that they may receive the love that they need and that is due them.

It is hoped that these children would be able to leave the Federal program once they are adopted.

This legislation would also provide for negotiations with the South Vietnamese Government to bring these children the benefits this bill would entitle them. At present, strict South Vietnamese regulations make adoption of Vietnamese children difficult.

Mr. Speaker, we in America are compassionate and responsible people. We can provide needed love and comfort to hundreds if not thousands of children in Vietnam who are now sentenced to a life of misery because of American neglect. I would hope that we in the Congress can pave the way, by enacting this legislation, to allow those children to enjoy what we can give them.

RABBI FINKELSTEIN TO RETIRE;  
JOY OF STUDY UNDIMINISHED

## HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. SCHEUER. Mr. Speaker, every generation has some truly wise and peaceful men; men who have a deep understanding for all peoples and empathy for the entire human condition; men who know themselves and so are able to truly have peace and wisdom.

Rabbi Louis Finkelstein is such a man. His technical knowledge is surpassed only by his practical wisdom. He has achieved a peace and contemplative equilibrium which few of us will ever know.

I commend the attention of my colleagues to the following article, with the hope that the man described will be an inspiration to all of us:

## RABBI FINKELSTEIN TO RETIRE; JOY OF STUDY UNDIMINISHED

(By Israel Shenker)

Announcing yesterday his resignation as chancellor of the Jewish Theological Seminary of America, Dr. Louis Finkelstein, 76 years old, explained:

"I've always thought of myself so old. One day I said, 'I'm the oldest man in the room,' and nobody laughed."

And so, 60 years after he entered the seminary as a student, 50 years after he arrived to teach, 31 years after becoming president, 20 years after assuming the title of chancellor (introduced especially for him), he announced that it was time to ring out the old and bring in the new chancellor.

In advising the seminary's executive committee of this he called his institution "the strongest center of Jewish learning in the Diaspora."

## HAS 1,300 STUDENTS

Here, at 122d Street and Broadway, and at a Los Angeles campus, the seminary has 1,300 students, and trains young men for the Conservative rabbinate.

"I find it much more difficult to leave than to arrive," said Rabbi Finkelstein, who is one of the school's foremost scholars. "I wouldn't say I'm doing it reluctantly, but with some hesitation. It took me a trip to Jerusalem to think it out."

"I couldn't leave last year, when it first occurred to me, because we were in financial trouble and I had to see the problem through. Now we'll have to work hard, but we're not threatened with disaster. We'll survive, and I think we'll even thrive."

"In ancient days the rabbis didn't have to worry about budgets and they certainly didn't have to worry about buildings, because they prayed in the streets and courtyards and their business was teaching. Today a rabbi's main business is to keep his institution going. That is the essential weakness of the rabbinate today—the difference between a volunteer army and a paid army."

## TO LEAVE JUNE 30

When Dr. Finkelstein leaves the chancellorship next June 30, he will continue to work in ecumenical fields. In 1969 he became the first rabbi to preach a sermon at the White House; then as now his rallying cry was one of hope.

"How can we know the Messiah won't come tomorrow?" he said in an interview. "For millions of years there wasn't a human being, and then there was. For thousands of years there wasn't an Einstein, and then there was. If you think of the Messiah as a certain change for the better in man's life, then the miracle is possible. Redemption is like the rising of the sun. It comes into view little by little, and suddenly there it is glowing."

Continuing to serve as professor of rabbinic theology, he will spend more time than ever with his first love and true passion—the Talmud. "I don't know really how one can enjoy anything else," he said, only half in jest.

"When you study, God listens," he suggested. Asked what assurance people have that God listens, Rabbi Finkelstein said he didn't know what assurance others have, but "I know it; He knows it."

## BEGINS STUDY AT 5:30 A.M.

Dr. Finkelstein begins his study of the Talmud at 5:30 each morning, continues until 7, when he leaves for the synagogue, and then returns to the Talmud at 8 for another two or three hours (he eats no breakfast).

"One of the things I enjoy is to see how, after 2,000 years of commentary, there's still so much to be discovered," he said. "That's why I can't study at night. I'll discover something new and it'll keep me awake."

He does a complete cycle of the entire Babylonian and Palestinian Talmud every five years. Released from administrative burdens, he hopes to review one Talmud anew every 12 months.

"A person could bitterly complain of all these years as chancellor," he said, "because a Jew like me should spend his time, as I hoped to spend my time when I was young, in study, in exploring what the rabbis are saying, and in teaching some students. But as one rabbi in the Talmud said, study is good if it's combined with practical affairs, because working on both of them makes one forget sin."

"We want our children to be in rebellion, for otherwise they won't grow up," Dr. Finkelstein said. "And yet we don't want it. We want our children to grow up, and yet at any particular moment we don't want it. Plato would have been pleased if Aristotle had announced he was going to form his own academy in the interests of truth—and yet he also would not have been pleased."



## RECALLS A NOTE

Friendship with students was easier in earlier years. Rabbi Finkelstein recalls with pleasure a note found inside a book in the library, saying that two ancient commentaries appeared to be in disagreement, but "Finky says they're not in disagreement."

"This 'Finky' was a good idea," he said. "Students didn't call me 'Finky' to my face, but it was good that they called me 'Finky' affectionately."

"Nowadays, a student, no matter how he tries, won't talk back to me easily, or, if he does, it is with such force that he overstates his case, and that is an extremely unpleasant experience."

## COMPROMISE A VIRTUE

"Another trouble is that the way of wisdom often is the way of compromise. It's very often a virtue, a golden mean. When you're chancellor, nobody believes when you offer a middle way that you really mean it. They think you're just trying to get out. Wisdom is suspect to our young faculty and our students."

"A young chancellor will have different problems," the old chancellor suggested, "and I think he'll run the seminary very different. But that doesn't mean he'll run it worse. Differently. It might be better."

To suggest candidates for chancellor, a committee will be formed, with five delegates each from the faculty, the executive committee, the Rabbinical Assembly and the United Synagogue of America. The seminary's board of directors will then choose the successor.

Dr. Finkelstein leaves office with two dreams unrealized. He wanted the seminary to set up a daughter institution in Israel, and he hoped to build—he still hopes to build—a philosophy center in America: "It would be a place where philosophers could philosophize with each other and perhaps produce men like Socrates, Plato and Aristotle."

"Each of us is a little Messiah if he wants to be," he said.

## TRIBUTE TO AMERICAN FIREMEN

## HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. GALIFIANAKIS. Mr. Speaker, in commemoration of National Fire Prevention Week, I should like to take this occasion to extol the virtues, performance and dedicated service of our American firemen.

Much has happened in our country over the past century and many popular viewpoints have suffered serious change. The popular image of the fireman, however, has not changed. As always in the past, he is regarded today as a man of courage and a man of true public spirit.

The force, the fury and the horror of fire can be dealt with only in one way—through bravery, stamina and the firmest resolve. That is why today, in an era of sophistication, the old-fashioned fireman remains an American tradition—a highly respected symbol of safety in a world ravaged by the enemies of safety.

In the average year, fire can be expected to take the lives of more than 10,000 Americans, and to destroy American property valued in the vicinity of \$100 million. The statistics alone are staggering, and the accompanying heartache and grief compound those figures by a thousandfold.

To combat this fearsome force of evil, we have the American firemen—whom we depend upon, day in and day out.

They are among the bravest of our public servants, deserving of our highest praise and respect. I wish to add my voice, on this laudable occasion, to the national chorus of praise which honors their service to the people of our land.

Yesterday I had the privilege of participating in a parade sponsored by the fire department in my hometown of Durham, N.C. The dignity and drama of that event reminded me of a salute to professional firefighters which appeared in Newsweek magazine a year or so ago. The salute went something like this:

The fireman is unique in America. He comes usually from a family with a no-nonsense view of right and wrong. He has a good military record; he is a team man with an unquestioning sense of discipline and an appetite for excitement and danger. He is patriotic, religious and conservative in his politics. In a neurotic age of quicksand values and deepening doubts, the fireman has faith in eternal verities and no questions about himself. He is direct, uncomplicated, open and likeable. In a job that is often more hazardous than police work, he is fatalistic and awesomely brave. His values are absolute, and he follows them with a matter-of-fact heroism that tolerates no mincing compromise.

Those are well-deserved words of tribute to our American firemen—this week, and every week during the year.

## THE 100TH ANNIVERSARY FOR SAGINAW'S SECOND NATIONAL BANK

## HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. HARVEY. Mr. Speaker, it is a great pleasure for me to join with thousands of residents of Michigan's Eighth Congressional District in a special salute to the Second National Bank, Saginaw, Mich., which, on November 8, 1971, will celebrate its 100th year in business. It is my sincere hope to personally participate in public ceremonies on that date as the community honors this outstanding institution.

When Second National Bank began its proud history in 1871 the manufacture of lumber was Michigan's principal industry and Saginaw was the sawmill mecca of it all.

By helping to finance lumber camp and sawmill operations, Second National Bank helped make the lumber business bigger and better throughout spacious Saginaw Valley.

After the lumber industry in Michigan faded into oblivion in the 1890's, Second National Bank helped in the financing of new businesses and industries to succeed the manufacture of lumber.

A century ago Second National Bank of Saginaw started out with \$193,100 in capital stock. Today the bank's total assets to show for 100 years of prospering growth are nearing \$250 million.

In addition to its 12-story main office building, tallest structure in downtown Saginaw and a community landmark, Second National Bank now has 13 branch

offices. It has grown to be the 16th largest bank in Michigan and operates among the largest trust businesses outside the city of Detroit. It was the only bank in Saginaw and one of the few in the Midwest to remain open through the Bank Holiday of 1933.

I, for one, am confident it will present an equally successful encore during its second century as an exemplary bulwark of our free enterprise system.

I am inserting at this point a special news release which has been prepared tracing the history of the Second National Bank of Saginaw, Mich.:

## THE 100 YEARS OF SECOND NATIONAL BANK OF SAGINAW

From humble beginnings over a course no smoother than the dusty streets that passed as Saginaw's thoroughfares to the imposing forefront of substantial leadership among Michigan's banking institutions, the Second National Bank of Saginaw will observe with justifiable pride the 100th anniversary of its founding on November 8, 1971.

The story of Second National's solid growth is the story of Saginaw's emergence from the recesses of a rich, wild forestland—young, vigorous, productive—to the maturity of a city, roughly hewn, but staunchly laid.

It is the story of the teeming lumber industry and lumbermen, of salt and coal mines, railroads, oil, sugar beets, and sprawling industry that marks its present day pulse.

But behind the city's shifting scenes that have transformed it from a lumbering to an industrial town, is the story of men with sound judgment, business acumen, integrity, and leadership.

When the Second National Bank of East Saginaw, its original name, opened its doors shortly after its approved organization on November 8, 1871, it was viewed as just another newcomer in the rapidly shifting field.

A look at its capital and surplus of \$1,200,000 today dwarfs the mere \$193,000 capital stock with which it has its beginnings. Even those early beginnings have the mark of coincidence that brought into existence those first five stockholders who constituted the charter directors.

Among them, only the Morley name continues prominent and unbroken through the bank's first century. The year preceding the bank's organization, E. W. Morley had made application in the name of Morley Brothers for a charter to organize another national bank in Saginaw.

A year later, Roswell G. Horr came to Saginaw. He was an "old college chum" of C. K. Robinson, at that time head of a private bank in Saginaw known as C. K. Robinson and Company. Horr and Robinson sought a national bank charter, but were informed of Morley Brothers' prior application.

As a result, the two parties joined in forming the Second National Bank. Stockholders were Horr, Robinson, Franklin P. Sears, George W. Morley, and Alfred B. Wood. Robinson was first president and Horr cashier. The bank's first home was in the Mason block at the southeast corner of Genesee and Washington in East Saginaw. It continued to do business at that site for 24 years.

Robinson served as president for about a year when he was succeeded by Horr at the board's election of January 14, 1873. In 1875 George W. Morley became vice president and in 1876, his nephew, George B. Morley, came to East Saginaw from Fort Scott, Kansas. George B. Morley was only 19 years old at the time but was soon recognized as an energetic young teller. When Horr resigned as president on February 3, 1877, he became the second president to step aside in little more than the bank's five years existence.

On that same date George W. Morley was selected president.

Morley's elevation to the bank's presidency established an entirely new pattern in Second National's future history, a pattern of long-term guidance. George W. Morley served as president until his death in 1901. George B. Morley succeeded him as president, a position he held until 1929, when he was elected Chairman of the Board. George B. Morley passed away in 1935. R. Perry Shorts was named president in 1929, and continued in that capacity until being named Chairman of the Board in 1957. Mr. Shorts was elected Honorary Chairman of the Board in 1965, a position he actively holds today at the age of 91 years.

John A. Stewart was elected president in 1957 and chairman in 1965, serving in the latter capacity at his death in May of 1968. E. Colbert Ryan succeeded Stewart as president in 1965 and chairman in 1968, serving actively until his sudden death in December of 1970. Harold M. Karls was elected president in 1968 and succeeded to chairman in January of 1971. Alvin G. Benson was elected president and director of Second National by its Board of Directors on June 23, 1971. The 49-year-old Benson, who had served on the National Bank of Detroit staff since 1948, becomes Second National's ninth president.

The year 1896 was another milestone in Second National's history. In that year it bought the assets of the Home National Bank of which Wellington R. Burt was president. Burt had lost confidence in Saginaw's future with the decline of lumbering and salt manufacturing and closed out all of his business interests.

It was not a bright period in Saginaw history. The country's finances generally had gone through rough times, but Second National had weathered the depression of 1873 and was staunchly entrenched when the even rougher going of 1893 hit.

Purchase of the Home National Bank in 1896 gave Second National a new home, located in the 100 block of North Washington Avenue, the present site of the J.C. Penney Company Store. Second National continued expansion as it prospered and played an even more dominant role in Saginaw's business and industrial life, resulting in construction of the imposing twelve-story office building at Genesee and Washington, which has been its Main Office since December of 1925.

In November, 1922, Second National absorbed another Saginaw bank, the Commercial National Bank located on North Hamilton, thus giving it a branch office on the west side of town. When the receiver for the defunct Bank of Saginaw sold its assets in 1936, Second National bought its present west side and south side locations. Second National moved into the west side location immediately and opened the south side location in 1947 as its third office.

Second National's growth over the past 99 years is reflected in its total resources at ten-year intervals from its organization in 1871 through December 31, 1970:

1871	-----	\$193, 100. 00
1881	-----	340, 259. 62
1891	-----	1, 056, 004. 05
1901	-----	4, 749, 030. 29
1911	-----	5, 711, 825. 17
1921	-----	10, 974, 087. 98
1931	-----	16, 009, 714. 14
1941	-----	41, 304, 250. 98
1951	-----	88, 650, 064. 36
1961	-----	122, 141, 176. 61
1970	-----	228, 318, 275. 86
June 31, 1971	-----	239, 817, 623. 27

In February of 1951, Second National opened the first exclusively drive-in banking facility in Saginaw, which it continued to operate until it was replaced by the Atwater branch office in 1965.

As Saginaw's population grew and spread out into surrounding townships, Second National responded to meet the demand of its customers. Two offices were opened on the fringes of the City of Saginaw in 1954-55. During the rapidly expanding 1960's, Second National added seven more offices until today it has eight in the City of Saginaw and approval for a ninth (1970 population—90,603), three in Saginaw Township (1970 population—27,115), one in Bridgeport Township (1970 population—12,752), one in Kochville Township (1970 population—2,379), and one in Buena Vista Township (1970 population—13,670). Second National opened two of its branch offices in 1971, the Holland Road Office in Buena Vista Township in January, and the Gratiot-West Side Office in the City of Saginaw in June.

To keep pace with the growing demands for banking services, Second National utilized a Burroughs computer for its first application—demand deposit accounting in 1965. Today, its Electronic Data Processing Department utilizes the largest Burroughs hardware manufactured to record, store, and produce information for management concerning demand deposits, time deposits, mortgage, and installment loans, profit planning and payroll, operations, trust, and marketing research. Its E.D.P. Department also processes demand deposit, savings, payroll, and installment loans for several correspondent banks in the area, payrolls for a large hospital and school district, and accounts receivables for a telephone company.

Today Second National employs over 500 full-time and part-time persons with annual wages and benefits totaling over \$3,298,000. As of December 31, 1970, Second National ranked 16th among Michigan's 300 national and state banks.

There were times in the bank's history when disappointed businessmen roundly criticized Second National for its alleged ultra-conservatism, lack of vision, and failure to recognize the new era of business dealings and high finance. The officers and directors that steered the bank's steady course refused to be stamped into top-heavy venture capital investments.

That Second National has survived four depressions, five wars, as many bank panics and recessions—in 1933 it alone was able to withstand the bank holiday shock in Saginaw—is a tribute to astute leadership and proof that its established policy has been of the soundest.

#### THE NAVY'S NEW INSPECTOR GENERAL—ADM. MEANS JOHNSTON

#### HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 5, 1971

Mr. WYMAN. Mr. Speaker, speaking for myself and many colleagues, I offer my congratulations to Rear Adm. Means Johnston, Jr., on his promotion to Inspector General of the Navy in the grade of vice admiral. While his selection will be of immeasurable benefit to the Navy, the Congress has lost the services of an exceptionally effective officer as Chief of Legislative Affairs for the Navy.

Admiral Johnston is an outstanding naval officer with a proven record of performance in both command and staff duties. A 1939 graduate of the Naval Academy and holder of a law degree with honors from Georgetown University, he was decorated for combat commands in both World War II and the Korean conflict. Admiral Johnston was

responsible for the capture of the German U-boat 505 during the Second World War, the first man-of-war to be captured on the high seas since the War of 1812. His staff assignments have included service on the personal staffs of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Chief of Naval Personnel, and the commander in chief, Pacific.

For 32 months, Admiral Johnston has freely given of his experience and expertise in assisting the Congress in discharging its responsibilities—from budget review to assisting individual constituents. His sense of dedication has unquestionably made him one of the finest officers the Navy has today. An extremely capable all-around executive, he has performed a difficult, often sensitive job with an extraordinarily keen sense of honor. He will be missed by the Congress.

More than most, Means Johnston deserves a hearty "Well done and god-speed!"

#### REMARKS OF PRESIDENT NIXON AT HANFORD, WASH.

#### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, October 5, 1971

Mr. HOSMER. Mr. Speaker, on September 26, President Nixon visited the atomic energy installation at Hanford, Wash., and made remarks which have considerable significance to the peaceful uses of atomic energy. I am pleased to include that portion of the President's remarks in the RECORD for the information and enlightenment of all:

REMARKS OF THE PRESIDENT AT THE AEC RESERVATION, HANFORD WORKS, HANFORD, WASH., SEPTEMBER 26, 1971

Now, a word about this area. Everybody in the United States has heard of Hanford and what it means in terms of the nuclear power that it has created. Everybody knows that it is still important in terms of nuclear weaponry, which is essential as an instrument for keeping the peace in the world, as a deterrent to war, as a deterrent to those who might start war.

But today we must think not only in that respect, but we must think far beyond, of what nuclear power can do in terms of peace.

Let me say something that I know will be understood here, but which too often is not understood in many parts of our country. Many people in this country, because nuclear power is so destructive, are afraid of it. What we have to understand is that when you have such enormous power, let's use it for peace, let's find a way to use it, and that, of course, is the future as far as this area is concerned. Don't be afraid of it. Build it for peace.

I live, as you know, in California, down in San Clemente. Right next to us, within a couple of miles, is one of the new nuclear power plants. Many are afraid to live there because they fear what could happen with regard to that peaceful nuclear power plant. I am not afraid to live there. I am not afraid, not because I know much about it, but because what I do know tells me that here we have a new source of energy, a source of energy that is absolutely important to the future of the world.

I know the people of the State of Washington, perhaps as much as any people in this country, due to the fine leadership you



have had in the State, are interested in the environment, and preserving it. If you are going to have a clean and beautiful environment in this country, we have to have a new source of energy, plentiful and clean. And we can have that new source of energy. One of the major places to get it certainly is through the development of nuclear energy.

That is why I made an announcement on June 4th, one that did not get, of course, the enormous publicity of the trip to China, one that did not get the publicity of the economic policy to deal with the inflationary problems of this country, but one whose importance to the future in long-range terms may be even more important in some respects, and that is that the United States was going to go forward in building a breeder reactor.

Well, don't ask me what a breeder reactor is; ask Dr. Schlesinger. But tell him not to tell you, because unless you are one of those Ph.D.'s, you wouldn't understand it either, but I do know that here we have the potentiality of a whole new breakthrough in the development of power for peace. That means jobs—jobs for this area, and jobs and power for hundreds of millions of people all over the world.

At the time of that announcement, I was able to announce that we were going to have one experimental plant to go forward. I want to tell you today, and I have chosen this place and time for making the announcement for reasons you will all understand: that because private industry has already contributed \$200 million for the development of the first plant, that I have decided to authorize going forward on a second one.

Now, we are not yet ready to drop the other shoe and say where they are going to be, except this: This area that has so much talent in terms of brains, that has so much resources in terms of experience, has a role to play in the future in the development of our power.

One final thought before we go in for the tour. I mentioned a moment ago how all of this business about breeder reactors and nuclear energy is over my head. That was one of my poorest subjects, science. I got through it, but I had to work too hard. I gave it up when I was a sophomore. But it always has been fascinating to me because it seems to me that if a people are to be a great people, we must always explore the unknown. We must never be afraid of it. That is why we have to go to space. That is why we should have built the SST. That is why, as far as that particular matter is concerned, in terms of nuclear power we must not be afraid. We must explore it.

We can't be sure what it is going to produce, but on the other hand, we know that by exploring the unknown, we are going to grow and progress, and progress in a way that will be good for all Americans and for other people in the world.

There is a wonderful story about Benjamin Franklin that illustrates my point on that score. A balloon was sent aloft, the first time that Americans at that time had seen a balloon, and somebody asked Franklin, "Of what possible use is that thing?" His answer was, "Of what possible use is a newborn babe?" So that is what we have here. We have here the possibilities of new breakthroughs.

The fact that you live in this area, and that whether you work here in this installation, whether you are associated with it, it seems to me this is one of the most exciting places to live, one of the most exciting times to be alive in the history of man, because you are opening the great vistas of the unknown, and as a result of exploring them and opening them, it is going to mean a better life for our people and a better life and, we hope, a more peaceful life, with peaceful production for the people of the world.

Thank you very much.

## SENATOR BYRD'S WARNING

### HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. DOWNING. Mr. Speaker, my distinguished Virginia colleague in the other body, Senator HARRY F. BYRD, Jr., frequently speaks out on a number of issues which are of great concern to all of us. I am pleased to include in the RECORD a collection of editorial notices on several of Senator BYRD's positions.

The editorials follow:

#### SENATOR BYRD'S WARNING

Senator Harry F. Byrd Jr. of Virginia has assumed the role played so long by his late father as the voice of fiscal responsibility in government. Mr. Byrd held the Senate floor the other day to issue a grave warning on the evil of deficit spending year after year and the sad state of the Treasury. There is no doubt about it—our present fiscal position is perilous.

The senator was speaking on an amendment which would have lowered by \$15 billion the Nixon administration's request for an increase of \$40 billion in the "temporary" national debt limit. The old limit was \$395 billion, and the administration had asked that it be increased to \$435 billion. Mr. Byrd argued for the lower ceiling, stating that it was necessary to impose restraint on the executive branch if we are ever to get our fiscal house in order.

Never," he said, "have I been more discouraged by the government's financial position—or more alarmed. During the 12-year period beginning with fiscal year 1961 thru the administration's projections for fiscal year 1972, the government ran a deficit in the federal funds budget every year. The cumulative federal funds deficit for that 12-year period is \$146 billion.

The accumulated deficit of the last three years of President Johnson's administration totaled \$49 billion; the accumulated deficit for the first three years of President Nixon's administration will total at least \$62 billion. . . . The administration asserts that deficits for this year and next year combined will total \$29 billion. But the fact is that the real deficit for these years will total \$48 billion."

Sen. Byrd recalled that the government under President Johnson changed its book-keeping methods, going to a so-called unified budget. Under this system surpluses in federal trust funds, mostly Social Security, are lumped together with general funds, even tho trust funds cannot be used for the general operations of government.

"This reduces the apparent deficit of the government, but not the real deficit," Mr. Byrd said. "Putting aside this sleight-of-hand accounting we find that actual deficits will reach \$25 billion this year and \$23 billion next year—and this assumes that the government's financial estimates hold good."

Sen. Byrd reminded his colleagues that since 1967 interest on the national debt has increased from \$13.4 billion to an estimated \$20.8 billion this year and \$21.2 billion for fiscal 1972, an increase of 59 per cent in a relatively short time. Of every dollar of income tax paid by individuals and corporations, 17 cents goes to pay for interest charges on the debt.

"The huge increase in the cost of government," he said, "must be paid for either by more taxes or by more inflation—which is a hidden tax, and the cruellest tax of all."

Secretary of the Treasury Connally has said that while tax increases may be avoided this year, and maybe next year, he sees little hope of avoiding them further "down the pike."

Sen. Byrd's somber warning should alert citizens to the fact that they cannot live in the fool's world of constant federal deficit penalties—more taxes or more inflation. Their dollars are worth less every year.

[From the Charleston (S.C.) News & Courier]  
RESTRAINTS ON JUDGES

Article III, Section 1 of the U.S. Constitution states: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior. . . ." That is to say, federal judges are appointed for life.

It was the aim of the founding fathers to insure the independence of the federal judiciary from the executive and legislative branches of government, and to make federal judges accountable to no one. For many years this system worked pretty well. Federal judges for the most part remained aloof from political and social hurly-burly and followed the unwritten canon of judicial restraints.

In recent years, partly because geographical and political considerations tended to lower the quality of nominees to federal benches, more and more judges have adopted the premise that the Constitution is whatever they say it is, and have sought to substitute their personal sense of justice for rules of law.

Among those who have become increasingly apprehensive of this trend is Sen. Harry F. Byrd Jr., D-Va. "The revolution which began in the Supreme Court," he said recently, "has permeated the lower federal courts. Judges of these courts have, in many instances, arrogantly assumed unto themselves the prerogatives of lords of the Middle Ages. . . . Prayer has been swept from our schools; the historic right of a legislature to redistrict itself has been abolished; sociological treatises have replaced the common law; traditional equity powers have been enlarged to allow rule by judicial fiat. . . . the federal courts have cast aside the bonds of self-restraint and have taken it upon themselves to legislate."

Few would disagree with that appraisal, except possibly attorneys for the American Civil Liberties Union and liberals of that ilk. While supporting the concept of an independent judiciary, Sen. Byrd contends that a method should be provided whereby the federal courts "might be made more accountable to the people."

To that end Sen. Byrd has introduced a proposed amendment to the Constitution providing that federal judges be subject to reconfirmation by the Senate after a term of eight years. If reconfirmed, they would continue to serve for another eight years. It may be questioned whether this proposal would make federal judges more responsible to "the people." The plan just might, however, lead to more responsible and less emotional opinions, more attention to law than to social theories.

It was Justice Cardozo who said that if judges are allowed to substitute their personal sense of justice for rules of law, the reign of law would end and the rule of benevolent despots will begin. What assurance have the people that such despots would be benevolent? Recent despotic judicial decisions suggest no such assurance exists.

The founding fathers could not have foreseen the complex social issues into which the federal judiciary has been drawn. Sen. Byrd's proposal provides a platform for debate on whether in this era the lifetime appointment of federal judges remains sound practice.

[From the Indianapolis (Ind.) Star]  
GOVERNMENT CAUSES INFLATION

Every American housewife knows that the dollar she spends this year buys less than it did last year. But not many know why this has come about.

Senator Harry F. Byrd (I-Va.), knows. "In my judgment," he recently told the Senate, "the continued deficit spending by the Federal government has cheapened the dollar and made it a less desirable currency . . . The dollar decline . . . is the direct result of government policy."

Last year, fiscal 1971, ending last June 30—Congress voted so much spending that we had a deficit of more than \$23 billion. The deficit for fiscal 1972 in the administration's budget is projected at more than \$11 billion, and it wouldn't be surprising if it turned into another \$23 billion deficit, or worse. That is just like printing counterfeit money. It is money spent but not collected as revenue.

And yet the Federal government is collecting more than twice as much money from the taxpayers as it did 10 years ago! In 1961 the Federal government took \$75 billion from the taxpayers not counting the trust funds. In 1972 it estimates it will take \$153 billion. In addition to this there will be some \$38.2 billion for Social Security and a total of \$75.4 billion for all trust funds (including Social Security).

In almost every year, however, under Presidents Kennedy, Johnson and Nixon, there has been a deficit despite this rapidly rising income. It almost seems as though Congress has decided to do its best to keep spending ahead of income every year.

The result has been a cheaper dollar for all Americans.

The solution does not lie in raising wages and prices to meet this worst inflation in any 10-year period in the nation's history. The solution lies in demanding that government balance its budget and stop spending more than it collects in taxes.

## NIXONOMICS

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. MITCHELL. Mr. Speaker, one aspect of the President's new economic policy has been overlooked in recent weeks. We have had much talk about its effects on organized labor, on the business community, on our foreign trading partners, and on certain segments of the taxpaying population. But there has been very little discussion about the effects of the new Nixonomics on minority groups, particularly black Americans.

Certainly, blacks understood the meaning of the old Nixonomics, fighting inflation by encouraging unemployment. We found ourselves increasingly jobless in a period of ballooning prices. This economic policy we understood only too well. But how will the all new, super kingsize package of Nixonomics affect black Americans?

It is both an honor and a pleasure to introduce into the Record "The Surprise and Substance of Nixon's New Economic Policies: Implications for Black America" by Thaddeus H. Spratlen. Professor Spratlen is the associate chairman of the Caucus of Black Economists, the director of the Black Economists' Development Project at UCLA, and an as-

sociate professor at the Graduate School of Management at UCLA. I believe that he sheds some light on several of the darker corners of the new Nixonomics. I commend this article to my colleagues and urge that they find time to read it:

THE SURPRISE AND SUBSTANCE OF NIXON'S NEW ECONOMIC POLICIES: IMPLICATIONS FOR BLACK AMERICA

(By Thaddeus H. Spratlen)

The drama and timing of President Nixon's August 15, 1971 announcement on major fiscal and administrative policy changes underscore their intended shock effects in psychological, political, and economic terms. The action represented a surprising and substantive change from the often repeated Nixon "game plan for the economy." "Nixonomics," as it was called by some observers, had come to symbolize a strategy of positive talk and negative action while waiting for the economy to reverse the path of rapidly rising prices in the face of high levels of unemployment.

In this discussion two aspects of the Nixon new economic policies are emphasized. The elements of surprise which they contain and their substantive content are described and interpreted. Special emphasis is placed on their implications for Black America.

On this latter point a word of caution is in order. Since the policies are "macro" or aggregate in nature they are intended to apply across the board to all household, business, institutional, and government segments. It is a difficult and uncertain task to apply such broad guidelines to a special racial group—Black America. It is much easier, for example, to write of labor versus management interests in the policies than it is to write of black versus white interests and effects.

### SURPRISE ELEMENTS

In addition to the timing and absence of prior speculation about the ideas contained in the new policies, surprise is also associated with the stringent measures announced by a conservative-to-moderate Republican president. After all, both directly and through his spokesman, he had rejected the use of such measures as his critics were proposing. Moreover, the action was unilateral. The Nation's major world trading partners were apparently not consulted or forewarned.

Surprise may also be seen in the forceful, systematic, and comprehensive action by a man who personifies middle-of-the-road policies and programs. The measures taken and recommended to Congress were several steps beyond the middle-of-the-road. For example, the cost of living council, which he has formed, may be the forerunner of a wage-price review board that could extend beyond the initial 90-day freeze.

On the whole, the new measures make it almost certain that the total economy (or at least the major business and Government segments) will be more extensively and directly managed through national guidelines and Federal policies. This will almost certainly be the case for at least several months or a year following the initial period of Government controls between August 15 and November 12, 1971. The surprise element, of course, is that it may be inferred that economy-wide planning has been given an unintended, but certain, boost by a Republican President.

### SUBSTANTIVE ELEMENTS

The several fiscal and administrative components of the announced set of policies are supposed to bring about specific changes in economic decisions of business firms, households, unions, Government, and even foreign nations. It is expected that their responses will stimulate basic spending-investing activity which will benefit the U.S. economy. Net job gains should be realized. More posi-

tive, confident attitudes of investors and spenders should result. American made goods should become more competitive in domestic and world markets. Indeed, problems of inflation and unemployment which prompted the new policies will be contained, if the policies are successful.

The intended effects of each of the major policy components are briefly described in exhibit I.

### MAJOR OMISSIONS AND INEQUITIES

In many respects the President's major concern continues to be inflation rather than unemployment. Note, for example, that he did not ask for an acceleration in Government construction allocation or expenditures through the recently approved (July 12, 1971) \$2.7 billion public service employment program to create over 150,000 jobs within two years.<sup>1</sup>

As union officials have been quick to point out, profits and interest rates (income components for business and also contributing forces to current problems of inflation) have been excluded from the stringent measures of a freeze. Only an appeal for voluntary restraint has been made. Clearly, the policies favor larger business interests.<sup>2</sup> In effect, wage and salaried workers and property owners make the short-run sacrifice for everyone's (including business') long-run benefits from less inflation and unemployment.

The President's priorities are shown once again in the area of cutbacks. It is significant that foreign economic aid was cut by 10%, not the far larger expenditure category of foreign military aid.

### IMPLICATIONS FOR BLACK AMERICA

As might be expected, the entire message of the President was silent on the special problems and needs of black Americans, poor Americans or others who are marginal to the prosperity of the larger economy. The new program, then, continues to rely on the potential of "trickle down" to get the benefits of policy changes to the depressed areas of urban America—the black ghettos of our cities. That is, the benefits will filter down through the exchange process or Government from the decisions and discretionary judgments made by business owners, managers, investors, and Government officials. By implication, these vested interests are served first. Then directly or indirectly the major concerns of black and poor people receive attention, if indeed their best interests are to be served at all.

In the semantics of the message even the black situation is disregarded. For example, he referred to 1956 as the year of "prosperity with full employment". Yet the ratio of black to white unemployment was in the year at its highest level of the entire period between 1949 and 1970—2.3 (8.3% unemployment for nonwhites and 3.6% unemployment for whites). Further, his reference to the unemployment problem was not to the depressed economy of the ghetto, but to laid-off defense workers and returning servicemen. Yet, the nonwhite component of the unemployed would be equivalent to as much as one-third

<sup>1</sup> To do so would have highlighted conflicting policies. After all his cutbacks in federal spending will mean layoffs for about 35,000 government employees directly. Other jobs which are dependent on government purchases and spending will also be adversely affected. A somewhat related point is that in December of 1970, the President vetoed a much more valuable \$5.6 billion public works and economic development program.

<sup>2</sup> Of course it should be recognized that this is the main source of his power base. Through ideological ties and practical politics as well, management in larger business firms must be regarded as the constituency that President Nixon is likely to serve most consistently.



of the two million workers that he referred to in his message.\* \* \*

#### POTENTIAL GAINS TO BLACK AMERICA

In two major respects blacks stand to gain from the wage-price-rent freeze. Those blacks who are not unionized will get temporary relief of not being placed at a further disadvantage through the impact of escalating wages.<sup>3</sup> Since the freeze does not apply to transfer payments (income such as aid-to-dependent children or payments in kind such as food stamps for which no current service is rendered) by the recipient, there will be a slight advantage associated with increased welfare and social security payments. This is not insignificant since transfer payments represent a sizable share of income to the black community.

The tax credit can also yield benefits to the extent that jobs are created for blacks to fill. However, if the jobs are largely high-technology based or have high skill requirements, they will likely help whites and exclude blacks. No special provisions were indicated regarding the type of jobs to be created or who would fill them. Without such provisions the black ghetto or the inner-city generally will continue to be at a competitive disadvantage regarding the location of even Government-subsidized investments and efforts to create jobs.

(Of course some investments made through the so-called "job development [tax] credits" will be designed to substitute capital equipment for labor skills). Apparently, if the interests of black America are to be served at all in this connection it will have to come through the Job Development Act of 1971 which the President indicated that he would propose to Congress in September following the summer recess.

In addition, to the extent that inflation can be reduced at the same time that unemployment is decreased,<sup>4</sup> blacks will be helped along with others who normally experience high levels of unemployment and must live on rather inflexible, if not fixed, incomes.<sup>5</sup>

Further, to the extent that the President's promise to concentrate on reorienting national priorities for full employment produces effective programs and Government action, blacks will be helped. Gains will result even if it means relying on "trickle down." In this situation it is a matter of recognizing that general prosperity and high levels of total employment are necessary, but not sufficient, conditions for black prosperity. About all one can say in this connection is that if employment levels are very high and labor is scarce, blacks and the marginal worker are more likely to be hired. In general, recession in the general economy means a depression for blacks: prosperity will at least bring on recession conditions in the broad base of the black community. Given the vast wealth of this country, this is neither excusable nor equitable, but it is on the whole the actual fact of the economic situation for blacks Americans.

<sup>3</sup> This is a potential gain in a very limited sense. It happens that in an absolute sense those in the lower wage and salary scale might be denied in this interim period certain "catch-up" wage adjustments. It also happens that the whole question of inflation is less of a pressing problem for most blacks than unemployment. For blacks, then, an 80¢ dollar is better than no dollar at all.

<sup>4</sup> This poses some technical conflicts in policy. Reducing unemployment will generate some degree of inflation. Inflation, then, is an unavoidable price which must be paid for low levels of total unemployment (3-4%).

<sup>5</sup> This refers to those on welfare and social security as well as the nonunionized, especially lower paid service and unskilled workers, whose incomes will tend to rise.

#### POTENTIAL LOSSES TO BLACK AMERICA

The announced cutback in Federal spending of nearly \$5 billion will hurt blacks. Urban programs may be more adversely affected than space, defense and environmental programs. The President was unclear on this, but in his general approach of spreading most of the short-run sacrifice among the unionized<sup>6</sup> working class, the reductions may be blanket or across-the-board rather than selective on some basis of social and national priorities. Indeed, blacks may experience a disproportionate share of the 5% reduction in Federal employment required by the new policies.<sup>7</sup>

If Congress goes along with the postponement of revenue sharing for three months, blacks will be hurt. As inadequate as the President's revenue sharing is, it does offer some relief for the urban areas where a majority of blacks are now concentrated. If the cities are hurt, it is almost certain that blacks will be hurt, and more.

Likewise, postponement of welfare reform for one year will tend to hurt blacks. This means that a desperately needed incomes policy (income maintenance in some form of guaranteed minimum, family assistance, negative income tax, etc.) will not get a push from the administration where impetus is badly needed.

However, blacks will probably lose most directly of all in lax enforcement of the freeze guidelines. Given the typically inadequate information base in the black community, many will not even be aware of or will be unable to detect price exchanges, especially; or may not complain when increases occur. Unless special efforts are made to ensure compliance in the black community, not even a chill on prices and rents will be recorded between August 15 and November 12, 1971.

#### RESPONSES OF BLACK PUBLIC OFFICIALS

Wherever possible, legal and monitoring services should be provided for blacks. Contact should be maintained with a ranking official of the nearest Regional Office of Emergency Preparedness which is charged with administering the new Nixon program. Agencies with staffs to provide legal aid to blacks and the poor generally should be alerted to the need for special assistance. Offices which can receive and channel complaints and expected violations should be well publicized in the black community.

Black officials could also work for ways of disclosing the uses of job-creating tax credits to increase employment opportunities for inner-city areas and residents. Black communities need the increased income and the cities need the broadened tax base.

Congressional hearings on the new program are virtually certain to begin in September. They will offer a forum for getting specific consideration to applying the provisions (or enacting additional measures) so that the broad base of the black community is better served. For example, efforts to gain support for the public works and economic development program vetoed last year could be tied to congressional approval of the Nixon policies. In addition, consideration of the Job Development Act of 1971 will offer another means of getting provisions

<sup>6</sup> Reference here is to the statement of an Administration official that a ban on strikes would be in effect during the 90-day freeze period. This position was later modified and explained to mean bans on strikes for the purpose of gaining a wage increase during the freeze period.

<sup>7</sup> As reported in the news media, an official of the largest federal employees union estimated that there would be 35,000 direct layoffs. The remainder will be accounted for by not filling vacancies (35,000), and through normal resignations and retirements (35,000).

which deal directly with the severe economic problems which persist in black America.

In this connection, the point should be made that black officials must become familiar with the economic aspects of their constituents' needs so that they can make presentations to congressional hearings, state legislative bodies, city councils, and other places (public as well as private) where decisions affecting black people are being made.

Assistance in making appeals for hardship cases and exemptions all the way up to the cost of living and the President may be needed in extenuating circumstances. Such a move would probably be in connection with a specific occupational group of black teachers, service workers or others who may be subjected to non-recoverable losses as a result of the new policy guidelines.

If the gains could be found to warrant it, the support of union opposition to rigid and grossly inequitable portions of the new set of policies might be indicated. This is especially important for gaining the desired flexibility and equity, if the policies are to be continued in some form beyond the initial 90-day freeze. Wage-price review boards, for example, are likely to be formed to curb over-reaction to the initial controls. However, blacks are likely to gain more through pressing for the enactment of supplementary provisions to the new program by Congress. Federal cutbacks that reduce resources and income for blacks should be opposed. Welfare reform or incomes policies need to be implemented. There are other related activities which will in all likelihood increase funds, services and programs that benefit the black community.

#### CONCLUSIONS

A thorough evaluation of the new Nixon economic policies must await the measurement of their effectiveness. Major economic indicators (wholesale and consumer price indexes, the level of unemployment, business capital spending, value of U.S. exports and imports, etc.) will soon reveal the impact of the total program. However, it is appropriate to offer some personal judgments regarding their overall effects and the context as well as content of the new policies.

They do not place proper emphasis on the most important economic task which faces the nation: The need to substantially reduce unemployment in all segments of the society, but especially among blacks and the poor. They also overlook the possibilities of stimulating economic activity through direct consumer transfers or increases in earned income.

The new Nixon policies are being exaggerated for psychological and other "shock" effects. Grandiose claims are being made for them. (Even the President suggested that they are the "most comprehensive new economic policy to be undertaken by this nation in four decades", i.e. since the depression of the 30's).

We must be mindful of their limitations. The blanket freezes, for example, are stop-gap and short-term in nature. Moreover, they contain basic inequities and may be partially obstructed by union opposition. The import taxes, especially, may invite retaliation by other nations. Further, in totality, they are designed for sustaining political and psychological impact, and coincidentally, for lasting economic impact.

As blacks, we must recognize that they are general rather than selective policies. They rely on "trickle-down" to bring specific benefits to the black community. In the final analysis, it is very likely another situation in which blacks on balance may be helped, but whites will be helped much more. For the benefit of blacks as well as the nation as a whole, we must challenge the Nixon administration to adapt the new economic policies so that they meet more of the needs of black America directly and not by relying exclusively on "trickle-down" to provide positive and substantive gains for black America.

# STRIP MINING: AN ECOLOGICAL HOLOCAUST

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. ROSENTHAL. Mr. Speaker, for the past decade we have watched the "relandscaping of America" as massive gouges in the countryside have been made by the marvels of technology—giant earth movers. Those tools of the strip miners have contributed to devastation of the Nation's land on an unprecedented scale. Yet the technology for an adequate and complete reclamation program has received nowhere near the attention as lavished upon "The Big Muskie," "The Silver Spade," and "The Gem of Egypt"—and other mechanical behemoths.

Environment Action Bulletin has eloquently described what remains after a strip mining operation:

A dismal, stinking black swamp of sulfurous water stagnation amid jagged walls of ripped earth and rock. Or, what were once the sides of a majestic forested hill will lie at the bottom of a deep, forbidding scar.

On flat western terrain, discarded rock and soil are deposited in thousands of acres of continuous rings of waste. Whole mountainsides are stripped of soil and timber to expose the coal bed, a condition which can and does lead to landslides.

The direct result of these strip mining operations is often the pollution of nearby water resources. Those who claim that strip mining in the West will contribute to the reduction of air pollution through the use of low-sulphur coal, myopically fail to realize that they are trading one form of pollution for another. Silt fills waterways for thousands of miles. Sulphuric acid which leaks from coal deposits ruins streams and rivers and lakes, and poisons aquatic life.

Already 3,000 square miles, an area the size of Connecticut, have been consumed by the strip miners, and it is estimated that an equal area will fall prey to their monster machines in the next decade alone.

The Department of the Interior's environmental impact statement shows the following accumulated damaging conditions from mining:

First, 292 burning coal waste piles;

Second, 289 underground mine fires;

Third, 1.7 million acres of collapsed land;

Fourth, 145,000 acres of lakes and ponds and 18,000 miles of streams damaged by silt and acid; and

Fifth, "significantly socioeconomic losses such as retarded employment—investment opportunities—depressing social environment; abnormal physical and mental hazards; esthetically unattractive lands."

The Department report also concludes that strip mining annually destroys outdoor recreation resources valued at \$35 million, including \$22.5 million worth of fish and wildlife.

One of the sad facts about the devastation caused by strip mining is that it has

been wrought on the public lands. Indian lands have been leased to the strip miners, as have some of the railroad's ancient land grants. Federal land in the West is being leased at bargain price to the strip miners, as the shameless ravaging of the public domain continues.

Western States are preparing for a period of strip mining on the largest scale yet, if predictions are accurate. The western coal deposits are low in sulfur, which means they will not pollute the air as badly, and can be mined most easily by strip mining. A new Badlands will be created in the West which will probably have a greater visual impact than the natural one, and really deserve the name Badlands.

The worst offense of strip mining is that it leaves vast areas of land ravaged and permanently useless, because the mining companies have little obligation and even less inclination to reclaim the land. There are 2,041,000 unreclaimed acres as of 1965, according to the Department of the Interior.

The strip miners, in their unbounded greed, have turned large areas of this country into a "lunar-like landscape," in the words of Congressman KEN HECHLER of West Virginia. Mr. HECHLER is the author of H.R. 4556, the Environmental Protection and Enhancement Act of 1971. I am proud to be a cosponsor of this important legislation which seeks to end the ecological holocaust caused by strip mining.

Few strip mine sites have been reclaimed, a few still have been returned to their undisturbed state. State by State regulation of strip mining has failed, because States are loathe to make it too hard for the mining interests, who may choose another State to dig for their coal.

It is virtually impossible to return stripped land to its natural state. There is ample evidence that reclamation is virtually impossible for mountainous areas. Some of the mined land has soft substructure rock that cannot be replaced.

The cost of reclamation may be prohibitive, if passed on to the consumer. Different energy sources should be explored, such as nuclear power and oil shale, but only with strong safeguards to protect the environment, the taxpayers to whom those resources belong, and the consumers who ultimately will buy and use the energy.

Mr. Speaker, I am profoundly upset by the devastation that strip mining has brought to the Eastern States, and the specter of destruction which has been cast upon the West. A land rush is on in the West.

I am disturbed that reclamation standards will not be strong enough and that land, once strip mined, cannot be restored to its natural state. I urge the committee to adopt H.R. 4556 which calls for a total ban on strip mining as the only effective measure left to protect a valuable portion of our environment. A halt must be brought to this continuing environmental holocaust, even if it is only temporary, so that we can conduct a comprehensive study of the ecological impact of strip mining, a study of the necessary safeguards and guarantees for

reclamations, and possible different sources of energy for the future.

## FREEDOM OF RELIGION

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. CORMAN. Mr. Speaker, in 1964 the Reverend Eugene Carson Blake, D.D., stated clerk of the United Presbyterian Church, testified before the House Judiciary Committee expressing his opposition to a proposed constitutional amendment relating to school prayer.

In his own eloquent style, Reverend Blake emphatically described the dangers that are involved in tampering with our constitutional protection of religious freedom, questioning those who would want to enlist the power of Government to strengthen the forces of faith. Because his comments are as relevant today as they were in 1964, I would like to submit them as further argument against House Joint Resolution 191.

TESTIMONY OF REV. EUGENE CARSON BLAKE, D.D., STATED CLERK, UNITED PRESBYTERIAN CHURCH

Reverend BLAKE. My name is Eugene Carson Blake. As stated clerk of the United Presbyterian Church in the United States of America, I am grateful for the privilege to address this committee in opposition to proposed amendments to the U.S. Constitution relating to school prayers, Bible reading, and so forth.

In 1789, 2 years before the Bill of Rights became a part of the U.S. Constitution, Presbyterians in their First General Assembly had this to say about the separation of Church and State:

"God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in any thing contrary to His Word, or beside it, in matters of faith and worship." Therefore, they consider the rights of private judgment, in all matters that respect religion, as universal and unalienable: They do not even wish to see any religious constitution aided by the civil power, further than may be necessary for protection and security, and, at the same time, be equal and common to all others."

That early Presbyterian statement remains unchanged today as a part of the United Presbyterian Church's constitution.

The first amendment to our Federal Constitution, a masterpiece of simplicity and conciseness, has stood for almost 175 years as a civil counterpart to this theological statement by my own ecclesiastical forebears. It begins:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof \* \* \*.

I would vigorously oppose any effort to change either my own church's or the U.S. Constitution with respect to the implications of these two principles. They articulate, each in its own way, the inviolability of the citadel of a man's faith and worship, the freedom of his belief and practice, hewn out at so great a cost in the history of Western man.

Neither our ecclesiastical nor our civil forefathers foresaw precisely the mid-20th century society that has developed in the United States, particularly with respect to our common public school system and the diversity of faiths represented among its teachers and pupils. Hence, in May of 1963,



the 175th General Assembly of the United Presbyterian Church, meeting in Des Moines, Iowa, took two actions in harmony with that taken nearly two centuries ago, but addressed to our contemporary situation. One of them spoke implicitly, and the other explicitly to the matter now before this committee. I would point out that both actions were taken prior to the U.S. Supreme Court's decision in the *Schempp* and *Murray* cases involving prayer and Bible reading as devotional acts in the public schools.

First, with respect to the practice of holding religious observances as a part of the program of public schools, the 175th general assembly adopted the following position:

\*\*\* Religious observances (should) never be held in a public school or introduced into the public school system as a part of its program. Bible reading in connection with courses in the American heritage, world history, literature, the social sciences, and other academic subjects is completely appropriate to public school instruction. Bible reading and prayers as devotional acts tend toward indoctrination or meaningless ritual and should be omitted for both reasons. Ministers, priests, and rabbis should be free to speak in public schools, provided their speaking does not constitute religious indoctrination or their presence form a part of a religious observance.<sup>1</sup>

This statement was probably the most controversial part of a larger statement on "Relations Between Church and State," approved by the same general assembly. The entire report, including the portion I have just quoted, was studied during the previous year by 131 Presbyteries and 989 Congregational groups in our denomination. The portion on prayer and Bible reading—the most disputed part—was approved by vote in over two-thirds of these. The vote by which the entire report was adopted by the general assembly was 528 in favor and 298 opposed.

I cite these figures to indicate a point that, in my opinion, deserves special consideration by the committee. We are all aware of the considerable body of sentiment expressed in this country that suggests for some kind of amendment to the U.S. Constitution so as to modify the import of the first article in the Bill of Rights. I daresay that much of that opinion is expressed by sincere and devout church members, some indeed by members of the United Presbyterian Church. But my own experience, and that of other church leaders with whom I have discussed this matter, is uniformly that where there is careful study of the issues involved in this matter—as over against an initial and unconsidered emotional reaction—a substantial body of thoughtful American and church-member opinion sees the dangers inherent in the practice of devotions in the public schools.

The other action taken by the general assembly last year bears more directly upon the immediate concern of this committee with respect to proposed amendments to the Constitution relating to school prayers, Bible reading, and so forth. The official statement adopted follows:

The 175th general assembly:

Gives thanks to God for the civil procedure termed "due process of law" which provides for orderly resolution of social conflict. We affirm the indispensable role of the Supreme Court of the United States in this process. While responsible criticism of the Court's opinion is within the tradition of our Nation, we are out of sympathy with the kind of criticism which impugns the integrity of the highest Court of the land.

Records its endorsement of the principles laid down by the Supreme Court in the Regent's prayer case (*Engel v. Vitale*, June 25, 1962) that "in this country it is no part of

the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried on by the Government."

Expresses its conviction that the first amendment to the Constitution in its present wording has minimized tension and conflict among religious interests, and for (nearly) 180 years has provided the framework within which responsible citizens and our courts have been able to afford maximum protection for the religious liberty of all citizens.

Reminds the church that the development and practice of Christian worship is the inescapable obligation of the congregation and the family, and not of the public schools.

Warns the church of an all-too-human tendency to look to the state and its agencies for support in fulfilling the church's mission. Such a tendency on the American scene endangers true religion as well as civil liberties. Consequently, this general assembly calls the church to renewed worship, study, work, and sacrifice to fulfill its mission as God's people in the world.

Mr. Chairman, the history of Western civilization has examples in it—enough to give us pause—of countries that have shifted from one "religion" to another and back again as the prevailing forces of the government have caused a change in policy. The first amendment, by removing the coercive forces of government from among those that play upon the theological convictions of the people, has served well to protect the freedom of belief of Americans. Any efforts, therefore, to tamper with this constitutional protection ought to cause us to pause and call into question those impulses that seem at first glance most congenial in attempting to enlist the power of government to strengthen the forces of faith. The forces that prevail tomorrow, or next year, or next generation may not be so congenial to our faith. As James Madison said in his great "Memorial and Remonstrance" in 1785:

"Who does not see that the same authority which can establish Christianity in exclusion of all other religions may establish, with the same ease, any particular sect of Christians in exclusion of all other sects \* \* \*?"

With no disturbance of his argument one could amend Mr. Madison's statement by substituting "theism" for "Christianity" and "other faith or no faith" for "any particular sect of Christians \* \* \*" so that the argument would run: Who does not see that the same authority which can establish theism in exclusion of all other religions may establish, with the same ease, "other faith or no faith \* \* \*?"

## PRISONERS OF WAR

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. HARRINGTON. Mr. Speaker, the parents, wives, and children of American prisoners of war and of those missing in action distresses all of us in Congress. There is no excuse for their continued imprisonment because all it would take to release them would be an announcement that the United States was withdrawing all its troops from Vietnam at a fixed date. That is all it would take.

The one-man election this week, an election which was a sham, cannot be used any longer as an excuse to remain in Vietnam. Is it our policy to keep Thieu in control in exchange for the freedom of our own men?

The Wall Street Journal last week added another dimension to the problem.

In an article entitled: "Missing—or Dead? Some Relatives of POW's Say U.S. Misleads Them," the exploitation of figures by the Nixon administration is demonstrated. The Pentagon intermingles the statistics of those missing and those captured with those who are probably dead. This inflates the figures for "bargaining" at the Paris peace talks, but tends to increase the suffering of those who are waiting for a message of hope when none will come. There is much that is tragic about this war but I see no reason for our own military to compound the suffering of families. To elaborate on this policy, I am inserting it into the RECORD.

The article follows:

[From the Wall Street Journal, Sept. 30, 1971]

### MISSING—OR DEAD? SOME RELATIVES OF POW'S SAY U.S. MISLEADS THEM

Four years ago, Mr. and Mrs. Samuel Beecher Jr. of Terre Haute, Ind., received a telegram from the Army:

"... Your son Warrant Officer Quentin R. Beecher has been missing in Vietnam since 11 June 1967. ..."

Two months later, the Beechers learned from the Army that their son's helicopter had run afoul of violent thunderstorms, become hopelessly lost, run out of fuel and gone down, not over a battlefield or an enemy sanctuary, but 18 to 25 miles out in the South China Sea. There wasn't any water-survival gear aboard. An extensive two-day rescue effort turned up nothing.

"It took us two torturous years, but we finally confronted reality," Mrs. Beecher says. Her husband, an attorney and a licensed pilot, adds, "I've crashed that helicopter a thousand times in my mind, and under those conditions there isn't any way Quentin could have made it."

### CLASSIFYING THE MISSING

But the Army won't drop Quentin Beecher from the list of 1,610 servicemen missing in the Indochina conflict—a list that U.S. government officials prefer to call the Vietnam "prisoners of war/missing in action" (POW/MIA). Pointing to men who were declared dead in World War II and Korea but who later turned up alive, the Army, as well as the other military services, rules a Vietnam combatant missing and keeps him that way unless his body is discovered or any eyewitness is found. Because the laws of various states won't allow the wife of a missing man to remarry, Mr. Beecher had to arrange a Mexican divorce for his daughter-in-law.

The case of Quentin Beecher and his anguished parents typifies a development unheard of in previous U.S. wars. For as interviews with 70 other parents and wives in places like Virginia Beach, Va., Colorado Springs, Colo., and suburban Portland, Ore., show, a growing number of families of the missing contend that the military should have mercifully declared their loved ones dead long ago. And some also accuse the federal government of really stringing them along for selfish political reasons.

"I think they're misleading us for their own purposes," Mrs. Beecher says.

These parents and wives are aware of the problems of ever finding out what happened to crews of jet aircraft that explode in mid-air, to pilots of jets that never pull out of power dives and to infantrymen who just disappear in ominous jungles. Thus, these relatives concede that no man should be written off as dead when there is reasonable hope of finding him. But these families shake their heads in disbelief at U.S. policy, which was laid down in a June 1970 statement from the Defense Department. It said in part that "what we want from the enemy is a . . . full accounting of all who are missing."

<sup>1</sup> Relations Between Church and State," p. 7. A copy is appended for the interest of Judiciary Committee members.

## A PLOY FOR NEGOTIATIONS?

Some wives and parents go further. They believe that top-level U.S. policy makers are being deliberately misleading when they denounce the North Vietnamese as liars because the Hanoi officials say they can't produce an accounting of anything like 1,600 men. (North Vietnam has produced a list of 339 men it says have been captured.) These wives and parents suspect that Washington's demand for the accounting is just a throw-away bargaining ploy for the Vietnam negotiations in Paris.

Many of these feelings surfaced earlier this week during a Washington meeting of the National League of Families of American Prisoners and Missing in Southeast Asia, the largest organization of its kind. Dissidents within the league picketed the White House and groaned over the remarks of at least one administration spokesman. They aimed a resolution at President Nixon that said the league "conveys to you . . . its extreme distress at the continuing failure to resolve the prisoner-of-war-missing-in-action tragedy."

Many families, however, do believe the government is doing the best job possible under difficult circumstances. Mrs. John K. Hardy Jr., wife of an Air Force officer shot down over North Vietnam, says she has had several meetings with presidential adviser Henry Kissinger and feels that "President Nixon can do something about the situation, he's the only one who can."

## CLINGING TO HOPE

And as might be expected, many families cling to the hope, however faint, that Hanoi can account for their missing relative, that most of the 1,610 might in fact be alive. Mrs. Edward Beck, for instance, says she feels that her son, a Marine PFC who disappeared in South Vietnam, is a prisoner of the North. Producing a photo of prisoners in the North, she points to a man with his back to the camera and says she is convinced that he is her son. Other families, however, reportedly have identified this same man as their husband or son.

Such feelings often stem in part from the natural refusal to accept the death of a loved one, and in part from the vagueness of circumstances surrounding a man's disappearance. Whatever their basis, these intensely personal feelings have captured the imagination of official Washington.

The Pentagon concedes that as far as hard evidence goes, only 463 of the men on the list are thought to have been captured—378 of them in North Vietnam, 82 in South Vietnam and three in Laos. Nonetheless, a figure of about 1,600 has been used by administration officials and members of Congress.

At a March 4 news conference, President Nixon said that "There are 1,600 Americans in North Vietnamese jails under very difficult circumstances at the present time." (The White House subsequently said the figure used by Mr. Nixon referred to both those who are prisoners and those who are missing in action.)

The next month Defense Secretary Melvin Laird told crowds at the opening game of the major-league baseball season that "there are a great many men in uniform, some 1,600 of them who have not seen a ball game in a long time."

Last year, while telling a House subcommittee of his plans for a POW rally, Sen. Robert Dole of Kansas, chairman of the Republican National Committee, assured Congressmen that "we have not forgotten that there are almost 1,500 Americans who have been prisoners and who have been in danger not for two days, not for three days or four days."

The Senator's guess on the number of American GI prisoners was remarkably close to that contained in a concurrent Congressional resolution passed about the same time; it urged that "every possible effort" be made to obtain the release of prisoners. Part of

its preamble stated that "1,500 American servicemen are imprisoned by Communist forces in Southeast Asia."

## PRESSURE ON THE OTHER SIDE

Asked for comment yesterday, White House Press Secretary Ronald L. Ziegler said: "In all of our fact sheets and virtually all of our statements, we break down the numbers between captured and missing." He added that "only on several occasions has the figure 1,600 been used, and then it was clearly stated that this referred to missing and captured." It is important, the press secretary said, "to apply the pressure to the other side—not here—to give the facts about the prisoners."

In February 1970, almost eight months after the Nixon administration took the wraps off the POW/MIA list, a public poll was conducted by Gallup International for Dallas computer magnate H. Ross Perot's POW group, United We Stand. It said 68% of those questioned had heard of the prisoner issue; of those, more than one-third estimated the number of prisoners at more than 2,000—higher than the politicians' top estimates.

Regardless of the actual number, the hopes of some families that their missing sons or husbands are still alive have been put to a severe test. Consider the case of Mrs. John Swanson, wife of an Air Force captain shot down four years ago while on a bombing mission over North Vietnam. (Like many other relatives of missing men, she has asked that her home town not be given to avoid nuisance telephone calls and mail.)

Several days after the crash, she received a letter from her husband's wing commander. It said that after Capt. Swanson's jet was hit by antiaircraft fire, he had headed for the sea, finally going down two miles off the coast of North Vietnam. "Although a good chute was sighted all the way to impact with the water," the letter said, "search and rescue personnel who arrived within 10 minutes were unable to rescue John."

Two months later, Mrs. Swanson received another letter, this time from the chief of the Air Force casualty section. Recounting earlier details, this letter said, "His ejection, fully deployed parachute and descent were observed by the pilot who had followed him."

What the Air Force didn't tell Mrs. Swanson she later found out from the pilot who had seen the chute. "He said it was very indefinite that my husband was even in that chute," Mrs. Swanson recalls. "He was very discouraging."

## RAISING HOPES

But her hopes were raised almost two years later by yet another letter from the Air Force. This one said: "Intelligence information just received at this headquarters indicates that your husband may be a captive of the North Vietnamese. Unfortunately the content of the information is extremely limited, and we are not absolutely certain of its reliability. . . . I cannot say anything more so as not to jeopardize the source."

Excited by the letter, Mrs. Swanson says she tried to elicit more information from the military. "They were close-mouthed about it, to say the least," she reports.

Confused, Mrs. Swanson turned to her only nonofficial source, the pilot who had followed her husband's plane out to sea. "I explained that I had received this letter," she says, "but he said that didn't alter the picture, that the odds aren't that good."

While many of those among families of the missing accuse the federal government merely of badly handling the POW situation, a sizable number bitterly charge Washington with deliberately exploiting the bereaved for selfish political reasons.

One of those is Mrs. Louis Jones, whose husband was lost over Laos and whose brother was listed as missing and who never returned from Korea. She insists that families of the missing are being misled to believe

that maintenance of a residual U.S. force in Vietnam is the only way to get an accounting of the missing.

"They tell us we can't trust the Communists, that we must keep a residual force in Vietnam until they account for the missing. Well, I wish my husband were held by the Australians. But he's not. If he's alive, he's held by the Communists, and these are the people we must deal with: If there were any living POWs who weren't allowed to return from Korea, it was probably because we still have a residual force there today."

Mrs. Jones adds that she isn't convinced living POWs were abandoned in Korea. But she also asserts that talk of a residual force for the sake of the missing is the administration's way of placating families, "of keeping us quiet."

Another is Mrs. Randolph Ford, whose husband, a Navy pilot, went down over North Vietnam in 1968 and who voted that same year for President Nixon. The Pentagon lists her husband as a prisoner, but Hanoi doesn't. "It shook me up when the administration made it appear we were there (in Vietnam) because of the POWs," she says angrily. "This is a bunch of bull. I resent using the POWs as an excuse to stay in Vietnam. Washington is just trying to save face."

Asserts Mrs. James Warner, whose son is a known prisoner and who headed the National League of Families in Michigan until she "resigned in disgust": "We've been used to drum up war sentiment."

## PESSIMISM BY THE EXPERTS

Experts tend to be pessimistic about the chances of ever unraveling the fate of most of the missing. Bodies of those who have died in damp jungle areas are quick to decompose. Veteran fliers say that in cases of high-speed crashes, only a trained pathologist can possibly tell if human remains are in the wreckage.

And the experts are equally pessimistic about survival chances of those who were lost, alive, on the ground. Marine Lt. Col. Pat Caruthers, who heads up the corps' rugged survival-training program, describes what it is like for a man lost in Vietnam.

"It depends on the terrain," he says. "If you're in elephant grass, it cuts your uniform to ribbons, and you usually don't have any medicine to stop the infection. If you're in the mountains, you've got rocks and bramble bush and just rough ground to put up with."

The colonel says that in any lowland area, rain becomes a problem: "Everything is under water, your feet look like prunes, any orifice or opening in the body becomes a problem, you get blood leeches which you can pick off all day, but all you do is open sores."

"If a man's not found within 10 days," the colonel concludes dryly, "he's got a real personal problem."

Late last year, Hanoi released a list of 339 men it identified as "pilots captured" in North Vietnam, along with a list of 20 GI's who, it said, had died of wounds or disease. The Vietcong have yet to release a list, but a spokesman told reporters in Paris this summer that a list of American prisoners held in South Vietnam would be released on the same date the U.S. begins a total withdrawal of troops from Southeast Asia. The Vietcong spokesman, Madame Nguyen Thi Binh, also said release of prisoners in both the North and the South would begin on that same date.

The Pathet Lao, a Hanoi ally not represented at the Paris peace talks, indicate only that they will "discuss prisoners when the U.S. pulls out of Laos. (Mrs. Stephen Hanson, whose husband, a Marine captain, was seen alive on the ground after his helicopter was shot down over Laos, says a high-ranking U.S. diplomat confided to her that there were "70 or 80" U.S. prisoners in Laos. State Department officials, however, say intelligence sources indicate the possibility of



"around 30 men, and that's low-level stuff—things like reports of Caucasians spotted on the Ho Chi Minh Trail.")

Most families don't accept the Communist lists. But some are beginning to take those figures more seriously. "I can't see how the North Vietnamese can say somebody is dead or was never captured and then turn him up after the war," says Mrs. Billie Cartwright, wife of a Navy pilot missing over North Vietnam.

#### COMMUNIST READINESS?

About midyear, former Defense Secretary Clark Clifford, among others, began suggesting that the Communists were ready to deal: a list of all prisoners held in the South and their phased release to match a date for phased withdrawal of U.S. forces.

Since such suggestions became public, some families of the missing are complaining that the Nixon administration is changing its stand on the POW/MIA question. Mrs. William Mullen, wife of a Marine captain missing in Laos, recalls remarks by Defense Secretary Laird that apparently expressed U.S. policy last spring. At that time he told reporters: "We are willing to take every American out of Vietnam providing that (POW) question is settled."

Mrs. Mullen contrasts that stand with more recent comments by Press Secretary Ziegler. He said that a deal tied simply to the prisoners would impose "a deadline so precipitous that it wouldn't give the South Vietnamese the opportunity to defend themselves and determine their own future."

She also refers to Sen. Dole's statement this summer to CBS television reporter Bob Schieffer: "We have to be very candid about it. We don't want to stay there just for the prisoners, we don't want to get out just for the prisoners. They're very important, but they represent less than one half of one percent of the Americans who've died in Vietnam."

Referring to the U.S. officials, Mrs. Mullen observes: "They want to maintain their license to continue the war."

#### BOYCOTT FRANCE

### HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. GROSS. Mr. Speaker, speaking at Dallas, Tex., on Monday of this week in connection with the dedication of a new postal stamp designed to draw attention to America's drug problem, Postmaster General Winton M. Blount, called on the American people to boycott all French goods in an effort to force authorities of that country to halt the flow of heroin into this country.

It is estimated that 80 percent of the heroin entering this country is from France.

The pertinent portion of Postmaster General Blount's address follows:

REMARKS BY POSTMASTER GENERAL  
WINTON M. BLOUNT

It is a great pleasure to be here with you this afternoon. I say that with some qualification—our purpose here is not a pleasant one, but there is satisfaction in believing that the effort we are engaged in today may have a positive effect on a problem of grave concern to our country.

America is a nation dedicated and consecrated, from the very beginning, to its young. Men have fought and died for American liberty—so their children might be free. Parents have worked and struggled and denied themselves to provide advantages to their

children which they themselves never had: life in a better neighborhood, education in better schools, higher education, a start in life on a higher economic rung.

Our society is adjusted to serve the best interests of our children; our economy is adjusting to accommodate them; even our political system is opening to provide a place for them. And certainly, all these things are justified—for our youth are the wealth of our Nation.

And yet, despite the great emphasis on the best interests of our children, at no time in our history have the young people of America been under a greater threat than they are today. That threat comes from the menace of narcotics and dangerous drugs.

President Nixon has very clearly acknowledged the danger of this menace and has taken very strong and comprehensive steps to deal with it. He has asked for more stringent and far-reaching laws to combat drugs in the area of enforcement. And he has brought to the government a man, who is probably the best equipped man in the country—Dr. Jerry Jaffee—to deal with the drug problem through treatment and prevention.

Both these efforts are going forward, and both are showing progress—sometimes it is only the slim satisfaction of learning what still has to be learned, or of disproving what was thought to be true: this is slow progress, but it is going on.

As I speak on various occasions around the country, I frequently direct my remarks to the matter of putting the power and the responsibility for running this Nation back where it belongs—with the American people.

If there is anyone more concerned with seeing this come about than I am, it is President Nixon himself. He was talking about "power to the people" before the so-called militants and other pseudo-revolutionaries ever came along.

It is difficult to know, at this point, what effect the effort to get power out of the hands of the Federal Government and back to the States and the people is having. I think it is felt by many that this is an optional matter, that they have a choice—that they can choose to run their own lives as they wish or let the Government do it. And they're in no hurry to make a decision.

Let it be understood by all that drug abuse is a problem which cannot be left to the Federal Government to deal with alone. Let it be understood by all that the decision to let Washington worry about it is a decision to let the drug addicts, the drug pushers, and the big-time international narcotics traffickers destroy the Nation we have created and preserved and made great for our young—and to destroy our young as well.

Drug abuse is a problem of the most critical dimensions. While drug abuse is on the increase in other nations, America—of all the countries in the world—is the nation with the largest drug problem. Consider what this means just in the area of heroin addiction. The United States does not grow the poppy; in those nations where it is grown—those nations which produce opium—the addict population is negligible.

The United States does not produce heroin—which is a derivative of morphine, which in turn comes from opium. The production of heroin is a laboratory process which is carried out abroad—France, as we know, is a major source of illegal heroin, for example.

Now we don't grow it, and we don't manufacture it, and yet despite this, we have the largest population of heroin addicts in the world. Consider what that suggests about the size of the problem of marijuana—which can be grown here, and which is grown in abundance on our borders. Consider what this suggests about the size of the problem stemming from barbiturates and amphetamines and other pills which we do manufacture here, and which our young people have relatively easy access to.

There is, of course, much uneasiness over the fact that the problem exists and there is deep concern as well over why the problem exists. Drug addiction is a phenomenon that has consistently baffled and dismayed the sociologists.

First, it was thought that drug addiction was a ghetto problem because of the misery and the boredom of ghetto-dwellers. And this made sense, because there is certainly enough misery and boredom in the ghettos to explain a resort to drugs.

But then it was discovered that the problem has moved to the "nice" neighborhoods—to the suburbs. The case for misery and boredom was lost here. While the problem in the suburbs had and has qualitative and quantitative differences, it was still a drug problem—and these differences are being eliminated.

For example, where pills and marijuana seem once to have been the preferred method of "turning on," heroin usage is on the increase now.

There have been other explanations—the war, the bomb, the new life style, and so forth. It isn't so much that none of these explanations makes sense, as it is that they simply don't matter. We need a whole lot less emphasis on trying to find out why people have a desire to take drugs, and a whole lot more emphasis on why they have the opportunity to take them.

We need less sociological conjecture and a lot stronger enforcement procedures.

This is why the problem cannot be left with the Federal Government. It simply cannot deal with a problem of this magnitude when it needs to be dealt with at the State, municipal and local levels.

Whatever other responsibilities Americans may choose to relinquish to the Federal Government, they just cannot and must not relinquish responsibility for the lives of their children. It is inconceivable to me that we have not seen stronger local action on this account.

The pusher at your local high school—and it is almost a statistical certainty that there is at least one—that pusher is trying to destroy your child. There can be no action too strong and no penalty too harsh for those who would take young and impressionable children in the morning of their lives and seek to wreck those lives—and to do it for profit.

Because, make no mistake, despite all the reasons we have heard for the drug problem—social or economic disadvantages, political despair and the rest of it—the overriding reason why the problem persists and grows is because it is a big business and there is an enormous amount of money in it. It is an international business and this Nation is being victimized by those nations which overlook the production and export of illegal drugs from their territory into our own.

I am and always have been a businessman, and I know it is a very difficult matter to kill a business that makes money—whether it is legal or illegal. It takes strong, concerted, comprehensive, and absolutely ruthless action at all levels to do the job. The sooner the American people recognize this, the sooner they are as prepared to take independent, private action as they are to let the Federal Government act, the better off our country will be.

Because this is a matter that every American can take a hand in. One citizen effort which has been very successful is called TIP—for Turn In a Pusher. The TIP program provides a bounty to anyone who reports a drug pusher when the report results in a conviction. This has been done in areas in Florida, and I know it is being done now in areas of Northern Virginia just outside the District of Columbia.

I think the program should be taken up everywhere. It must inevitably succeed, because not only does information come from private citizens, but it is virtually certain that it will come from within the drug

culture as well. A junkie will sell his mother for money, and pushers will sell each other out to eliminate competition.

In other efforts, particularly in the ghettos, private groups go about combating drugs by taking private action against traffickers. It is appropriate, it is to be hoped, and to be expected that those who are most damaged by the trade should strike back the hardest.

Other methods will suggest themselves to responsible Americans. There is no reason why the individual American citizen cannot have a role in the war against the international drug traffic. Private citizens can make themselves felt beyond our borders. Why, for example, should we import French goods—cars, clothing, food and such—why should the American people buy these goods when an estimated 80% of the heroin which finds its way into this country and into the bloodstreams of our young still comes from France?

If the American people decided to boycott French goods and did so until the cost of the boycott exceeded the benefits of the drug traffic out of Marseilles, then greater effort might be taken to end that traffic.

I call on the American people to institute a boycott of all French goods now—until the French clean up this cesspool with which our young are being contaminated.

Finally, a major step toward a solution of this matter must involve education of our people, and communication with them—not all are aware of the gravity of the situation nor of its widespread nature. It is in this area that the U.S. Postal Service is particularly well-equipped to help.

The stamp we dedicate today is an unusual one for a commemorative stamp. It is not, in fact, a commemorative stamp at all. It is rather a warning, a plea for help, and a call to the American people to take every step to lift up those who have fallen under the use of drugs and to strike down those who profit from the misery of others—who have brought others into the use of drugs.

This stamp is a vertical eight-cent stamp, designed by Miggs Burroughs of Westport, Connecticut, based on a concept by K. Gardner Perine of the Bureau of Narcotics and Dangerous Drugs. It depicts a young girl in a posture of loneliness and despair—reflecting the consequences of drug dependency. Its purpose is clearly written on the stamp. It is to "Prevent Drug Abuse." And we dedicate it now with a fervent hope that it will accomplish its purpose.

#### THE WORLD HAS A DAY TO REMEMBER—NATIONAL DAY OF BREAD, OCTOBER 5, 1971

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. SHRIVER. Mr. Speaker, on June 3 of this year, it was my privilege to join with my good friend and able colleague from Kansas, KEITH SEBELIUS, in introducing House Joint Resolution 683, requesting the President to issue a proclamation calling for a "Day of Bread" and "Harvest Festival Week." Although action was not completed on this resolution, the President has made such a proclamation. Today, October 5, is the National Day of Bread and this week is the Harvest Festival. In commemoration of these events, Congressman SEBELIUS spoke at ceremonies held this morning at the Department of Agriculture. Representing the big First District

of Kansas, the largest wheat-producing area in the world, these remarks are of interest not only to Members of Congress representing producing areas, but to those with districts comprised predominantly of consumers of wheat products and other agricultural commodities.

Accordingly, I have obtained permission from the Chair to insert Congressman SEBELIUS' statement at this point in the RECORD along with an explanation of what this day means to the world as expressed by the National Day of Bread Committee.

The inserts follow:

STATEMENT BY CONGRESSMAN KEITH G. SEBELIUS, U.S. DEPARTMENT OF AGRICULTURE, OCTOBER 5, 1971—"DAY OF BREAD"

Mr. Secretary and distinguished guests, I appreciate very much this opportunity to make these brief remarks, especially since I am privileged to represent the world's leading wheat producing area, the first Congressional district of Kansas.

In the quest for peace and understanding in the world, perhaps we in America have too long overlooked the talent and resourcefulness of the most productive man in the American economy—the farmer. Since a hungry world is a troubled world, we must use to the fullest extent possible what can be our greatest weapon for peace—our willingness to share our agricultural abundance and expertise both at home and abroad.

In this regard, this celebration of the International Day of Bread as part of Harvest Festival Week is most significant. At this point in history, peoples of the world come together in spirit and not only express thanksgiving for the annual harvest in their native lands, but also commit themselves to achieving a better tomorrow through co-operation and understanding.

Bread, a product of wheat, symbolizes the harvest of all crops and that of food itself. The significance of bread is most impressively demonstrated by the fact man regards this product as the "staff of life." Man's gratitude is even expressed in prayer, "Give us this day our daily bread. . . ."

As I stated earlier, bread can and does play a most vital role in our efforts to fight malnutrition and hunger. Man has utilized bread to fight hunger for 6,000 years. It is consumed in various forms by more than one billion people and provides man more protein and nourishment than any other food.

I want to pay special tribute today to Secretary Hardin and the Department of Agriculture for their initiative and leadership in implementing domestic food programs to feed the underprivileged. This commitment has not received the publicity it merits or deserves—despite the fact it will be through this kind of quiet dedication that we may some day eliminate hunger and malnutrition in this nation and in all nations.

I also think it is important today not to overlook the needs of the man who will enable us to win—or to lose—the fight against hunger and malnutrition . . . the American farmer. In fact, the American farmer today is currently subsidizing the American consumer. The consumer today is free to spend more than 83% of his disposable income for non-food expenditures. Farmers have actually subsidized our nation's business growth and industrial development by providing the best quality food at the lowest price in the history of mankind.

I feel very strongly that we must dedicate ourselves on this auspicious day to seek new ways to enable the farmer to share in the prosperity.

In essence, we are talking about goals that really affect every American and every citizen of our world. If we can make it possible for the American farmer to earn a decent

living, we can also lay the foundation from which we may solve such problems as world hunger, and in turn—world peace.

It is a difficult challenge, but as we observe this "Day of Bread," I am hopeful each of us independently and collectively, the Congress, the Executive, and the private sector in agriculture—can go forward with a new sense of commitment to achieve these goals—for that is what the "Day of Bread" is all about.

#### THE WORLD HAS A DAY TO REMEMBER

Before recorded time, the family of man paused each autumn for rites of joy and gratitude for the bounty of nature. Spontaneous ceremonies signalled the completion of his harvest from field, farm, forest . . . from lakes, streams and seas.

This compelling impulse became part of tribal or religious custom beyond recall of printed word, mind or memory. Today you still find Harvest Festivals observed in many parts of the world—celebrated for grapes that make wine, the reaping of grain for bread, or for the stores of meat or fish in the larder.

Following the Egyptians and those before them, the Greeks perpetuated this practice in the personification of a goddess, *Demeter*, whom they worshipped. The Romans called her *Ceres*, for whom cereals were named. Bread came to symbolize all food and the everlasting dependence of man upon the soil, the sun, the rain, the seasons and the practice of agriculture.

Bread thus signifies the harvest of all crops, of milk, meat and food itself, a meaning expressed in prayer, "Give Us This Day . . ." and in ceremony and ritual throughout the modern world. The concept grows in import every day as governments everywhere become increasingly concerned with feeding the hungry and malnourished, at home and abroad.

In recognition of such values, the tradition of a "Day of Bread" was revived in Germany almost 20 years ago to epitomize the spirit of the harvest season. The observance spread to other countries of the Continent, to the Americas and the Far East. President Nixon, followed by the Governors of almost 50 states and the Mayors of scores of cities, proclaimed the "Day of Bread," as part of Harvest Festival Week in 1969 and 1970. The occasion will be celebrated October 3-9, 1971, and the "Day of Bread"—Tuesday, October 5, this year.

As part of the legacy of all mankind, the American Harvest Festival and "Day of Bread" have been identified as a major link in the chain of human understanding internationally, person-to-person, at levels that transcend all boundaries of country, creed or politics. The "Day of Bread" will be marked here by breakfasts, luncheons and banquets across the country—in Washington, the 50 state capitals and major cities, all planned to span the time-gap, insofar as possible, to jibe with similar, simultaneous functions abroad.

These meetings bring together leaders in government, agriculture, business and science, with attendant press coverage, for a free exchange of information on the national and world food supply, the economics and technology of food, the urgent need for good nutrition, the problems of food distribution, malnutrition and hunger, and many kindred subjects.

The event this year falls on a noteworthy anniversary in the United States—the 30th year of enrichment, whereby significant amounts of the B-vitamins—thiamine, niacin and riboflavin—and the mineral, iron, are added to breadstuffs and, thus, to popular diet. As a contribution to public health and nutrition, enrichment has been hailed as a great, monumental, forward stride in medicine. Therefore, this 30th year of enrichment lends even greater dimension and scope to the "Day of Bread"—1971.



We hope you, too, join in the international salute here and abroad—to the bounty of the harvest . . . to the "Day of Bread . . ." to Bread itself—Hunger Fighter for 6,000 Years.

## ALASKA NATIVE PEOPLES WEEK

## HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. BEGICH. Mr. Speaker, Gov. William Egan has proclaimed October 3 through October 9, 1971, Alaska Native Peoples Week.

I am particularly proud to call this celebration to the attention of my colleagues in the House. Alaska, unlike any other State in the Union, contains a significant Native population that adds color, history, and culture to the Nation's 49th State.

It is interesting to note that Alaska, unlike any other State in the Union, contains a significant diversity of Native American cultures within its boundaries, each of which is uniquely located in different geographic areas of Alaska.

Of the 60,000 Native people who live in some 200 villages: the Eskimo population live in the western and northwestern areas, the Aleuts on the Aleutian Chain and neighboring islands, the Athabascans on the interior, the Tlingits, Haidas, and Tsimpsheans in the southeast or panhandle areas.

Alaska, with its multicultural people, is quite unique, because, in this day and age—the 21st century—we still have many Native people who live on a hunting and fishing subsistence economy, amidst the influx of the western cash economy and technology.

I am pleased to join Governor Egan in recognition of the Alaskan Natives progress and their contributions to our society.

It is my privilege to share this proclamation with my colleagues in the House:

## PROCLAMATION: ALASKA NATIVE PEOPLES WEEK

There are 60,000 native people in Alaska of Eskimo, Aleut, and Indian extraction, whose homelands cover the State from Ketchikan to Point Barrow, and from Fort Yukon to the tip of the Aleutian Islands.

The progress being made by these first citizens of Alaska—through education, involvement in government, and combating health problems through development of good leadership in the face of tremendous odds—is a credit to this great state.

It is the ultimate desire of this Administration to continue this cooperation and contribution of the native people for a meaningful State Government based on self-determination for all.

Now, therefore, in recognition of the contributions made by the native peoples of Alaska, I, William A. Egan, as Governor, do hereby proclaim the week of October 3 through October 9, 1971, as Alaska Native Peoples Week and urge all Alaskans to join me in this historic event in recognition of the contributions of the native people to the State of Alaska.

Dated this 28th day of September, 1971.

WILLIAM A. EGAN,  
Governor.

## REPRESENTATIVE JULIA BUTLER HANSEN OPPOSES THE PROPOSED PRAYER AMENDMENT

## HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. CELLER. Mr. Speaker, our esteemed colleague, JULIA BUTLER HANSEN, has written to the general secretary of the Washington State Council of Churches, a frank, direct, and compelling letter. I read it with admiration and in agreement, and I wish to share this experience with the Members of Congress. The text of the letters follows:

SEPTEMBER 27, 1971.

MR. EVERETT J. JENSEN,  
General Secretary, Washington State Council of Churches, Seattle, Wash.

DEAR MR. JENSEN: Thank you so much for your letter of September 22. Unfortunately, the "Prayer Amendment" is again before the House, although, it is not scheduled for consideration yet.

I am opposed to this amendment and did not sign the discharge petition. I have opposed the inclusion of prayer in our public schools ever since I was a member of the Washington State Legislature. Through the years, since I was in Congress, I have written letters explaining my opposition and calling attention to those who have written me about it that it is contrary to the Bill of Rights which says in Amendment No. 1 to the United States Constitution:

"Congress shall make no laws respecting an establishment of religion. . . ."

Our own State Constitution in Article I, Section 11 states:

"Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercises or instruction, or the support of any religious establishment."

The Article then goes on to state that:

"No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony."

It would seem to me that in this declaration there is the same guarantee for a school child as there is for a public official.

Again, Article IX, Section 4 of our State Constitution says:

"All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence."

Earlier the Preamble to Article IX, Section 1 stated:

"It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex."

Therefore, it seems to me that any abridgment of Article I of the Bill of Rights at the same time nullifies or abrogates the Washington State Constitution.

Every child in the State of Washington should have the right to worship as he or

she pleases and no prayer on earth can be devised to fit all categories of this worship. The Catholic child, the Jewish child, the child of an atheist, the child of a Buddhist, a Moslem are all entitled under the Constitution of the United States and of our State to equality.

I shall not support the Prayer Amendment. I shall not support it because I consider it contrary to my oath of office wherein I swore to uphold the Constitution of the United States.

The erosion of the Bill of Rights could become to me one of the most disastrous actions of America. A little erosion here and a little erosion there will eliminate democracy and freedom as we know it. Too many countries have gone down this road. Let us keep America strong and free under her Constitution.

You may publish this letter; send it to any churches in the entire State. I have no apologies for my stand on behalf of my Constitution to which I took allegiance.

In closing, may I say many men have died to preserve our Constitution. I can at least speak for it.

With my warmest personal regards, I am

Yours most sincerely,

JULIA BUTLER HANSEN,  
Member of Congress.

## U.S. TECHNOLOGY IS THREATENED

## HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. McCLOSKEY. Mr. Speaker, I insert in the RECORD at this point a recent article by Charles A. Anderson, president of Stanford Research Institute, Menlo Park, Calif. Mr. Anderson addresses the problem of the long-range threat to this Nation by the current curb on research and development funding, accompanied by the "financial and spiritual disruption caused by Vietnam."

Our colleagues will recall that it was only a little over a year ago that the late Mendel Rivers addressed this body, urging that the cutback in research and development spending was jeopardizing this Nation's future for the same reasons.

I commend Mr. Anderson's article as a most thoughtful discussion of problems which each of us must consider as we go forward:

U.S. TECHNOLOGY IS THREATENED: CURBING, R. & D. CRIPPLES PROGRESS  
(By Charles A. Anderson)

The United States must soon face the fact that it is living on its research and development capital and the account is beginning to run low. If we fail to acknowledge this, our technological affluence will be lost.

The assault on America's leadership in science and technology is both external and internal. Externally, Western Europe, Japan and the Soviet Union are making rapid strides in areas that have traditionally been controlled by the United States. In radio astronomy, high energy physics and conventional energy research we have already been surpassed. Internally, a new national distaste for science and technology is undermining the national research and development effort.

The external challenge is beyond our control. But we must correct negative attitudes toward science and technology at home.

To be sure, technology assessment is necessary if individual freedom and the quality of life are to be maintained. Our concern, however, should be with the end-product of technology and its use, not with the research and development process itself. To attack the value of this process is to discard our best tool in achieving whatever goals we might formulate for the nation.

Our technological society is the product of past research and development efforts. We have inherited both the benefits and problems of technology, and one's point of view determines which of those two elements is dominant. One thing does seem clear, however. The solution to our present environmental, population, urban housing and other problems lies primarily with more technology, not less. A romantic retreat to cottage industries in a pastoral setting is both undesirable and impossible with a population of over 200 million people.

Our supply of natural resources is shrinking while our demands for such materials are growing. Only research and development can produce the advances in recycling, transportation systems, oceanographic research and nuclear fusion for clean electricity that must be made in the remaining years of this century.

At the same time, we are moving steadily toward a service-dominated economy. By 1980, nine of every 10 new jobs will be in the service area. Service functions have traditionally been resistant to productivity increases. We are still early in the learning process of applying technology to the service industries in order to yield productivity growth. We must succeed in this task if we hope to have the healthy economy necessary to pay for social programs.

The source from which advances will be drawn is not a cornucopia but a pipeline in time. Research and development funds and manpower must be added at this end if new technology is to be produced at the other end 10 years hence. By constricting the flow of funds and manpower into the pipeline now, we are crippling future progress.

A major source of our current problems in R. & D. undoubtedly lies in the financial and spiritual disruptions caused by Vietnam. In addition to aggravating the general inflationary picture and dislocating both the civilian and military R. & D. effort, it has among many people stamped science and technology as a war machine that produces such things as defoliants and napalm. This view is perhaps predominant among the young, which further imperils the future of technology.

In a military sense, the war has been most kind to the Soviet Union. While we have been forced to divert substantial portions of our defense budget from research and development into tactical hardware, the U.S.S.R. has been free to move forward in the development of the next generation of missiles, aircraft and naval vessels. The Soviet military R. & D. input is growing by 10 to 13 percent annually. If present trends continue, the U.S.S.R. could assume technological superiority over the United States within a few years. Congress is now facing this situation. The cost of military R. & D. and procurement deferred by the war will probably negate and exceed any "peace dividend" generated by the end of our major commitment in Southeast Asia.

The effect of insufficient government funding for high-technology programs, research and development has been predictable: program cancellations, professional unemployment, disbanding of research teams.

While trained scientists and engineers are being forced out of their fields, young professionals are entering at a diminished rate due to the uncertain occupational future and declining reputation of the scientific professions. In aerospace, the hardest hit area, the scientific and engineering labor force is down from 223,000 in 1968 to 154,000 today.

The Stanford Research Institute, a non-profit contract research organization, has moved against the tide and its 1970 revenues of \$65 million marked a record high.

Another significant problem is funding continuity. Important programs have been cut back or canceled in mid-point. As a result, budget-wise scientists are now lowering their sights and submitting proposals for shorter-term projects that have a better chance of maintaining funding to completion. Thus, scientists are becoming responsive to finances rather than need, and many worthwhile projects are being shelved in the process.

We've long since passed the time when the individual scientist, working with little equipment, could produce the significant discovery. Research today requires the assembly of men and equipment and the development of programs pointed toward long-term goals. Funding continuity becomes a vitally important element in such an environment.

Basic research is particularly vulnerable in the budget-pruning process. Increasingly, it is considered "irrelevant" and a low-priority item by critics and legislators more concerned with the immediate solution of social problems through infusion of Federal funds.

We cannot go on attempting to judge basic research in physics or biology on the same scale with social programs and determine that one is more relevant than the other. It is not "either-or." All have value, but they must be considered independently. Basic research must be justified first as part of the continuing search for knowledge. At the same time, there is a need for balance between basic and applied scientific work. They are interdependent since knowledge without application is useless and application without knowledge is impossible.

Inevitably, the Federal Government must continue to play the biggest role in supporting basic research in the United States. There are definite limits to the amount of R. & D. risk that can be assumed by the private sector. Only the Federal Government, for example, can afford the immense investment necessary to sponsor research in space travel or astronomy. Government-sponsored research has, over the years, produced the discoveries that have triggered the development of computers, lasers, atomic power and many others. We all benefit from such advances.

Despite our position as the world's leader in science and technology, we are still unsure of their place in our society. How shall they be programmed? How shall they be financed? Who shall judge the priorities for research funding allocations?

These questions need to be answered so that a rational science policy can be developed that will avoid the erratic expansions and contractions of recent Federal research and development budgets and the manpower dislocations that accompany them. Like it or not, this country's future is tied to science and technology, and it is time to give that fact its just due.

#### A SALUTE TO VFW POST 7048 OF FAIRMONT, W. VA.

**HON. ROBERT H. MOLLOHAN**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. MOLLOHAN. Mr. Speaker, just recently on one of my weekend speaking engagements to my district, I overheard a conversation about a particular family and how that family had to go into debt to pay for the funeral expenses of a young soldier killed in combat in South Vietnam.

I was reminded then that this need not necessarily be the case in Fairmont, W. Va., where, thanks to the efforts of the Veterans of Foreign Wars Post 7048, free burial lots are available for veterans.

The post has received both local and national recognition for its fine community projects and was recently presented with the Community Activities Award of Merit by the national headquarters of the Veterans of Foreign Wars for establishing the veterans' burial section and a memorial to West Virginia war veterans.

I would now like to publicly salute the fine men and women of VFW Post 7048 and its auxiliary. We West Virginians are proud of their accomplishments.

#### LONG-RANGE MONETARY PLANNING STILL NEEDED

**HON. RICHARD T. HANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. HANNA. Mr. Speaker, almost 4 years ago I rose in this distinguished body and spoke on the role of the dollar in international commerce and how it got there. I discussed, in some detail, the constraints placed upon our economy by staying with fixed exchange rates based on a dollar-gold standard.

My intention for giving such a speech in November 1967 was to call attention to the fact that long-range planning was needed given the recognizable trend at the time that difficulties were in store for the dollar.

I noted with interest, Mr. Speaker, a recent article in the Wall Street Journal which told about how the dollar was about to lose its role as the main international "reserve currency."

The time has come for the United States to make a decision based upon long-term objectives. The course of action based on such objectives may be more painful in the short run but seems to me to cause much less difficulties over the course of time.

Mr. Speaker, I am including, at this point, the original speech I gave followed by the Wall Street Journal article.

The speech follows:

TODAY'S STORY GOLD

(Extension of remarks by Hon. RICHARD T. HANNA, of California, in the House of Representatives, Nov. 28, 1967)

Mr. HANNA. Mr. Speaker, since the time when the commerce of man was extended beyond barter the importance of the medium of exchange has played a key role in trade within individual nations and between nations of the earth. The two basic attitudes that can be found relative to any currency in use in any society remain the same. They are an attitude of confidence and an attitude toward convenience.

The first attitude relates to the sought-for need for deposit of value for the holder and the other relates more to the velocity of transactions which as volume grows trade is encouraged. Paradoxically these two attitudes are inconsistent. Actually wealth as such relates to goods and services valued in their own right and wealth has no necessary relationship to convenience. The wealth of a nation is certainly directly tied to the goods and services both in the quality and quantity it produces. The wealth of a nation is certainly not related to the amount of



currency it has available. Therefore, when hard currency or metal coinage is involved it has a dual role; one in which it is part of the wealth picture and the other as a medium of exchange. It is demonstrably true, however, that the greater role it plays as wealth the lesser role it plays as convenience and vice versa. As the volume of trade rises the pressure for convenience will also rise and in the choice between confidence resting on value and service resting on convenience, option will be exercised in favor of convenience. That is today's story in relation to gold.

Let us examine this proposition in greater detail keeping in mind the distinction of wealth per se and money as a medium of exchange; and the distinction between the requisite attitudes relative to currency. One being confidence which rests on true wealth or value and convenience which rests upon velocity and volume.

As long as man has known the existence of gold, it has served as a medium of exchange. As with any commodity, the value of gold is measured by its desirability in relation to its availability. No one doubts that gold is a desirable material because of its beauty and its workability. It is easily extracted in a pure form and is easily alloyed with other metals to achieve the desired durability. Gold does not tarnish and is divisible without loss of value. Yet its scarcity means that not everyone may possess as much as he desires. It is, therefore, a measure of one's wealth and a most logical medium of exchange.

Gold is, however, a heavy metal and is not easily transported in great quantities. Even though an individual found it easy to carry bits of raw gold or pieces of worked gold to handle day-to-day transactions, he found it cumbersome and unsafe to carry enough for large transactions. The problem was solved by leaving the bulk of one's gold with the goldsmith or someone else who was willing to keep it safe and by writing a note to him to deliver upon request a certain amount of that gold to a named person in possession of the note. Today it costs more than \$6 in interest foregone, insurance and storage charges to hold \$100 in gold for a year.

In the past everyone felt it safe enough to accept such notes addressed to "bearer" as long as they had confidence in the financial stability and integrity of the man whose signature appeared at the bottom of the note. Often, no gold actually changed hands, but was transferred on paper.

Still, when one traveled outside the community where his name was not known, he had to carry his gold with him. Soon the policy of issuing notes was taken over by large banks and eventually by governments who could assure the validity of gold notes over greater areas. Soon this became the exclusive dominion of government and the notes became universally acceptable; in some cases, even for foreign trade. Thus, the change from gold as a medium of exchange to gold as an exchange standard.

It soon became apparent that there was not enough gold available to back up 100 percent of the increasing number of notes needed as the economy grew. Thus governments issued notes in excess of their gold stock but kept enough to assure the occasional doubter that his paper money was "as good as gold." This policy was adequate as long as there was no "run" on the gold stock. When this did happen, the Government had no choice but to abandon the policy of redemption and assure the validity of the notes on the strength of the Government alone.

Both world wars and the depression vividly demonstrated the weaknesses of the gold standard in times of extreme difficulty. Countries found that a paper standard was not the solution, nor was any other form of the metal standard. The key to a solid monetary system depends upon a stable economic system and these times were not the best in

which to experiment. Virtually all governments felt, however, that although the gold standard was far from perfect, it had been in a process of development over the centuries, and belief was widespread that the best hope of the future consisted in the further improvement of this standard, rather than in the substitution of something new in its place.

Today, there is dissatisfaction with the restraints posed by the gold standards and efforts are being made to recognize what the difficulties are and what can be done to alleviate the strains that are beginning to show. These strains are the end result of a long and highly involved development of many monetary standards which go under the name of the "gold standard" and the one which we have now is by no means the end or even desired product of this development.

In the United States, gold monometallism did not actually exist until 1879. Nonetheless, from the beginning of colonial settlements here, gold served, at least to some extent, as basic money. The early experience with gold can be divided into four periods: First, the period prior to the National Mint Act of 1792 which is roughly the preconstitutional period, during which a scattering of gold circulated in the country along with many silver and copper coins and with large amounts of inconvertible paper money; second, the period of bimetalism which dated from 1792 to the long suspension of specie payments at the end of 1861—omitting brief suspension from 1814 to 1817; third, the period of the greenback standard from 1862 to 1878, during which the only circulation of gold money was a limited amount on the Pacific coast; and, fourth, the period of the gold standard, from the resumption of specie payments in 1879 to the First World War.

With the advent of the war, the gold standard and every other kind of monetary standard in the world broke down. During the war and the years immediately following, depreciated and managed paper money standards were adopted everywhere. With few exceptions—principally in the United States—they were terrible failures. As soon as the smoke of battle had cleared away and the work of reconstruction had moved substantially forward, nearly all the advanced countries of the world began readapting their economies to the gold standard.

The United States had suffered less than any country from the war and in June 1919, removed the embargo on gold exports and from this time on the dollar was taken as representing gold. At the Brussels Conference of 1920, recommendations were made that all countries attempt to steady the internal purchasing powers of their own currencies and at the Genoa Conference of 1922 countries were urged to return to the gold standard. The enthusiasm with which countries returned to the standard was met by almost immediate disillusionment.

Countries had price levels harmonized with that of the dollar and had stabilized foreign exchanges, but had not gotten the world's gold properly distributed. It was becoming clear that, as things were, there was not enough gold available to maintain the world level of prices at its existing height, and that the world was threatened with continuously falling prices and an indefinite period of trade depression. The United States, with a surplus of gold, could possibly maintain its position and level prices; any other country which by hook or by crook could obtain enough gold might be able to do the same. Hence the fear of a scramble for gold, which would mean a bidding up of the price of gold making it more valuable. This means essentially reducing commodity prices and a general depression.

The return to the gold standard was made in most cases under trying circumstances, and, before the newly created standards could be firmly established and put in good order, the postwar economic crisis beginning

in 1929-30 shook the world. The gold standard everywhere was again swept away. Likewise were all the remaining silver standards and practically all of the paper money standards.

The U.S. Congress in 1933 under the administration of President Franklin Roosevelt authorized the Secretary of the Treasury to require every person in the United States to relinquish, in exchange for dollar currency, all gold coins, gold bullion and gold certificates in his possession. The whole operation was carried through quickly and expeditiously. The President declared that all title to gold rested with the Government. Gold could, however, be employed by the Federal Reserve System for international payment. The monetary authorities, under the provision of the Gold Reserve Act of 1945, were empowered to sell gold for industrial uses and for export at one-fourth of 1 percent above the declared par value of \$35 per ounce, and to buy gold at one-fourth of 1 percent below \$35 per ounce. Gold for export was to be delivered to foreign central banks. With minor changes, this is the policy as it is today.

However, gold no longer makes up all of each nation's reserves, although the United States holds virtually all of its official reserves as gold bullion. So long as gold constituted the whole of international reserves, the problem was simply a matter of the aggregate quantity of the world's monetary gold and how it was distributed. The question was whether there was enough gold available to tide countries over temporary imbalances when foreign exchanges ran unfavorably. Imbalances could have been due to seasonal, cyclical, or special episodic events, or structural changes in demand and supply conditions.

Now two developments have greatly altered the picture. Causes of imbalances are no longer related merely to demand and supply conditions arising in the private sector. Since 1914, vast funds have been transferred across international borders by governments as war loans, reparation payments, foreign aid, grants and loans, military expenditures abroad, and so forth. These amounts have been so vast as to preclude the possibility of quick adjustments in the trade balance or in the private capital balance. Second, as became evident after World War I, the world's gold supply has not been increasing rapidly enough. For one thing, much of it was hoarded. Even allowing for this, gold production has not kept pace with the growing needs of world trade and other international transactions. Several measures were taken to economize on gold. It was freed for international use by being withdrawn from circulation and by reducing the gold cover on domestic currencies. More significantly, at the Genoa Conference of 1922, countries were encouraged to keep a part of their international reserves in the form of foreign exchange, specifically in liquid dollars and sterling holdings.

This latter device is the center of the controversy today. The United States and the United Kingdom are, of course, compelled to stand ready to pay out gold or the whole structure of stable exchange rates is in danger. The United States has assumed almost all responsibility for this policy due to England's current difficulties. Thus, since gold production is inadequate, the system can only function if surplus countries are prepared to take payment not in gold, but in liquid dollar holdings. The more they do this, the greater the ratio of foreign exchange holdings to gold holdings and the more shaky the gold-exchange structure becomes. One escape route from this is to end dollar and sterling deficits. But if this is achieved, the international monetary system would have to regress to the bare bones of the gold standard with its inadequate growth of international reserves.

In the future, it is not expected that accumulations of foreign exchange will make so large a contribution to the growth of aggregate reserves, because certain countries will take less of their reserve assets in the form of reserve currencies. Moreover, the United States will wish to raise its holdings of reserve assets in some relation to any increase in its liquid liabilities. Long-run plans for reserves will have to make allowances for a cessation of the decline in U.S. reserves and indeed for an increase in them.

Real negotiations for the creation of new reserves have centered around drawing rights within the International Monetary Fund. The principal choice in the form that these new reserves will take is between these two: first, the creation of a reserve in asset form—a "reserve unit"—through an exchange of claims between a reserve-creating institution and the countries to which the newly created reserves are initially distributed, and second, creation of additional drawing facilities of a quasi-automatic nature in the IMF. In these negotiations within the European Common Market, the Group of Ten, and the IMF, France has led the field of those nations which insist upon a "creditlike" asset and the United States has held out in favor of a moneylike asset.

Treasury Secretary Henry Fowler, in all negotiations, insists that the expansion of world trade and investment will be progressively hampered by restrictions unless the world's supply of reserve assets grows. To accomplish a solution, he feels that it is necessary to have a moneylike asset that will be regarded by monetary authorities as a supplement to gold and dollars and will be treated by them as reserves. Credit facilities which carry fixed repayment obligations, as France insists, will not meet countries' desires to increase their reserves. Nor will increased credit facilities be as effective in convincing the gold markets that we have broken our dependence on gold to increase free world reserves.

I applaud the efforts of Secretary Fowler in maintaining a strong commitment in the negotiations, but I question his firm resolve to maintain the gold standard when he professes to desire breaking from its restrictions. Perhaps he has in mind a long-range plan to make this reserve unit something that will eventually replace gold. However, I feel that we must involve ourselves immediately in basic discussions of the gold standard with a mind to more immediate and conclusive reform.

The recent statement of the American Bankers Association on U.S. gold policy demonstrates how we can be trapped into support for an economic policy that is detrimental to our own interests and, for that matter, the interests of the entire free world trade area. Prompted by growing sentiment for breaking the link between gold and the dollar, the ABA extolled the virtues of fixed exchange rates under the dollar-gold standard and warned against the consequences of failing to honor claims on gold at the established rate of \$35 an ounce. The statement warns that a change in the gold policy would risk destroying the international monetary system without any replacement other than a worldwide network of exchange controls, as immediate reactions or as eventual responses to the deficiencies of floating exchange rates.

These observations are based upon a highly questionable historical analogy to the 1930's when severe domestic deflation forced countries off the gold standard. It is doubtful, however, that the experiences of the depression would be repeated today when all countries are committed to the maintenance of high income and employment. Furthermore, in abandoning the gold policy, nations were reacting to an immediate crisis whereas current prosperity will allow delib-

eration and flexibility—including maintaining current policies—in policy decisions.

The ABA's statement continually refers to the responsibility of the United States to nations who have "helped finance a long string of U.S. deficits" by adding to their dollar holdings. The statement says that a number of nations have thus put their national interest on the line in failing to press for conversions of dollars into gold. I wonder how much of this so-called sacrifice is magnanimity and how much of it is sound policy?

We must remember that, as the distinguished president of the Bank of America, Rudolph A. Peterson, says:

Dollars are not forced on their foreign holders. The dollar is a major trading and reserve currency because it is desired by foreign claimants.

Private bankers outside the United States are happy with the reliability and stability of the dollar. In addition, assuming that the United States did impose an embargo on gold and private holders decided to get rid of their dollars, what would they change them for? Other currencies are much more difficult to invest and would certainly not bring a better return than dollar investments.

Private holders of dollars cannot, of course, exchange them for gold. That is the privilege of central banks only. What the central banks would do in the event of a gold embargo is a highly academic question. Whether they like it or not, the world monetary system is heavily tied to a dollar standard. Gold has a value, not because of some intrinsic quality, but because the United States alone is willing to buy gold at a set price.

A metal of varying value is incapable of being an accurate standard of value or of currency. Under skilled supervision, and in favorable circumstances, it may provide a medium in which a standard of currency is fixed and maintained. But it is the fixed value, and not the metal, which is the standard of currency. The merit of the gold standard is its logic, not its gold.

Unfortunately, the tie to gold is not merely on paper. Psychologically speaking, breaking from gold would be, for some, as traumatic as leaving home for the first time. Granted, the first few steps would be a little shaky; but the departure is imperative. It is time we applied the same kind of logic and skill that we expend maintaining the gold standard to searching for a way out.

[From the Wall Street Journal, Sept. 30, 1971]

**DOWN WITH DOLLARS: MONETARY AUTHORITIES AGREE ON NEED TO FIND NEW RESERVE CURRENCY**

(By Richard F. Janssen and Charles N. Stabler)

WASHINGTON.—Out, damned dollar!

Already battered on currency markets abroad, the once-cherished U.S. dollar is about to get the bum's rush out of the Free World's central banks as well.

It now seems doomed to lose its role as the main international "reserve currency," the money that other governments keep to tide themselves over periods when their own currency is weak.

That's the consensus among top authorities at the 118-country International Monetary Fund annual meeting here. Almost overnight they have come to the view that the dollar won't be strong enough or plentiful enough to continue filling its reserve role.

"The handwriting is on the wall," says one U.S. source, who figures Congress wouldn't fuss about shedding one more burdensome international responsibility. Since the dollars now held by other countries were made inconvertible into gold by President Nixon's Aug. 15 action, there is suddenly wide agreement abroad it is "desirable to move away from the use of national cur-

rencies as reserve assets," says Anthony Barber, Britain's chancellor of the exchequer.

**DISGRACE—OR GOOD NEWS?**

Ironically, most observers deem this apparent disgrace for the dollar to be essentially good news; the Nixon administration's view hasn't yet been spelled out, but when Treasury Secretary John B. Connally addresses a joint IMF-World Bank session, probably this morning, his position is expected to be warmly in favor of the change.

Among the favorable implications analysts say, are that:

The U.S. will become as free as any other country to devalue the dollar or revalue it upward in order to bolster or trim its foreign-trade position.

The government will gain more leeway to fight inflation or recession through interest-rate or other maneuvers without fear of jarring loose billions of dollars from other countries' coffers.

The badly splintered financial world will be drawn closer together than ever by relying for reserves on mutually managed "special drawing rights" (SDRs) created by the IMF.

On these and other grounds, support for the change is mounting rapidly among private financial men and economists in the U.S. "The only thing the U.S. has to lose is something it has already lost," say former Treasury Secretary Henry M. Fowler. This, says the Goldman, Sachs & Co. partner, is "the ability to finance our deficits through having the other countries simply absorb dollars in their reserves." With that role gone, he reasons, the dollar's usefulness as a "transactions" currency for carrying on private business internationally is likely to be strengthened.

The broad outlines of an agreement to phase out dollars from reserves (except for small quantities to be used in actual currency-market operations) may well be needed, some strategists say, before the U.S. and other nations can settle on new currency valuations. "The dollar must know what kind of game it is in," one private authority advises, before the U.S. can accept some new currency stability system to replace the old approach of paying out gold for dollars turned in by foreign governments.

The transition could well take years, officials agree, and won't be altogether painless. Some \$40 billion of U.S. dollars are in the reserves of other countries; part of this amount is actually held for the foreigners in big U.S. banks, including about \$2.3 billion deposited in major New York city banks. There could be some sizable "dislocations" for individual banks, one U.S. official says, as countries pulled out huge dollar deposits and turned them in to the IMF in exchange for SDRs, or "paper gold."

**PROBLEMS FOR TREASURY, TOO**

If the IMF instantly were to put the dollars back in the same banks, there would be no problem; but if it doesn't, strategists say, the Federal Reserve Board might have to use its power as "lender of last resort" to prevent bank collapse. The Treasury might have to do extra domestic borrowing, they add; as things are now, other countries often lend their surplus dollars directly back to the Treasury to earn interest, helping the Treasury cover its domestic budget deficit.

There is an element of pique in the foreign desire to do away with dollar reserves, of course. With the fading of the British pound and the French franc as reserves for third countries, the dollar's special status has added an intangible extra measure of prestige for the U.S. The French in particular have also complained of a tangible disadvantage for themselves: France has had to absorb dollars used by U.S. corporations to invest in that country.

But distrust of the old system of dollar and gold reserves runs much deeper and



broadly now. The system enforced since World War II "rests on an unavoidable contradiction," says Tanzania's finance minister, A. H. Jamal: "For reserves to expand with international commerce, the reserve-currency countries must run rising overall payment deficits. Yet for reserve currencies to be acceptable, they must be seen as permanently strong—a condition hardly consistent with a growing overall deficit."

#### EQUANIMITY AMONG BANKERS

About the only benefit to a country in having its currency considered a reserve is the prospect of increased business for its banks. But heads of American banks with world-wide affiliations, perhaps surprisingly, regard the seeming degradation of the dollar with equanimity.

"It would make very little difference to bank operations as long as the dollar remains a transaction currency, and there seems to be no move to change that role," says Gaylord Freeman, chairman of the First National Bank of Chicago.

The Bank of America, the country's biggest bank, has flatly recommended the substantial substitution of SDRs for dollars as a reserve currency. This would be part of a package of reforms aimed at restoring long-term stability to currency markets.

Having the dollar as a reserve currency produces more problems than benefits for the U.S., says A. W. Clausen, president of the Bank of America. He notes: "Nobody has volunteered to have their currency become a reserve currency including the Germans who might be most qualified."

A particular problem for a government whose currency is used as a reserve is an implied obligation to maintain a stable relationship between it and other currencies. That responsibility may run counter to the domestic objectives of the issuing government. Thus freeing the dollar from its reserve-currency role would help the administration attack the problem of inflation by restricting the U.S. money supply and raising domestic interest rates without fear of encouraging a flood of foreign-owned dollars into the domestic markets.

"We've got to get away from the situation that every time the price of corn sneezes in Iowa, there are reverberations around the world," says Mr. Clausen.

He and other financial managers would like to go further and see SDRs replace the dollar as the "numeraire" of the international financial system. The numeraire is a yardstick against which other currencies are measured.

If the numeraire were the SDR rather than the dollar, then all countries, including the U.S. could adjust their currency values in response to supply and demand, rather than having them linked to a single increasingly artificial standard.

SDRs are relatively new on the international monetary scene and, when they were introduced in 1970, few would have predicted their current charisma.

SDRs were created by the IMF to supplement the existing reserve assets: dollars and gold. As a supplement to gold, they were immediately dubbed "paper gold." Actually they are bookkeeping entries used only by central banks and they never see the light of the real world.

SDRs are issued to IMF member countries in the same ratios as their earlier stakes in the fund. Each SDR is defined in gold, currently with the same value as one dollar (gold being officially priced at \$35 an ounce).

Here's the particular job that SDRs do: If a country spends more abroad than it takes in, it has a deficit in its balance of payments. This means its currency is worth less in terms of other currencies.

Under the treaty agreed to by IMF members, the deficit country then is obliged to adopt measures to increase the value of its currency. One measure is to buy its own cur-

rency in foreign-exchange markets. And for this purpose, it can use its reserves of gold or other currencies. Or such a government can use its holdings of SDRs to purchase strong currencies of other nations and use those currencies to buy its own.

#### GREAT TOWNS FROM SMALL

### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, one of the most formidable challenges of this present decade is that posed by the increasing influx to suburban areas of the Nation from urban central areas. Few suburban communities have achieved the planning cohesiveness and day-to-day operating efficiency of Somerset, located within my 10th Congressional District in Massachusetts, and I am pleased to incorporate in my remarks in the RECORD at this point a timely and informative progress report on the town of Somerset. This report, authored by Warren G. Hathaway, Jr., appeared in Bristol, The Regional Business News Magazine for August-September. In presenting this insightful report, I do so confident that it will lend encouragement to many other suburban community leaders and administrators in the potential success with which intelligent, and coordinated, and far-seeing programs can meet.

The report follows:

#### GREAT TOWNS FROM SMALL COMMUNITIES GROW

(By Warren G. Hathaway, Jr.)

Somerset could be called, "the town that grew like Topsy"; yet it is successfully meeting the challenge of the '70's, with more and better public services.

Its population is over 18,000, and residents demonstrate a considerable amount of pride in their town which boasts of full time police and fire protection, home delivery of mail, clean, sweet water from a \$3.5 million water treatment plant, an \$11.5 million townwide sewage system, soon to go into service, and one of the finest school systems in the state.

Somerset High School, for example, successfully passed a full scale evaluation program that studied curriculum, students, teachers and administrators as well.

It has received full accreditation for the maximum allowed, ten years, by the New England Association of Colleges and Secondary Schools.

Accomplishments pointed to by the Superintendent of Schools, include the ten-year accreditation, hosting of the Future Teachers of America Conference; addition of English to advanced placement offerings; addition of drama workshop as an elective subject, the awarding of scholarships amounting to \$64,000, adult lecture series in the planetarium including a special Christmas show, revised report card, league championships in Chess, Debating, Baseball, Track, Cross Country, and Football.

At the Middle School, remodeling and construction of an addition was completed during 1970 and the new section opened in time for school in September.

Even as work on the Middle School was coming to a close, a second committee was investigating the need for a school in the northern part of town to supplement the other grammar schools.

As a result of its studies, the committee has recommended a new Middle School be constructed on a site acquired by the town on Whetstone Hill Road. It will house 1,000 pupils in grades 5-8, and be ready for occupancy in the fall of 1972.

It might be pointed out that the school system is undergoing more changes than at any time in its history. School buildings are being erected as swiftly as budgets allow.

School plants already in existence, are being maintained in first class condition, which is an economy to prevent deterioration. Instructional programs are being revised and updated at an ever-accelerated pace to meet the needs and challenge of space age education.

The official enrollment figure for all public schools in 1970 was, 4,292 students. The figure for 1960 was, 2,367, or an increase of 1,925 pupils. Projections over the next ten years show an expected enrollment of 6,044 children, but the Somerset school system is more than equal to the task of meeting the challenge of the '70's.

#### POLICE COURTEOUS AND EFFICIENT

Somerset has suffered the same problems many towns have, with the impact of new homes with a marked increase in the number of house breaks, attempted breaks, stolen cars, bicycles, gear from boats, and one bank robbery.

The police department, headed by Chief John O. Soares, has been equal to the task of conducting investigations, making arrests of suspects, and enjoys an enviable reputation in the courts for convictions.

Townpeople point with pride to officers of the department who often are called to a home to quiet a family quarrel, offer fatherly advice to a stubborn child, or assist an injured or sick person to the hospital with dispatch and courtesy.

Several appointments over the past few months have brought the strength of the department to 17 men.

The new officers have all gone to the Police Academy for training in first aid, firearms, laws of arrest, and much more. Their pride in themselves and in the department are evidenced by the care given to equipment and their personal appearance.

The recent addition of extra life saving equipment in the police cruisers will go a long way toward improving the department's proficiency as they go about the day-to-day task of serving the community.

Officers of the department, with approval and consent of Chief Soares, have attended special instruction in narcotics detection and drug laws, and equated themselves well in the handling of the problem in town.

Attesting to the efficiency of the police department is the note in the 1970 town report that states officers recovered \$32,000 in stolen items during the year.

The Fire Department, under Chief Roy A. Ashton, answered 353 fire calls and 541 ambulance calls in 1970. The total property value involved was \$1,559,300, including buildings and contents.

Damaging fires, however, were held to a minimum because of the conscientious work of the department personnel.

Somerset's fire prevention efforts and fire fighting drills are vigorously continued, as is the instruction the firefighters avail themselves of, as they strive to increase the proficiency of the department.

The sewerage treatment plant, six pumping stations, and several miles of sewers will be accepted by the town shortly, even as applications for house connections are now being taken.

Final figures are not available as to state and federal grant payment this year on the project, but in 1970, a total of \$2,253,919, had been received on the \$11.5 million project.

The total of state, and federal, grants to be received upon completion of Phase I construction was expected to be, \$4,800,000.

## WATER DEPARTMENT BUSY

Sewer construction in town has resulted in Water Department men being on call night and day, repairing ruptured water mains and water services caused by accidental contact of excavating equipment or settlement of trenches after heavy rains. On the plus side, more pipe was laid than any other year of the department.

A 50-day drought and low pressure in certain sections of town, brought on the need to lease a Civil Defense pump to push the water along from the treatment plant.

Installation of a 20-inch line from the treatment plant on County Street to Read Street, and Hot and Cold Lane, will solve the pressure problem.

An engineering study has been authorized by the townspeople and the report readied for town meeting approval.

Each department of the town has met the challenge of increased service demands well, keeping in mind the taxpayer's burden.

There is no doubt that increased demands will be forthcoming for additional services as the town continues its phenomenal growth, but its town government, headed by the Board of Selectmen, will be equal to the task of meeting the challenge of the '70's.

## THE PENDULUM IS SWINGING

## HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. WYMAN. Mr. Speaker, for several years the extraordinarily capable special assistant to the Secretary of Defense was Mr. Richard G. Capen, Jr. now vice president of Copley Newspapers. Last week Mr. Capen spoke before the Rotary Club of San Francisco.

In his speech, he outlined the honoring by President Nixon of his commitment to the American people to wind down and out the war in Vietnam and documented the significant accomplishments of Secretary of Defense Mel Laird in bringing this about. He has also warned that the Soviets have used the tremendous cost disadvantage to the United States that has been Vietnam to increase their hardware and their military capabilities to a point where from the Mediterranean to the Kuriles on and over sea and land the Soviet military presence threatens to make this country a second rate power—a disaster that the Nixon administration and the Department of Defense is addressing itself to on a priority basis.

The thrust of Mr. Capen's speech is that the United States of America is on the upswing. I think this is good because basically America is a strong and resilient nation, the vast majority of whose people are dedicated, energetic, responsible and compassionate. As Mr. Capen says:

There are new goals to set, new records to break, new problems to solve. A new day is dawning and America's optimism to meet those opportunities is building.

The address follows:

THE PENDULUM IS SWINGING

(Address by Richard C. Capen, Jr.)

This is my first speech in the Bay Area since returning to California after serving two and a half years as an appointee in the Department of Defense.

Like my associates at the Pentagon, I was proud and honored to serve under the dynamic leadership of Secretary of Defense Melvin Laird. President Nixon could not have selected a better prepared, more dedicated or more effective leader for that demanding post.

It takes much more than computers to run the wide-spread Defense Department, as complex as it is. Secretary Laird inspired a teamwork approach and dedication to service unmatched in the Pentagon's history.

His understanding of key defense issues, his ability as a persuasive communicator, and his style of leadership have contributed significantly to improved understanding of critical national security issues—particularly those beyond Vietnam.

And, all this has been accomplished at a time when the Defense Department has been under constant criticism—some constructive, much of it irresponsible.

From the outset, the Nixon Administration made it clear that it would avoid debating whether the United States should have gone into Vietnam in the first place, or once doing so, whether our professional military leaders were given proper authority to execute that war as promptly and successfully as our capabilities would have permitted in the early 1960s.

President Nixon's goal was to conclude American presence in Southeast Asia. That objective is rapidly being met as we move toward a generation of peace.

I believe President Nixon and Secretary Laird have been imminently successful in terminating our country's involvement in Vietnam—given the rather sad circumstances they inherited in January 1969.

What were those circumstances? First, there was no plan for ending the war other than through negotiations. No one understood that reality better than the enemy, and the pathetic record in Paris is testimony to the other side's lack of incentive for serious negotiations.

By January 1969 we had cashed in a key military chip when President Johnson halted the bombing of North Vietnam—just four days before the 1968 Presidential election—with little in return from the enemy.

When President Nixon came into office, the American troop ceiling in Vietnam was 549,500, and increasing rapidly. As many as 500 Americans were dying each week and the war was costing in excess of \$28 billion a year.

These were the sad realities in January 1969. The options to President Nixon were extremely limited, to say the least. But what has happened since that time?

First, we are getting out of Vietnam. By this fall, more than 365,000 Americans will have been withdrawn, a figure representing more than two-thirds of the American troop strength that existed when President Nixon took office.

At the same time, U.S. casualties have been cut from some 500 a week to less than 15 a week. Even one casualty is too many, but I believe this progress is significant.

With these substantial troop cuts the cost of the war has been reduced by 75 percent thus permitting a reordering of priorities at home.

Today, national polls indicate that the war is fading rapidly as an issue in America. Unfortunately, those who have built their national reputations as obstructionists, linger on the sidelines, trying to keep the war issue alive for their own selfish goals. Tragically, their only result has been to give aid and comfort to the enemy.

Congressional critics meet with the other side in Paris, issue reports on alleged conditions for peace, only to have them immediately rejected by the enemy.

It is a simple matter to pass resolutions, to make sweeping pronouncements, or to

write editorials calling for more rapid withdrawal rates and fixed deadlines.

Certainly, it is easier to demagogue national policy from the sidelines, but it takes real courage to face up to reality with constructive solutions that will contribute to lasting peace, not political expediency.

Time and again President Nixon and Secretary Laird have shown that courage.

How ironic it is that some of those who have led the criticism of President Nixon's Vietnamization program were the very policy makers who got us into the war, who did not have a program for ending it while they were in office, but who now expound all the answers from the privacy of their law offices or from some far-off campus.

In the early 1960s our country had the tools to win the war decisively. But our elected leadership was unwilling to generate the national will to do so.

We fought that war on a "business as usual" basis, building up huge deficits each year because our government was unwilling to establish national spending priorities. Many of today's economic problems are a direct result of that policy of the mid-1960s.

At this point history will judge those who got our country into Vietnam, just as that history will also judge whether the Nixon Administration took the responsible course to get us out.

In either instance, the ultimate responsibility must be assumed by our elected civilian leadership, not by our armed forces. Our military leaders implement national policy, not set it. For too long the man in uniform has been made the scapegoat for decisions made by civilians.

Our dedicated men and women in uniform provide the backbone of our national security and they deserve our respect.

Only through sufficient military strength can we hope to deter reckless acts by potential adversaries. They must clearly understand and respect that we have the will to win and the tools to do the job. It is pure folly to believe that once the last American has left Vietnam, our problems are over and further cuts in defense spending possible.

Despite what some suggest, we cannot legislate peace by unilaterally crippling our defense posture in Congress. Why? Because our adversaries are moving in exactly the opposite direction.

Today, the Soviets are moving ahead of us in virtually every category: missiles, aircraft, ships, military research and conventional forces.

While we were bogged down in Vietnam—at a total cost of \$125 billion—the Soviets were able to sustain North Vietnam for something less than \$12 billion. They did not use that ten to one difference, however, to fund domestic programs in Russia. All during the 1960s Soviet military budgets were roughly at the same level as defense spending in America which included the burden of Vietnam. Just look at the record.

The Soviets increased their submarine force by more than 400 per cent. They have increased ICBM launchers by over 500 per cent and are currently 45 per cent ahead of the U.S. in total number of ICBM nuclear launchers.

They built a modern Navy that now shows the Soviet flag in the Mediterranean, the Indian Ocean, off our Atlantic and Pacific coasts, in and out of Cuba, and around Hawaii.

In the Mediterranean, for example, the Soviet Navy will steam some 18,000 ship days this year. In 1966 they were present a total of 750 days.

In military research and development, the Soviets are spending at about twice the rate as we in the United States. This trend should be of grave concern to all Americans because it measures the importance the Soviets place



on reducing our technological lead within the next five to seven years.

Even while the Soviets push this military and political expansion policy, the U.S. moves to curtail its overseas commitments, partly as a result of our national weariness over a long and costly war.

The Nixon Administration is facing up to this disturbing Soviet military buildup by insisting on sufficient funding of defense programs while insisting that our allies contribute more to their own national security requirements. The latter philosophy is part of the Nixon Doctrine whose goal is a generation of peace through partnership, strength and a willingness to negotiate.

The United States can no longer serve as policeman of the world. Our needs at home are too high and the demand for our material resources too great.

Since the end of World War II we have operated on the philosophy that the United States could do more for its allies than they could do for themselves. We have literally rebuilt economies of the victorious and vanquished alike. We have given billions of dollars in foreign aid and have sent thousands of troops in scores of countries around the globe.

Through the Nixon Doctrine we have insisted that our allies assume more of these mutual security burdens, particularly in the area of military manpower.

As a result of this philosophy, more than 400,000 American troops have been withdrawn from overseas. The bulk, of course, have come from Vietnam. But, the Nixon Doctrine has been applied elsewhere as well.

In Korea, U. S. troop strength has been dropped by over 20,000 men. This is a reversal of a commitment to that country where we have maintained more than 60,000 Americans for some eighteen years.

Likewise, reductions in U. S. forces have been carried out in Japan, Thailand and the Philippines. In NATO the concept of burden sharing is being developed, again on the principle that our allies must assume a greater defense responsibility.

An important element of the Nixon Doctrine has been a willingness to negotiate, doing so from a position of sufficient strength. Again, the record of accomplishment has been impressive.

The United States is pursuing a delicate course of negotiation in the volatile Middle East crisis. We have negotiated the turnover to Japan of Okinawa, a most sensitive issue for the Japanese.

The President has proposed new treaty provisions to prohibit the placement of nuclear weapons on the ocean floor. He has carried the nuclear non-proliferation treaty through to ratification and he has renounced the use of biological weapons.

In addition, the Nixon Administration is vigorously pursuing a successful conclusion to the SALT talks. The goal of these important negotiations is to curtail the arms race which as I indicated earlier has been rapidly accelerated by the Soviet Union.

And most dramatically, in this spirit of negotiations, the President has moved forward to revive our country's relationships with Mainland China, an area involving one-fourth of the world's population.

Certainly we hope for success in these diplomatic efforts to limit the arms race and to improve relationships with our potential adversaries. That success will come, however, only if those who oppose us respect our national determination to remain strong militarily.

I believe most Americans not only support a strong U.S. defense posture but will insist upon it in the years ahead. However, our voices must be heard.

That is not to say the strength of the United States depends solely on its men in uniform or on its weapons, as important

as those capabilities are. I believe the strength of our nation in the 1970s must be based also on the wisdom of our foreign policy, on the strength of our economy, and on the will of our people.

The day is past when we can hope to provide most of the defense for our allies. They must share in this burden.

The day is past when we can afford to assume the primary role in solving all of the problems of the Western World. That responsibility also must be shared more equally with our allies.

This does not suggest that we can afford to build a wall around our country, withdrawing from the competition and security needs of the world. Those who clamor to bring all American troops home forget that their very presence abroad has not caused war but rather has helped to maintain peace.

During my service in Washington, I was involved in some of the most complex, difficult problems faced by this country. But it was a source of inspiration to be surrounded by those who were confident in their course, and who respected a higher national priority extending beyond any temporary expediency.

The negative thinkers have had their day. They have marched in the streets. They have built false hopes. And they have comforted our detractors at home and adversaries abroad.

Those who have built their national image on such obstructionist attitudes are finding it difficult to shift away from the tired, divisive approach of the past.

Young people today cry out for constructive leadership in an atmosphere of optimism. They seek positive approaches and personal involvement in efforts to build a better America.

Like you and me, they resent the tarring of all America because of a few shortcomings. How ridiculous it is, for example, to charge—as one senator recently did—that all America is sick because our prisons are sick. We have had too much of that destructive approach in the past.

One of our greatest national strengths is our ability to face up to problems openly and candidly. We banner our shortcomings across our newspapers and TV sets for the whole world to see.

Our critics at home and abroad delight in exploiting these weaknesses as a symbol of a crumbling America.

What these critics forget, however, is that as we identify a problem, as we debate it publicly, we work to solve it—and succeed in doing so. As a result, we have built, on balance, the best and most successful way of life ever known to man.

We have been confident that our problems could be corrected; that dreams could be embodied in action, and that a better life would be achieved. But we have always known, as we do today, that we would have to work for it.

Over the years, we have been successful, not by thinking we would lose but rather by believing we would win. Too often we have sold our country short with an almost national guilt complex.

I have little tolerance for those who thrive on self pity or who drop out of society in protest against problems they say they did not create.

Dreams of self fulfillment cannot be found through heroin, in a commune or on a wrecking crew. Most young people know that.

Today's young generation no longer lives in an overwhelming atmosphere of war and violence. Our task is to capture their imagination and involvement in our endless search for a better America. There are new goals to set, new records to break, new problems to solve. A new day is dawning and America's optimism to meet those opportunities is building.

Yes, the pendulum is swinging.

## ANTIPOLLUTION EFFORTS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. DULSKI. Mr. Speaker, as a Member of Congress whose district includes Buffalo, N.Y., harbor and a major stretch of the Buffalo waterfront on Lake Erie, I have had a continuing concern over the years about the pollution problem.

I have been a consistent supporter of antipollution legislation and have been cooperating with the various organizations, agencies and individuals involved.

There have been gloomy predictions about the future of our lake and there is every reason to believe they could become true—unless we act.

The fact is that we are acting, with vigor. That includes virtually every element of our society. Perhaps not in every case as fast or as extensive as we might like—but there is action and there is valid reason for optimism.

Decay of this great natural resource which has occurred over generations is not going to be corrected overnight. No reasonable person can expect it.

In this regard, I find it disappointing and disturbing to hear unwarranted and often uninformed criticism of those who are trying to do their part—and at their own expense!

I would cite as an example the efforts of one of the largest employers in the Buffalo area, the Bethlehem Steel Co.

Just last year, Bethlehem completed a \$24 million program to control water pollution at its Buffalo plant. This is a major contribution to the overall effort and I believe that we should give credit where credit is due.

Mr. Speaker, as part of my remarks, I include the text of a public service advertisement published by the company on its antipollution program:

LOOK WHAT GEORGE VAIL CAUGHT IN LAKE ERIE ON JUNE 10, 1971

George Vail, Hamburg, New York, has been catching fish in Lake Erie since 1945. And he has been quite successful at it. He regularly catches perch, bass, pike, and other kinds of fish just offshore from our steel plant near Buffalo.

George doesn't agree with those who wring their hands and claim the lake is "dead" or beyond hope. Others share his view. For example, Dr. W. T. Pecora, Director, U.S. Geological Survey (now Under Secretary of the Interior), wrote in the August 1970 issue of *Mining Congress Journal*.

"We frequently hear that Lake Erie is dead. This is pure rubbish. Lake Erie is the shallowest of the Great Lakes, was created about 20,000 years ago and, barring another Ice Age, has several thousands of years yet to go before senility. The western part of the lake is extremely shallow and receives a large amount of natural organic material transported from the surrounding terrain. Here is where the algae growth has always been present. Lake Erie has continually produced about 50% of the fish catch of the entire Great Lakes system, consistently over the past 100 years. This is not a mark of a dead lake."

Technical Report No. 3 of the Great Lakes Fishery Commission, Ann Arbor, Michigan,

presents data documenting Dr. Pecora's remarks.

Lake Erie does, of course, have serious pollution problems and we are not about to understate them. And our steel plant near Buffalo has contributed to this pollution. For several years we have been working on solutions. Late last year we completed a \$24 million program to control water pollution at this plant alone.

Of the 320 million gallons of lake water taken into the plant daily, about one-third becomes contaminated. This is processed through the plant's waste water treatment facilities before it is returned to the lake. This treated water not only meets New York state requirements for suspended solids and oil, it substantially exceeds them.

We will continue to clean up our air and water discharges wherever we have operations. We hope others will do their share, too.

#### A GOOD DEED BY THE AIR FORCE

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. HARRINGTON. Mr. Speaker, as a frequent critic of the military, it is only fair that I give recognition to a good deed recently performed by the Air Force. There is a day camp for handicapped children in Lowell, Mass. which needed some buses and drivers to transport the campers each day. The Air Force, through the efforts of Secretary Robert C. Seamans, Jr., supplied those buses so more children would be able to attend. A letter thanking Seamans from Joan L. Donnelly, secretary to the board of directors, ends this way:

Thank you from the children, their parents, the staff and the volunteers, but thank you mostly from me for allowing us the privilege of meeting such fine people.

I wish to echo that gratitude and would like to put the letter into the RECORD:

CAMP PAUL,

Chelmsford, Mass., September 7, 1971.

Hon. ROBERT SEAMANS, Jr.,  
Washington, D.C.

DEAR SECRETARY SEAMANS: Camp Paul has recently concluded its 1971 summer season, incidentally, its most successful season. This is due largely to the cooperation we have received from Hanscom Air Base in the person of Sam Berman, Jack Coughlin, Maurice MacElligot, and Ed Rubicki.

From the first contact, until the final bus ride home, through field trips and a peace demonstration, the integrity of the people with whom I was involved, left me with a loss of words to express my thanks. The necessity for a camp such as Camp Paul has proven itself many times over, through the happiness provided to the campers and their families. Given an outdoor experience, much less structured than the special schools and classes these children attend, each others disabilities and handicaps are overlooked, and the children simply relax and enjoy themselves; without realizing they are continuing to receive therapy at all times. Here is where our particular thanks must be conveyed. The camp day begins and ends with the bus ride. Dear Sir, I only wish you could have greeted the buses each day as I did, and have the personal satisfaction of seeing your personnel function in such a kindly, concerned, and patient manner. I continue to be overwhelmed at the manner

in which Duke and Mr. Ed transported our campers and volunteers.

The campers were capable of antics and vocabulary that would set any man's teeth on edge, but the kindly control these men exhibited was beautiful to see. Each camper (and most volunteers) were known by name—their belongings and problems were duly noted each day, so as not to be overlooked. "Rusty has lost his bathing suit", "Here is Belynda and John's medication", "Jamie's dog was killed last night", John has lost a sneaker again", "Mike's language was bad on the ride up, he'll be a problem today", "Billy put his arm in a pig's mouth at Drumlin Farm", "a camper bit his volunteer, and she should get medical attention"—endless daily concern. How proud you should be of these men. We dearly loved them.

The epitome had to be on the final day. Robert, whose behavior was utterly inconsistent to say the least (because of brain damage suffered in a motor boat accident) cried brokenheartedly for his volunteer, and refused to leave camp. The only way this situation was resolved was Mr. Ed's coming across the field to meet us, Robert having agreed with me, that his friend Ed could take him home.

Thank you, from the children, their parents, the staff and the volunteers, but thank you, mostly from me, for allowing us the privilege of meeting such fine people.

Very truly yours,

JOAN L. DONNELLY,  
Sec., Board of Directors.

#### H.R. 11084 TO AID THE HOME BUYER IN CALIFORNIA

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. ANDERSON of California. Mr. Speaker, the Federal Government, through the Government National Mortgage Association, seeks to aid the prospective home buyer by paying a part of the interest on FHA-insured mortgages.

However, the GNMA will not subsidize interest rates on homes that are purchased for over \$22,000.

Mr. Speaker, this \$22,000 ceiling may be fine in some areas of the country, but in California only 11.8 percent of the FHA homes sold during the last quarter of 1970 were priced below \$22,000 and, thus, eligible for GNMA aid. And in Los Angeles, only 2.6 percent of the FHA homes sold for less than \$22,000.

The average FHA home in California costs \$26,386. But, in Los Angeles, the costs are higher—\$28,097.

We need a homebuilding boom in this decade if we are serious about averting a housing crisis in the 1980's; but in California, and other States, property and building costs make a \$22,000 ceiling unreasonably low. As a result, most California home buyers cannot take advantage of this Government program.

Mr. Speaker, to enable home buyers in California to participate in the GNMA interest rate subsidy, I am today introducing legislation which would authorize GNMA to pay part of the interest on FHA-insured mortgages up to \$26,000 in high cost areas. This measure, if

adopted by Congress and signed into law, would allow the moderate wage earner in California to purchase the home of his choice and share in the benefits of this program.

#### U.S. ECONOMIC POLICIES AND RELATIONS WITH CANADA

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. FRASER. Mr. Speaker, today I received a letter from a citizen of Canada who formerly lived in my congressional district.

Because his views on the effect U.S. economic policies may have on United States-Canadian relations are so clearly stated, I am reprinting the letter in full, omitting only his name for I do not know that he would want it used. The letter follows:

OTTAWA, ONTARIO, CANADA,  
September 30, 1971.

HON. DONALD M. FRASER,  
House of Representatives,  
Washington, D.C.

DEAR MR. FRASER: A week ago, with a free afternoon in Washington I came along to watch the proceedings of the House Foreign Affairs Committee. You, with Representatives Culver and du Pont, were examining the views of Messrs. Volcker and Samuels. As an old resident of your District and Minnesota alumnus, I take the liberty of writing you just to say how glad I am that some responsible men south of the border are alive to the grave implications of Mr. Nixon's New Economic Policy.

You were quite right to point out to Mr. Volcker that America's aggrieved trading partners see the Administration's drive for an \$8-9 billion surplus on trade account as tantamount to shifting the cost of military adventures to third parties. Canada, the U.S.'s largest trading partner, will be especially hard hit, for the result of Administration policy is, in effect, to force our participation in a war we abhor, and to help finance that export of U.S. capital which has already taken over alarmingly large sectors of our economy.

In addition, the selective effect of the surcharge discriminates against our manufactured exports and in favour of raw materials. This is seen here as yet another attempt to reduce Canada to the status of drawer of water and hewer of wood for the American colossus. "Continentalism" in resource use sounds increasingly like economic imperialism to many Canadians. That sentiment, under the impetus of the drastic and unfriendly measures taken by your Administration, is rapidly forcing the Canadian government, however, unwillingly, to reconsider the whole basis of U.S.-Canadian relations, both inside and outside the sphere of trade.

I am a Canadian nationalist. But I cannot favour a nationalism synonymous with chauvinism, with mere anti-Americanism. For a century and a half we have been the closest of allies, friends bound by a common culture, a common heritage—more, much more, than mere propinquity alone requires. A gratuitous slap, right where it hurts the most, is no way to maintain easy relations.

I'm glad, Sir, that you are on the side of friendship.

Most sincerely,

[NAME WITHHELD.]



## PAY CUTS

## HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. JACOBS. Mr. Speaker, on October 3, I offered to reverse my opposition and vote for the President's Federal pay freeze if the President and his Cabinet will agree to the entire January 14, 1970, proposal of Secretary George Romney rather than just the part relating to Federal paychecks other than their own.

Secretary Romney, in the January 14, 1970, Cabinet meeting, proposed a voluntary pay cut for the President and his top political appointees together with a freeze on Federal pay raises. The proposal came less than 12 months after the President's salary was increased by \$100,000, or 100 percent, and those of Cabinet members were also raised substantially. The proposal got nowhere until recently, when the President adopted the part affecting the other Federal paychecks.

In his Saturday challenge to Congress the President said:

The sacrifice being asked of Federal workers is not so heavy as to be inequitable at a time when all Americans are being asked to sacrifice and that Congress "faces the acid test of its determination to cooperate in the national campaign to control rising prices."

The President and his Cabinet were asked to make that sacrifice. They were given that acid test on January 14, 1971—and flunked it.

I proposed they take a make-up exam and pass it in order that Americans can watch what they do rather than what they say.

Had this occurred—if they had been willing even at this late date to set the example—I would have voted to support the added sacrifice of other U.S. workers.

The following UPI article appeared in the Indianapolis Star January 19, 1970:

ROMNEY PROPOSED NIXON, CABINET TAKE SALARY CUTS?

NEW YORK.—George Romney, the Secretary of Housing and Urban Development, proposed to President Nixon that the President and all his senior political appointees take an immediate 25 per cent salary cut, Time magazine said yesterday, adding the suggestion got nowhere.

Romney proposed the voluntary pay cut at a Cabinet meeting January 14 at which Mr. Nixon sought recommendations on ways to cut the Federal budget from \$203.5 billion for fiscal 1971, Time said.

The President's salary is \$200,000. Cabinet members make \$60,000 a year. Time said Romney told the cabinet:

"The economic decision makers are convinced that inflation will continue. Having put our hand to the plow to curb inflation, we must convince the decision makers that we are not going to turn away. A little difference can make a big difference."

According to Time, the Cabinet turned down Romney's proposals, which also included a 2 per cent slice in all departmental budgets and a freeze on Federal pay raises.

## CONGRESSMAN MIKVA SPEAKS OUT FOR HANDGUN CONTROL

## HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. RYAN. Mr. Speaker, there should be no doubt by now as to the desperate need to ban the sale and manufacture of handguns in this country.

The Federal Bureau of Investigation has disclosed that 52 percent of all the murders in the United States last year were committed with handguns. Between January 1 and August 31 of this year, 80 police officers have been killed in the line of duty—59 of them were shot down with handguns.

The Subcommittee To Investigate Juvenile Delinquency of the Senate Judiciary Committee has been holding hearings on legislation to ban the sale and manufacture of one kind of handgun—the "Saturday Night Special." This gun is cheap, easy to buy, and it is good for one thing only: killing people.

Our distinguished colleague from Illinois (ABNER J. MIKVA) testified before this subcommittee this morning. Congressman MIKVA presented a comprehensive, eloquent, and compelling explanation of why the fatal national traffic in handguns must be stopped.

I commend his testimony to the attention of my colleagues:

## HANDGUN CONTROL

Mr. MIKVA. Mr. Chairman, I am grateful for the opportunity to appear before your subcommittee this morning. As you know, I was unable to testify in person at the subcommittee's hearings last month because of pressing business in the House of Representatives. You are to be commended for giving the citizens and public officials really concerned about crime yet another chance to present evidence of the desperate need to stop this country's fatal traffic in handguns.

Handguns and crime are partners, Mr. Chairman, and I applaud your courage for introducing a bill to ban the sale and manufacture of Saturday Night Specials—those cheap but deadly handguns that have helped make crime and violence American institutions. Since the first round of hearings, more people have been shot to death or wounded with handguns—shot in robbery attempts, bar room quarrels or domestic squabbles, shot in cold blood or in the heat of the moment. There was one particular incident, though, that makes an especially compelling argument for handgun control and your legislation.

It took place only last week in Petersburg, Virginia, a small town just south of Richmond. A 14-year-old boy had been involved in a playground scuffle. Afterwards, he left school and went to a friend's house where he got a pistol from a bedroom dresser drawer. Then, the boy went back to school, looking for his opponent in the playground fight. He ran into a classroom and opened fire, killing one child and wounding two others. The police chief in Petersburg, Harold Anderson, told me that the boy used a .22 calibre, six-shot revolver. The barrel was about one-and-a-half inches long, and the gun was cheaply made—anyone could buy an identical pistol for about 15-dollars. It was a Saturday Night Special. Chief Anderson said that he did not know where the gun came from, but if it had not been

in that dresser drawer, a life would not have been lost.

That happened in Petersburg, Virginia, Mr. Chairman, and the same kind of thing happens every night and day in the streets of Chicago, New York, Detroit, and every other big city in this country. The unrestricted sale of handguns and the unrestricted rate of crime that goes with it are symptoms of a national problem that demands a national solution—now. There are some statistics that make that point, statistics too compelling to ignore. More than 8-thousand people were murdered with handguns last year—more than half of all the murders in the country. Last year, 100 police officers were killed in the line of duty—73 of them were shot down with handguns. Take away the handgun and many of those people would be alive—with a broken jaw from a fist fight, perhaps, or a concussion from a lead pipe or a club, even a stab wound, but alive.

In the light of this kind of evidence from the FBI, the Administration has assumed a rather curious attitude. From the very outset, its crime program has seemed tough. There have been calls for preventive detention and more wiretapping and no-knock legislation. There have been frequent news conferences and press releases which have used accounting agility to "prove" that the crime rate is going down. But statistics and news conferences, no-knock laws and preventive detention and wiretapping do not help prevent murders or discourage armed robberies. A ban on the sale and manufacture of handguns would help simply because handguns are the criminal's tool of the trade.

The Administration has been astonishingly non-committal about stopping the traffic in handguns. Until today the Justice Department has not been willing to express its position on proposed legislation to get the guns off the streets. I am pleased that the Administration apparently has acknowledged finally that guns are related to crime, and that the problem is serious enough to merit the attention of the nation's principal law enforcement agency.

Attorney General Mitchell has talked about the Gun Control Act of 1968—the law with the loopholes that Senator Bayh would like to seal. The Attorney General has said we should wait a while longer to see what impact the 1968 law is having. In the meantime, a few more people are being shot to death every day—shot to death through the loopholes in that law. The country has been left with the unavoidable impression that this Administration is always ready to preach about controlling crime, but hardly ready to do something effective about it. I sincerely hope that Mr. Santorelli's presence here today signals an end to that posture.

Despite the rhetoric from the Justice Department, city streets are no safer this year than they were last year, and few people go out at night without some fear for their safety. Robbery and murder are so commonplace that people no longer think of controlling crime. Instead city residents are concerned with avoiding it, moving from "high crime" areas, staying off the streets at night. Crime has gained the stature of tornadoes and floods: it is a natural hazard.

The Administration's reluctance to do anything about handgun control has been difficult to understand—especially in the face of growing support for a ban on the sale and manufacture of handguns. National opinion polls have shown that most people are in favor of it. Most of the nation's police chiefs—from Chicago to Petersburg, Virginia—support it because they have seen too many of their men cut down by handguns. Most police organizations feel the same way. Big city mayors—like Richard Daley and John Lindsay—have called repeatedly for strong national legislation to stop the hand-

gun traffic and the handgun crime. Newspapers and radio and television stations in big cities and small cities have used their editorial voice to ask for a ban on handguns. Yet handgun control is one of the most volatile political issues today. Public officials are afraid of it.

The gun lobby is one reason for that fear. It is the most highly-organized and self-serving lobby in the country, and it has contributed all of the heat and none of the light to the discussion about handgun control. The gun lobby promotes the kind of misunderstanding and misinformation that turns intelligent sportsmen and gun collectors into gun zealots. Mr. Chairman, I would like to spend a few minutes looking at the "arguments" against handgun control—specifically, a ban on the sale and manufacture of handguns.

Some people contend that current gun control and gun registration laws do not work, so there is no reason to pass more gun control laws. Certainly they do not work as well as they should. A strict gun control law in Chicago or New York does not prevent an aspiring hoodlum from buying a gun in the suburbs or across the state line and bringing it into the city. There are no guards or border patrols to prevent that. Handgun control will never work well unless it is instituted at a national level, and that is why this subcommittee is holding hearings now. But even with its flaws, local handgun control is better than no handgun control. The crime rate has been going up in Chicago and New York, but not as fast as it is going up in cities like Dallas, Atlanta and Houston where there is no handgun control at all. The experience of Great Britain and Japan is further evidence that even stricter handgun laws drastically reduce the crime rate. I would like to bring to the subcommittee's attention a column from the New York Times of October 3rd which should make every public official in America ashamed. The story includes an interview by Richard Halloran with the police chief of Tokyo, who described in some detail each case of the three people murdered with handguns last year in his city. Tokyo has a population of 11,398,801. Three handgun murders in all of 1970. For purposes of comparison, New York City has a population of 7,895,563—30% less than Tokyo. 538 people were murdered with handguns in New York last year. How can anyone who values human life defend our present system of firearms production and control in the face of such facts? I have appended Mr. Halloran's story at the end of my statement, for he goes on to make clear the relationship between Japan's strict gun control statutes and the low rate of crimes committed with firearms.

Some people contend that handgun control would deprive the homeowner of the chance to defend his family against a robber. That is an interesting argument. The National Commission of Violence found that in one year more homeowners were killed in gun accidents than were killed by robbers and burglars in the previous four years. That makes owning a handgun rather expensive crime insurance. The latest FBI crime report makes another argument. "Most murders," it says, "are committed by relatives of the victim or persons acquainted with the victim." Murder and violence are most often spontaneous and emotional. Because a gun is there—in the dresser drawer or under the bed—a domestic quarrel becomes a tragedy, a friendly disagreement becomes a murder, like the one in Petersburg, Virginia.

Some people contend that what this country needs is stricter enforcement of current gun control laws. They think the law ought to allow the unrestricted manufacture and sale of all guns, but discourage their misuse with harsh penalties. That theory does not apply to dynamite or poison. It should not apply to something that is just as lethal—

handguns. Certainly, there should be strict enforcement and severe penalties, but that is not enough—strict enforcement does not prevent people from being shot, and severe penalties do not prevent a criminal from packing a handgun. The easy availability of handguns is an invitation to crime. Banning the sale and manufacture of handguns would discourage it.

Finally, some people contend that a ban on the sale and manufacture of handguns would discriminate against the sportsman. Mr. Chairman, your legislation meets that contention because it is directed only against Saturday Night Specials—handguns that have no conceivable sporting use. The only thing these guns are good for is killing people, that is their sole reason for existence. They are too inaccurate for target shooting—their range is too limited for hunting—and no serious sportsman would use one because they are just not safe. If a ban on all handguns were under consideration, not just a ban on Saturday Night Specials, the "discrimination" argument still would not be valid. It is a matter of balance: the convenience and pleasure of a few people who like to play with handguns against the safety and well-being of the country.

Those are some of the "arguments" against handgun control, Mr. Chairman. The gun lobby has another tactic that it uses regularly to cloud the issue: urging bail reform and the control of drug addiction to cut the crime rate. No one doubts the need for that, but it begs the question. Some things cause crime—like poverty, ignorance and frustration. Some things explain crime—like drug addiction, an antiquated system of judicial administration, and prisons that corrupt rather than correct. Then, other things make crime easy—like guns, especially handguns. Crime will plague the cities as long as there is injustice and inequality but, at the going rate of murder and mayhem, this country cannot wait for an end to poverty or a solution to the drug problem before it does something to stop the slaughter in the streets, a slaughter made possible by handguns.

Chicago's experience says something about that. Between 1968 and 1970, the number of people killed with handguns rose from 270 to 409. Between 1965 and 1970, the number of people fatally shot in armed robberies rose from 12 to 117. During the same period, the number of people 20-years-old and younger using firearms to commit murder rose from 38 to 271. These criminals did not use garrotes, poison, broken bottles or hunting rifles—they used cheap handguns, the one weapon that makes robbery and murder so safe, so sanitary, so sure. The gun zealots argue: "Guns don't kill people, people kill people." True enough, but without the glut of handguns, people would not find it so easy, so convenient or so tempting to kill other people. If there were no guns, there still would be murder because man's nature occasionally turns bad but, if there were no guns, there would not be so many murders.

Mr. Chairman, your bill has my unequivocal support. No public official really dedicated to fighting crime can possibly oppose it. It will close a loophole in a law that now permits gun manufacturers to import parts from abroad, then assemble them into a cheap handgun in the United States. Your bill will reduce the number of handguns on the market and will make it that much harder for a criminal to obtain one. However, a criminal should never be able to obtain a handgun—cheap or expensive. There should be a total ban on the sale and manufacture of any handgun in this country. The arguments and statistics that make the case for your bill make an even stronger case for a total ban because the only private citizens who really need handguns are criminals. With fewer handguns in the country, the opportunity for crime and gun accidents will decrease.

I have proposed legislation (H.R. 915) that would ban the sale and manufacture of all handguns. The only exceptions would be the police, the military, and licensed gun clubs that keep the guns secured on their premises. This is not confiscation. It is simply a way of saying that this country has enough handguns, it does not need any more. This legislation is not directed at rifles and shotguns which are legitimate hunting weapons and are difficult for criminals to conceal.

What would happen if Congress approved my bill to ban the sale and manufacture of all handguns? At the very worst, it would prevent a homeowner from purchasing a gun for "self-defense." It would deprive the sportsman of the pleasure of shooting at tin cans and small animals. (Both men could still use a rifle, though—more effective and not a good weapon for most crimes.) And, at the very worst, the bill would disturb America's reputation as an armed camp where everyone has a gun because everyone else has one.

At the very best, this legislation would prevent any number of accidental shootings because children would not be able to find a loaded pistol in a dresser drawer. It would prevent any number of robberies and murders because most criminals would not be brave enough to try it without a gun. And, it would save the lives of any number of policemen who would not have to shoot it out with every small-time crook who carries a revolver.

Mr. Chairman, your legislation is a good beginning. Until Congress can see through the smoke-screen of misunderstanding thrown up by the gun lobby, your legislation will at least enable us to hold our ground. Ultimately though, there must be a total ban on the sale and manufacture of all handguns. Too much is at stake to do otherwise.

#### CRIME IN TOKYO A MINOR PROBLEM—STIFF GUN LAWS AND DRUG CONTROLS ARE CREDITED

(By Richard Halloran)

TOKYO, Oct. 2.—The Japanese National Police obtained a warrant this week for the arrest of a rightist leader who mailed to Premier Eisaku Sato a pistol, 175 cartridges, and a note demanding that he shoot himself for failing to crack down on leftist radicals.

But the charge against Masamoto Yoshinga was not that of threatening the Premier. Rather, the warrant was for illegal possession of firearms in violation of Japan's gun control laws.

About the same time, narcotics control officers arrested six Americans, including an Air Force captain, and a Japanese woman for trafficking in hashish around Tachikawa Air Force Base outside of Tokyo.

The police began watching the alleged drug ring, officials said, about two months ago and stepped in this week to nab Capt. Richard J. Scotti, a medical officer at the base, and his associates.

The two events were reflections of the effective enforcement of this nation's strict gun control and narcotics controls laws, both of which Tokyo Metropolitan Police officials believe to be among the major reasons for the relatively low crime rate in this city.

#### THREE DIE BY HANDGUNS IN YEAR

One day not long ago a Metropolitan Police official ran his finger across a page of crime statistics.

"Ah, yes. Here it is. We had three people murdered here with handguns last year. One was killed by a gangster, another by an ordinary citizen, and the third by a juvenile gangster."

He looked up and chuckled at the incredulous look on his visitor's face. Of the 11,398,801 people in Tokyo, the world's largest city, only three were killed with pistols in an entire year.



During the same year in New York City, 538 persons were murdered with handguns.

Other figures on crime in Tokyo were equally startling to an American. The total number of murders here last year was 213, compared with 1,117 in New York, whose population in 1970 was 7,895,563, 30 per cent less than Tokyo's.

The largest number of slayings, 69, in Tokyo were committed by adults with kitchen knives, razors, and similar weapons that, in many cases, were at hand when a violent argument broke out. Eighteen were committed by gangsters and six by juveniles with similar weapons.

#### ROBBERIES TOTAL 474

There were 474 robberies here last year, compared with 74,102 in New York City. Tokyo records show 7,268 assaults, New York's, 18,410. There were 500 victims of rape here, 2,141 in New York. The number of narcotics cases here was 292. In New York it was 52,479.

The rate of crime in Tokyo, however, grew faster than the population. Crime was up 5 per cent in 1970 over 1969, while the number of people living in the city increased only 1 per cent. The biggest single category of crime was fraud, of which there were 9,397 cases, a 20 per cent rise over the year before.

Police officials here are confident that their statistics are accurate. There is no reason to doubt them since the Japanese keep perhaps the most complete statistics in the world.

If one searched long enough he could probably find out how many left-handed barbers here were born between 1 and 5 p.m. on Sundays in any given year.

The only exception, the police officials said, might be in the figures on rape. As in the United States, an unknown number of rape victims may not report to the police out of embarrassment.

It is illegal for any resident of Japan to own a handgun. Only the armed forces, the police, ballistics researchers, and sporting marksmen may have pistols—and the use of those is carefully regulated. The police officials said they thought the absence of handguns was particularly important in keeping the murder and robbery rate down.

#### PORTS ARE WATCHED CAREFULLY

Moreover, seaports and airports are closely watched to insure that handguns are not smuggled in.

Unlike the United States, there is no question of a citizen's right to bear arms here. In early days, only the samurai warriors who made up about 5 per cent of the population were permitted to carry swords. That tradition has passed over into modern times without protest.

A second reason for the low crime rate seemed to be strict controls over narcotics, which are illegal except for medical use. In addition to the police, the Ministry of Welfare has special narcotics force.

Particular attention is given the prevention of narcotics smuggling. The narcotics control forces maintain extensive networks of informants, especially in Yokohama, the great port down the bay from Tokyo, and in Kobe, the major port in central Japan on the Inland Sea.

#### PROJECT SPOKE

### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, enrichment of the quality of academic instruction and curriculum and teaching materials is a goal of over-

riding importance in the education of our children, and it has been a source of great pleasure to note the outstanding progress in this sphere of scholastic activity achieved through Project Spoke, centered in Norton, in my 10th Congressional District in Massachusetts, and serving Foxboro and many other communities. The truest measure, perhaps, of the value of Project Spoke is in the high praise it has received from the teachers themselves, who find that the wealth of instructional materials the project affords, and access to film libraries, and participation in workshops, adds new dimensions to the impact of their classroom teaching.

I am most pleased to include in the RECORD at this point a column concerning Project Spoke which appeared in the Foxboro, Mass., Reporter of September 30.

The column follows:

#### PROJECT SPOKE PRAISED BY STATE EDUCATORS

Project SPOKE, the innovative resource and media center serving Foxborough, has just been hailed by the state Department of Education as having a greater impact on communities than any other Title III project in the Commonwealth.

The instructional media center, which is based in Norton and serves more than a half-dozen towns, helps teachers do a more effective job of teaching through workshops, film libraries, and facilities for creating instructional material for use in the classroom.

The project was one of many that were evaluated in a recent study conducted for the Bureau of Curriculum Innovation by Carolyn H. Denham, an independent evaluator.

Because of its greater influence on school districts, Project SPOKE will now be studied to determine why it is so successful, according to reports.

The evaluation was based on a survey of 270 superintendents who were sent questionnaires last April. Of these, 222 responded, giving 83 per cent coverage.

At present, five Foxboro teachers have signed up for a ten-session course at SPOKE in designing individualized learning packets, 10 have registered for a 10-session course in instructional media, and seven will attend a five-session series for individualizing the reading program (for elementary teachers only.)

In all, 10 per cent of Foxborough's teaching population will be enrolled at Project SPOKE this school year, according to Assistant Supt. Frank Toomey.

In a report to the school committee on in-service training, Mr. Toomey said 28 teachers are enrolled in a 15-week Socio-Biology I course to be offered at Foxborough High School beginning this week.

Many teachers from the Foxborough staff are also enrolled in graduate courses, he added.

Other in-service training programs and curricula meetings involve:

20 sessions in relation to "Man: A Course of Study," a "most fascinating" approach to social studies which delves into the question of what makes man human. Used on an experimental basis for two years, the course is now system-wide in fifth grades.

Ten hours of workshops on learning disabilities for teachers in grades 1 through 3, conducted through Project HEED.

Intermediate Science Curriculum Study program, in which students get involved in the processes of science. Pre-service training was received by science teachers Samuel Cashman, Louis Chandler and George Geneaux.

An industrial arts program at the Inter-

mediate School which looks at manufacturing and construction as processes and engages in both.

Changes in the scope and sequence of the math program geared to correct deficiencies in certain skills as revealed by the Iowa tests. Mr. Toomey emphasized that the schools would not be "teaching to the test," but would be strengthening areas of weakness shown by the students, particularly in problem-solving.

Numerous other workshops, conferences and released-time studies involve reading, art, music, methodology, social studies, foreign language, English, teacher evaluation, improved test-making and other areas.

#### CONGRESSMEN AND CLERGY UNITE IN OPPOSITION TO AMENDING THE BILL OF RIGHTS

### HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. ECKHARDT. Mr. Speaker, yesterday, Representatives of several religious denominations met with concerned Members of the House of Representatives to express their opposition to the Wylie amendment, House Joint Resolution 191, which proposes to amend the Bill of Rights for the first time in history to authorize "nondenominational prayer" to "persons lawfully assembled in any public building." Under the rules of the House, the proposed amendment, which requires a two-thirds vote of both Houses of Congress for passage, may reach the floor of the House as early as November 8, 1971.

The group issued the following statement:

We, clergymen of various denominations, and members of Congress, are deeply concerned with the very real threat to religious freedom should the Wylie resolution, H.J. Res. 191, become a part of our Constitution. We feel most strongly about any constitutional amendment being brought to the floor without the possibility of amendment and with only one hour of debate, controlled by the sponsor, but more particularly we oppose any change in our Bill of Rights which throughout our long history has never been amended.

We believe and aver that we do now have adequate protection of religion in the First Amendment; that the Supreme Court decisions of 1962 and 1963 served to strengthen that freedom, and that, contrary to its supporters' contentions, H.J. Res. 191 would restrict that freedom.

Representative Wylie's resolution reads as follows: "Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer."

We, as Americans, are already guaranteed the right to participate in prayer—non-denominational or denominational, and in buildings public or private, and whether or not lawfully assembled. All this is now guaranteed to us under the free exercise clause of the First Amendment and none of it has been diminished by any opinions of the Supreme Court. Thus, the proposed amendment might actually serve to lessen our religious liberty rather than broaden it.

The so-called "school prayer" decisions of the Supreme Court (*Engel v. Vitale*, 370 U.S.

421, 1962; *Abington School District v. Schempp* and *Murray v. Curlett*, 374 U.S. 203, 1963) dealt with the power of governments to compose or require a particular prayer, not the inviolable right of the individual to pray as his conscience dictates. In contrast, the proposed amendment deals with the right of persons, a right not affected by the Supreme Court decisions. A child may still pray in school so long as he does not interfere with others.

H.J. Res. 191 would authorize "nondenominational" prayer. Assuming such a prayer could be composed, and disregarding the question of who should compose it, the very word is antithetical to religion. Religion is by its nature intensely personal and denominational. A "nondenominational" consensus prayer could only serve to reduce religion to its least common denominator, to neutralize it, and finally to create what might be called a nonsectarian public school religion. We do not believe that even the proponents of the Wylie amendment wish such a result.

Other questions are raised by the language of the proposed amendment, and would, we believe, eventually result in widespread, acrimonious controversy and litigation.

In short, the importance of these questions and others, requires, we believe, far more careful consideration than they are apt to receive in a scant hour of floor debate.

In 1964, in the wake of the Supreme Court's "school prayer" decisions, the House Committee on the Judiciary held extensive hearings over three months on a wide variety of proposed amendments and was unable to devise language which it could recommend to the House that would not do violence to religious liberty now guaranteed by the First Amendment.

In 1966, the Senate rejected an amendment intended to override the "school prayer" decisions.

Moreover, two Presidents have cautioned against hasty action to override the Supreme Court's "school prayer" decisions. Speaking shortly after the first such decision, *Engel v. Vitale*, 370 U.S. 421, President Kennedy said:

"You would have to make a determination of what the language was and what effect it would have on the First Amendment. The Supreme Court has made its judgment, and a good many people obviously will disagree with it. Others will agree with it. But I think it is important for us if we are going to maintain our constitutional principle that we support the Supreme Court decisions even when we may not agree with them."

"In addition, we have in this case, a very easy remedy and that is to pray ourselves. And I would think that it would be a welcome reminder to every American family that we can pray a good deal more at home, we can attend our churches with a good deal more fidelity, and we can make the true meaning of prayer much more important in the lives of all of our children. That power is very much open to us. And I would hope that as a result of this decision that all American parents will intensify their efforts at home, and the rest of us will support the Constitution and the responsibility of the Supreme Court in interpreting it, which is theirs, and given to them by the Constitution."

On July 4, 1964, the New York Times quoted former President Eisenhower as follows:

"General Eisenhower said he was opposed to the constitutional amendment on prayer in the public schools. He said religion should be taught in the schools, not as creed, but to show how great religions had influenced the course of civilization."

"But when you talk about prayer," he said, "this is in the nature of a personal communication and its use in public schools violates the First Amendment to the Constitution."

We hope that Members of the House will heed these calls for caution and will not act hastily to undo what has served us well for

180 years. In the words of James Madison: "It is proper to take alarm at the first experiment on our liberties."

We take alarm at this fresh experiment on our liberties and we hope that all citizens will join us in voicing our concern.

**PARTICIPANTS IN THE PRESS CONFERENCE**  
Congressman Emanuel Celler (D-New York).

Congressman James C. Corman (D-California).

Congressman Robert F. Drinan (D-Mass.).

Congressman Bob Eckhardt (D-Tex.).

Congressman Don Edwards (D-Calif.).

Congressman Donald M. Fraser (D-Minn.).

Congressman Mike McCormack (D-Wash.).

Congressman Fred Schwengel (R-Iowa).

Congressman B. F. Sisk (D-Calif.).

Dr. Carl Bates, President, Southern Baptist Convention.

Dr. David K. Hunter, Deputy General Secretary, National Council of Churches.

Bishop John Wesley Lord, The United Methodist Church.

The Rev. Warren Magnuson, Executive Secretary, Baptist General Conference, and Chairman, Baptist Joint Committee on Public Affairs.

Mrs. Marcus Rohlf, President, American Baptist Convention.

Dr. William P. Thompson, Stated Clerk, United Presbyterian Church in the U.S.A.

Dr. Robert E. Van Deusen, Director, Office of Public Affairs, Lutheran Council in the U.S.A.

Representing: Dr. Robert J. Marshall, President, Lutheran Church in America; Dr. J. A. O. Preus, President, Lutheran Church—Missouri Synod; Dr. Kent S. Knutson, President, American Lutheran Church.

The Rev. G. K. Zimmerman, Executive Secretary, North American Baptist Convention.

## INFLATION—SHOTGUN OR RIFLE

### HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. MOSS. Mr. Speaker, rarely have I read an article which sets forth with greater clarity the many problems of our economy than the following which was written by a constituent of mine, Mr. Paul W. Little, of Sacramento, Calif. Mr. Little, who retired from public service in 1969, served under four California Governors as an administrator of Employment Service and Manpower Operations, and as chief of Manpower Utilization.

Mr. Little is to be commended for his excellent article. It makes interesting reading and I highly recommend it to my colleagues:

#### INFLATION—SHOTGUN OR RIFLE

(By Paul W. Little)

I'm a retiree. I took a good licking from the stock market collapse. Fortunately, I didn't put all my eggs in one basket and didn't go under. But I got a good roughing up, and it started me thinking about why it all happened. My thoughts roamed over a wide range of subjects, but it wasn't long before they centered on inflation.

Because of my age, economic and social status and life style, I seem to have been certified by public opinion polls and media surveys to be a "Middle-American." One could take pride in this accreditation, for we are told it is in long-suffering "Middle-America" where you find the real stability and wisdom of the nation. The President

tells us that it is an important reason why he wants to return to us some of the "power" of the great central government through his revenue-sharing plan.

In qualifying as a "Middle-American", I have the added bonus of being a part of a "Great Silent Majority" which, self-serving claims would have me believe, has been swept to the bosoms of the present leadership of this country in full support and defense of their policies.

In my case, these opinion surveys are a bit inaccurate. For example, I find it difficult to stomach the word vanity and clever rhetoric of a Vice President who seeks political advantage by attempting to muzzle the voice of the national media and spread divisiveness throughout the land.

I question the sincerity of a President who asserts he wants no "yes men" in his cabinet, yet fires an Interior Secretary just when that member of his cabinet begins making noises like a statesman with deep concerns for policies affecting the welfare of all the people.

For me, the "Domino-Theory" hasn't the validity of a lead nickel, and I deplore our having spent \$25 billion each year to continue our involvement in the Vietnam Civil War when the nation and the world would have supported the President's acting to immediately terminate our involvement after taking office. It takes a man of wisdom, courage, and high principle to admit an error in judgment and to change his ways accordingly. Such a decision on the President's part, made on behalf of the nation, would have been worthy of the tradition and character of this nation.

#### INSTRUCTIONS TO "MIDDLE-AMERICA"

But if because of the profile of my life style I must be labeled as a "Middle-American" and a part of the long-suffering "Silent-Majority" I especially resent claims of ownership of my support on the part of political leaders who instruct me and my neighbors that:

A fractional drop in wholesale prices over the span of a couple of months is proof positive inflation has been brought under control.

A 6.8% increase in steel prices is acceptable within the framework of plans to curb inflation.

A rate of 6% unemployment is the price we must pay for past sins and that we'll solve it by deficit spending.

A rate to 4% unemployment—involving joblessness of only about 3 million of our citizens at any one time—shall be regarded and accepted by this nation as a condition of full employment, and that after all achievement of the 4% rate is, at best, a myth.

A 4% per annum increase in the cost of living shall be regarded as an acceptable inflationary trend.

I'm not to worry about the 1970 last quarter drop in the rate of GNP increase—an 11-year low—since this was caused by the GM strike and by 1972, when I can cast my vote for President, everything will be all right.

This type of "instruction" to me as part of the "Silent-Majority" is particularly galling because it assumes I'm too addle-brained to perceive it is merely a facade to cover up the dismal failure of Administration "monetary control" policies to solve the problems of inflation. It assumes I have forgotten the admonition of one of the nation's greatest leaders who asserted, "We know now that government by organized money is just as dangerous as government by organized mob."

To me, in viewing the spectrums of problems confronting our nation, the one posing the greatest threat to our existence is the cancerous affluence-poverty paradox. Inflation feeds this cancer and the nation's high purpose and determination to make progress in finding solutions to such problems as unemployment, welfare, pollution, education, health, hunger, and law and order are



dampened and thwarted by caution and uncertainty growing out of the economic dislocations caused by this tumorous paradox. What to do about it?

Public opinion polls and various media surveys, because of my age, economic and social status and life style, bury me into the averages of the composite "Middle-American" whose dominant view is held to be that, "The President is closer to these problems than I am. He is my President and the President of all the people. Therefore he has my support!"

I would suggest that such blind support of the President or any leader is detrimental to the democratic principles upon which this nation was founded. At best such blind acquiescence is nothing more than a "Cop Out"! In its place I would focus attention on the fact that within the long-suffering "Silent Majority" there is a range of viewpoint reflecting a wide span of philosophical and political thinking and conviction. I would hope those noting these comments would come to realize that we of the "Silent-Majority" are not to be regimented as a faceless group to the blanket support of any particular leader or group of leaders regardless of how convincing claims of ownership may sound, as they are uttered within the steady beat of the rhythm of clever rhetoric. Most importantly, I would hope these comments would in some small measure direct us to a means, guided by the heart and conscience of the nation to, with skill, understanding, and courage, rid ourselves of the tumorous growth which is threatening our survival as a free people.

#### PARADOX

In final analysis, it would seem a nation's level of material wealth is determined by (1) its command of natural and basic resources and (2) its ability to produce. From this yardstick, America has to be judged the most wealthy nation in the world. A visitor from outer space would have good reason to assume that here in America there was opportunity for each citizen to realize his or her aspirations for economic and social security.

Upon taking a closer look, this visitor would see a nation mired in the deep dilemma and paradox of indescribable wealth and frightening pools of poverty and despair. He would see:

Engineers and scientists trained in the sophisticates of space travel relegated to unemployment insurance lines.

Millions of citizens without opportunity to complete education or engage in any type of work.

A nation gradually falling behind in meeting both the elementary and higher educational needs of its citizens.

Illiteracy in larger numbers of citizens (18.5 million functionally illiterate—Harris Survey 8/70)

Millions of citizens exposed to a \$200 billion welfare system with all of the inefficiency and personal indignities which go with a government function which society hates to be saddled with.

Large blocks of citizens perplexed and confused by lack of opportunity to meet legitimate aspirations for economic and social security turning to crime, drugs, and other escapes.

Children and adults in the millions classed as the "hungry-poor" and clamped in the vice of malnutrition.

A nation talking much about correcting frightening trends which pollute its environment but cautious to "pay the price" to make needed remedies.

Concentration of over 85% of the nation's productive wealth in less than 5% of the nation's business and industrial establishments.

The hoarding of surplus wealth by large enterprises in great "Philanthropic Founda-

tions" so this wealth can be protected from tax obligations.

Due to lack of job opportunity for millions of citizens, resort to distribution of "income" through unemployment insurance and welfare programs to which society affixes the stigma of "handouts."

Cautiousness and parsimony in providing needed health and legal services to millions caught in the pools of poverty.

Incarceration of thousands without hearing or trial as to guilt or innocence due to failure to pay for adequate court system.

Parsimony in providing adequate numbers of qualified teachers, police officers, firemen, doctors, and medical technicians.

A nation almost continuously at war or responding to the threat of war guided by policies which keep "production for waste" at high levels of output and cost.

If our "visitor" was brash enough to ask why these dislocations should be allowed to exist within an economy of indescribable wealth, he might be exposed to the coil of economic theory, the turns of which carry currents which can be modulated into a number of interesting rationales.

#### RATIONALE FOR LIVING WITHIN PARADOX

Today, among pundits, economists, media commentators, business and labor leaders, educators, and politicians, it seems they are in general agreement that the paradox of affluence and poverty is a viable and deploring element in our economic and social life.

This agreement turns to enigma when discussion on "What to do about it?" ensues. This enigma expresses itself in varying degrees of "output potential" for solution of the problem, as it is spliced off from various take-off points along the long "Coil of Economic Theory."

Turns on the end of the coil to your "right" give off currents which modulate to the "Friedman Free-Market" approach. Currents from turns at the "left" extremity of the coil modulate the "Socialistic" approach calling for abolishment of private property and control of all economic endeavor by the State.

Perhaps the "Free Market" output of the "Coil" is best summed up in Friedman's Capitalism and Freedom, p133, when he asserts:

"Few trends could so thoroughly undermine the very foundation of our free society as the acceptance by corporate officials of a social responsibility other than to make as much money for their stockholders as possible."

During the past two years, economist Friedman's "Free-Market" and "Profit Maximization" views have perhaps greater acceptance and influence on the Nixon Administration than views held by any other economist or group of economists.

High-level acceptance of these views calls for examination of typical postulates which are modulated from currents given out by turns at the Friedman end of the "Coil." Some of these are:

The only way to curb inflation is through the control of the flow and amount of money; i.e. high interest rates, increased taxes, lowered government spending, etc.

If monetary controls cause pain and disruptions such as high rates of unemployment, increases in welfare, and business failures, then so be it! It is the price we must pay for our past sins.

We should be prepared to live with a certain amount of unemployment in a free society and should consider a 4% rate—currently, 3 million unemployed at any one point of time—a condition of full employment.

Price and wage controls are an unthinkable solution to inflation. In all of man's history, when they've been tried they've never worked, and there is no way they can be made to work in a free society.

More than any other influence, America's cultural and economic greatness can be at-

tributed to the "Free-Enterprise" and "Free-Market" system and approach.

A decrease in the wholesale price level of say  $\frac{1}{10}$  of 1% in a month is a clear indication inflation is being curbed. If such a decrease extends for 60 days it is proof positive inflation is being halted. This is so despite concurrent rises in retail prices.

We must be prepared to accept and live with an annual cost of living increase of at least 4%.

Increased wages are a principle cause of inflation and must be curbed prior to any attack on price levels.

A principle cause of inflation is big government spending.

The "private sector" has a greater motivation for efficiency than the "public sector" and more government functions should therefore be turned over to business and industry.

To foster and preserve initiative within the "Free-Market" system, incentives, in the form of tax breaks, subsidies, and cost plus contracts, should be basic goals of the nation's purpose and policy.

#### MODULATION OF CURRENT AT STATISTICAL END OF COIL

With similar force and conviction, views are modulated from currents spliced off in the left section turns of the "Coil" at the "Socialistic" end. These views hold that our great problems of social injustice and indignities to man can never be solved under any arrangement of the capitalistic approach, and assert, therefore, capitalism in any form must be abolished! Some, whose views are spliced off toward the middle section of the "Coil", hold the abolishment of Capitalism can be achieved by legal means. But views from turns of the "Coil" on the extreme left support the assertion that Capitalism can only be uprooted by forceful overthrow of the government.

Since I hold we can and must find solutions to our problems within the Capitalistic system, I will not take the time here to enumerate or react to the specific views which can be spliced off the turns of the "Coil" at the Socialistic end.

#### REACTION TO "FREE-MARKET" VIEWS

As one is being bombarded by the views of "Free-Market" advocates, he senses that the primary weapon being used in this bombardment is dogma in its literal and arrogant form. For example, he is instructed on a TV talk show, beamed to a national audience by the foremost exponent of the "Free-Market" approach to the effect that, "There is only one way to curb inflation, and that it is through use of monetary controls. There is no other way, and it is useless to consider any other approach!"

To many of us, in this free society of ours, the point at which philosophers, politicians, preachers, and, yes, economists begin to lose our attention is when they assume a God-like mantle and surround their assertions in the unassailable cloak of the ultimate truth. To those of us who still believe we have the right to question and challenge restrictive abortion laws, the seniority system in the Congress, or even the existence of God, the advocacy of opinions in the form of dogma causes us to doubt whether such assertions have any foundation in truth. One's instinctive reaction to being instructed by dogma is to resist the declarations and proclamations by raising questions, challenging questions. Admittedly, one might over-react in clamoring for some semblance of the truth during exposure to the heat of blasts from dogma bombardment. In any case, here are some reactions of one individual to "Free-Market" assertions:

Why is it proclaimed that wage increases are the chief cause of inflation?

Is it because big unions and the members they represent are trying to wrench the concentration of the nation's wealth from big

business to big labor? Was the "Blue-Collar" worker who recently told a national TV audience that, "I'd be willing to take a cut in pay if they would do something to guarantee me the cost of living would not go up anymore!" a "fink" in the eyes of his peers? Or wasn't he a thin voice crying out in the wilderness of charge-and-counter-charge that there is something phony about those who assert that labor is getting more than its fair share of the nation's wealth because American non-supervisory workers have gross weekly earnings of \$121.36, a wage level which dwarf pay scales anywhere else in the world. It didn't take a degree in economics for this worker to know he was obliged to live under the umbrella of the world's highest cost of living rate and that after taxes, SSA and UI deductions and related deductions caused by price rises since 1957-1959, his "Real" spendable earnings today were a mere \$77.68. How must this worker feel when on top of this depression of his spendable earnings—which levels are held to be causing inflation—he is instructed that he must tolerate a rise in the cost of living at the 4% rate, per annum, and that a 6.8% price rise in steel is acceptable? What is his level of frustration when he is obliged to pay 98c for a small bottle of aspirin, \$10 for a dental filling, \$85 per day for a hospital bed for his ailing wife, 83c for a dozen eggs, and \$1.39 for a pound of pork chops? "Well," say the "Free-Market" advocates, "we admit the real spendable earnings indexes need constant study, but one thing we're sure of, and that is big government spending is a chief cause of inflation!"

If "Big Government Spending" is a principal cause of inflation, why is President Nixon reverting to FDR's "pump priming" Keynesian approach and promising the nation he'll insure a "full employment-4% unemployment rate" economy by running a \$15 billion per annum deficit spending program through 1972?

If there is "fat" in government spending which is of little or no value to the nation, a good point of departure might be to examine the large spending categories first. This would bring under scrutiny our \$75 billion defense budget, which is approaching half of the nation's total outgo. This obliges us to assess whether it is necessary for us to continue our involvement in the Vietnam Civil War. Is the "Domino-Theory" truly valid against today's reference points? If we truly believe in "self determination", are we not steadfastly and stubbornly defeating that very principle by failing to support a coalition government? If we had a commitment, informal or otherwise, to aid South Vietnam in their Civil War with the North, haven't we, in 10 years with 45,000 lives and over \$200 billion, lived up to that commitment and more? Do the corruption and greed of the Saigon government justify any further expenditure on our part? Why are we dilly-dallying around in Cambodia and Laos? Isn't it time for the Indo-Chinese who really want freedom to stand up and be counted, putting their lives on the same line as their rhetoric?

In the interest of halting "Big Government Spending", which is fanning the fires of inflation, isn't it time we reassess the level of spending in Europe under NATO agreements? What about military equipment and weapons? In World War III, how long will a "Flat-top" be operative against an enemy world-wide fleet of nuclear subs? How many low-income housing units could we build with the savings achieved by deferring construction of a single "Flat-top"? With capability of firing missiles from subs and the fantastic increase in range of bombers, intermediate bombers and fighters, why do we need "Flat-tops" in World War III?

Could not a hard-nosed reassessment of our involvement in the Vietnam Civil War, NATO, and of spending for equipment and weapons

of war, produce savings which could enable us to make major strides in meeting such urgent needs as eradication of slums, building of homes and schools, and beautifying recreational areas, control of air and water pollution and alleviation of malnutrition and disease? If government spending is that critical to curbing inflation, why was it necessary to spend 50,000 in refurbishing the Attorney General's office and grounds, and \$35,000 for "dressing up" the work place of the Interior Secretary? How many millions does it take to maintain government operations at the President's second and third White Houses? Why the fat pay increases for the President and Vice President? Do not facts bear out that the Nixon Administration, which has been the most vocal advocate of "fiscal responsibility" and "curbing of big government spending", has proved to be the biggest spender in history when it comes to personal staff, ceremony, ritual, status, and personal image and convenience of top administration officials? To strengthen their argument, perhaps "Free-Market" advocates will want to "study" indexes of government spending a little more closely.

"Whatever the causes of inflation are," we are assured by "Free-Market" advocates, "monetary policies which have control over the amount of money in the economy have stemmed and halted the rise of inflation!"

"Just look at the drop in wholesale prices," they say. Are fractional drops in rates of wholesale prices over a 30- or even a 60-day period real evidence these policies are working? When these fractional drops are accompanied by steady increases in retail price levels, who benefits from this statistical "halting of the inflationary spiral"? The consumer? The engineer and scientist standing in the unemployment line? The hungry child whose school lunch program has been abolished? The promising youngster who can't afford to continue his college studies? The trained production worker who is obliged to go on welfare? Or isn't it pretty clear, by this time, that the real beneficiaries of these policies have been the banks and money-lenders?

Do those "Free-Market" advocates who proclaim that the only way to curb inflation is through "Monetary Control" policies also assert that on the matter of inflation man has reached the ultimate truth, and that it is useless for man, any longer, to attack this problem with imagination and innovation?

Does this mean that the "4 by 4" trends may not be subject to challenge, i.e. "we must accept a 4% per annum rate of increase in the cost of living as consistent with the goals of the nation for the welfare of all of its citizens; and we must accept a 4% rate of unemployment as a condition of full employment? If we accept these rules, without challenge, what will be the cost of a dozen eggs in 1985? And how many millions of our citizens will be exposed to the indignities of a life-long future of welfare hand-outs?

On the same score of the ultimate truth, must we accept without challenge the assertion that, "Never in man's history has the Wage-Price control approach been successful in curbing inflation."

If this is so, why do housewives recall that when their husbands were in the service of their country in World War II, that the OPA regulations "saved their lives" when they went to market? Was the cutting of wholesale price increases from a level of 7% per annum in 1941-1942 to 2.4% in the 1943-1946 period an indication of OPA failure to achieve the nation's purpose? Should OPA be condemned as a "bureaucratic mess" in that overnight it became a large, powerful, and unwieldy bureau obligated to undertake administration of perhaps one of the most difficult items of control from the standpoint of tradition and emotion namely, regulation of prices? Is it fair to pass whatever success

OPA achieved off by saying these controls can only work in time of war? Haven't we been engaged in a \$200 billion shooting war for 10 years? Isn't the national emergency of 24 millions of our citizens being at or below poverty levels as serious a threat to our survival as our involvement in a shooting war? Doesn't our Korean War experience, when wage and price controls dropped the wholesale index of capital goods from 7% to 1%, give us clues as to what this technique might do for us in peacetime? Regardless of national purpose and need is American "know-how" simply not up to operation of an efficient price control bureau?

And why do "Free-Market" advocates refer to price controls as something we buried when the "war emergency" was over?

Can travel and freight rates be raised at will, or do those rates have to come before public scrutiny in meetings of government boards and commissions? Similarly, isn't public scrutiny required of rates of phone service and heat, light, and power? Why? Oh, we say because these services affect the overall public good and welfare! Don't most citizens eat eggs, bread, and pork chops, wear shoes, drive a car, and live in a house? Aren't the costs of these commodities critically joined to the public good and welfare?

Is the declaration that efficiency, sound management, and motivation can only be found in the private sector yet another "ultimate truth" which must stand without challenge?

Why did Penn Central go under? Even the business community admits of inefficiency and poor management here. Didn't Merrill Lynch have to bail out Goodbody & Co. because of Goodbody's "record keeping, which got into a horrendous snarl" (TIME, 11-9-70)? Why did Lockheed get over its head on a government aircraft contract and spend thousands of taxpayers' money lobbying for a \$200 million subsidy loan? Some say Lockheed got into that bind because of inefficient management and use of staff. Incidentally, if Lockheed gets the subsidy loan, won't they earn the distinction as the nation's most prominent welfare recipient?

In private insurance, what would be the salary of the carrier head, and overhead to administer a claims service which paid out over \$1 billion annually through a staff of 3,000 in the complex field of employment? The carrier head would probably get \$150,000 per annum and the overhead would be 8% and up. In the public service, the unemployment insurance administrator gets \$20,000 to \$25,000 for this task, and performs it efficiently within a 3% to 4% overhead!

Isn't it possible that inefficiency is where you find it, and that desires to perform a public service in carrying out the great social goals of our statutes create a dedication and motivation for efficiency of performance equal to or surpassing that stemming from a base of profit maximization, earnings stability, and growth?

The "Ultimate Truism", that in effect asserts, more than any other influence, the free enterprise approach, which, rooted deeply in our entrepreneurial tradition, has made America the great nation of free people it is today, also intrigues us.

Is this heritage of freedom based on the building of the Central Pacific Railroad over government-subsidized routes in the High Sierras with 20,000 Chinese who were paid \$1 per day, sun up to sun down, obliged to maintain themselves, and whose numbers were rapidly diminished by hazardous work, lacking even the most primitive of safety practices? Is our tradition of individual freedom embodied in the employment of girls of 6 in textile mills and boys of 7 in mines for a few cents a day? Is this freedom embodied in exposure of workmen at the gates of a large auto manufacturer in the '30's to armed hoods and thugs as they sought to receive a living wage from an enterprise experiencing



fabulous profits? Is this entrepreneurial tradition which exploited the people who produced the wealth the heritage we treasure? Was the entrepreneur who owned the land and the factory the only one who took the risk of the enterprise? Or was that risk not shared by workers who performed hazardous tasks without any protection for their safety?

*We come now to an ultimate of ultimate truths, namely, "Tamper or disrupt the free-market system, and you threaten the destruction of individual freedom in America!"*

Maybe it's brashness or just plain overreacting, but whatever the case, we pose the question, "What free markets?" Having put the question, a whole series of inquiries come tumbling out. These lead us to business literature, and we conclude anybody with a facility for simple arithmetic can take the May, 1970 issue of *Forbes Magazine*, entitled "Dimensions of American Business", 2nd Annual Directory Issue, and see that 85% of America's wealth comes from production of goods and services of perhaps 700 to 1,000 of America's 2.5 million business and industrial enterprises. And it doesn't take a degree in economics for one to glean from this and similar business literature what business know-how and initiative have accomplished in the way of market control.

For example, it immediately becomes apparent that a cardinal principle of largeness and greatness in the corporate enterprise is to plan so that the unreliability of buyers and sellers market will be minimized or eliminated. A classic example of elimination of a particularly sticky portion of a buyer's market is, of course, the auto manufacturer who set up its own foundries and metal producing operations. And typical of the "Big Ten" corporation's planning to minimize unreliability of markets has been the procurement of vast government contracts, where the price is certain and concern as to acceptance of products removed, before manufacturing operations are put into motion. Then there are inter-corporate "conspiracies", deemed perfectly legal within our anti-trust laws, where, by informal exchange of goals and plans, a few large concerns capture a seller's market and virtually remove price fluctuation, regardless of level of acceptance by the consumer. And, under this web of successful planning, the "little operator" has no other option than to string along in markets where the starch has been taken out of competition. If the little guy gets too ambitious, or too big for his britches, he is the one likely to get snared by anti-trust laws.

But to say these large corporate enterprises do not participate in the nation's responsibility goals is pure tommy rot! Look at the record. They pay out huge sums for social security and unemployment insurance contributions. They finance pension plans, health protection programs, and contribute to workman's compensation and safety programs. They make dramatic contributions to charitable enterprises and are most generous in helping to fund political campaigns of their persuasion.

Under their reliability of market, earnings stability and growth plans, they conveniently pass these "social responsibility" costs on to the consumer. They also advocate and support higher consumer taxes as a curb to inflation.

And under today's "Free-Market" environment, what precisely is the opportunity for individual freedom? Is there freedom in an environment of malnutrition, where 15 million Americans are classed as the "hungry poor"? Is there freedom for 24 million Americans at or below poverty levels where one's prospects for survival are at best a welfare handout, even in a shooting war economy? Will the carrot of a \$2,400 guaranteed annual income plus food stamps improve this prospect when unemployment is at the 6% rate, and jobs are practically nonexistent for the illiterate (11.5 million) and

the President vetoes the stepped-up job training program passed by the 91st Congress?

Do youngsters feel the exhilaration of freedom when they must abandon their college studies due to lack of funds? How free do parents of growing families feel when they are prevented from procuring adequate housing because of high interest rates on home mortgages? Does the small businessman feel the pride and warmth of freedom when he is blocked from expanding his business because banks won't lend him money to increase his inventories, even though his collateral is documented in firm orders for the goods to be procured in the expanded inventory of his business enterprise? Are these the characteristics of individual freedom the "Free-Market" advocates proclaim we must strive to preserve in a nation whose wealth is pushing the GNP to the trillion dollar mark?

#### WHAT IS INFLATION?

If inflation is blocking a direct attack on the inequities and indignities caused by our wealth-poverty paradox, and I assert it is, then if we're going to get out the scalpel and remove this cancerous paradox, we'd better know specifically where it is located in our economy; know where to cut and where the healing must take place.

My TV weatherman, who is nationally recognized for his expertise, sometimes deludes himself that his expertise extends to economics and asserts periodically that, "Inflation is nothing more than big government spending." And he has strong support of Undersecretary of the Treasury Charles Walker, who proclaims in the *Reader's Digest* that inflation is "Federal Spending." My doctor holds that inflation is simply an unbalanced budget, and if we would balance the budget, inflation would end. My stock broker is convinced inflation is the pressure of spiraling wages, which drive prices ever higher, and states we must, at all costs, halt the rise in wages. And, of course, there are those who declare that inflation is, "The availability of too much money in the economy."

As one notes these reactions, one senses what perhaps can be described as an emotional block against permitting the word "price" to enter into the diagnosis. Evidently, in their minds, price relates directly to the sacred cow of profit maximization, earnings stability, and growth. To disturb this arrangement and motivating force, which is rooted deeply in the autonomy, of our corporate enterprises, would be to threaten the very foundations of our freedom.

So, in respectable gatherings, one just doesn't mention that prices are a major cause of inflation. If he does, he's "way out of line" and probably a radical liberal, or maybe even a "pinko". In fact, let's face it, if, in polite society, one mentions price levels when discussing causes of inflation, he simply won't be regarded as a very nice person. And we can't have that, can we?

Oh, yes we can. Nobody is going to say this "Middle-American" is not a very nice person in the face of the overwhelming evidence of polls, opinion, and media surveys, which certify I am a long-suffering, God-fearing, up-standing, law-abiding citizen. We can and will, therefore, define inflation for what it is. Inflation is not federal spending, is not spiraling wages, is not too much money in the economy and is not an unbalanced budget. Inflation is price levels which are higher than the economy can support or tolerate. If we can achieve price stability—and this will take some cutting—we can then find means and resources to cause the wealth-poverty tumor to wither up and die. And, mark you, unrighteous person which I am, I didn't include spiraling wages in my definition, because I hold that when and if true price stability is achieved, wage stability will follow. Just how much of a bargaining point would UAW's Woodcock have if, when

he went to the bargaining table, it could be demonstrated that the cost of living had been stabilized, that wages had been able to catch up, and there were no foreseeable prospects for continued increases in living costs? I suspect, in this type of situation, Mr. Woodcock's concern would go to work-productivity, working conditions, and job content and satisfaction. If the corporation were in deep trouble as to earnings stability, he might even agree to a wage cut. Oh, don't laugh. This has happened in a number of instances where workers have felt they had a real stake and say in the planning of the business enterprise.

#### SOLUTION

OK, call it brashness, or over-reacting but I have defined inflation as price levels which the economy cannot support or tolerate, and I'm trapped with the obvious requirement, "Stabilize price levels or shut up!" Here again, some of my self-righteous friends advise, "Well, if you must take that position, for God's sake talk about 'guidelines' and not 'controls'." "Guidelines," they counsel, "denote a much softer and more cooperative solution than controls."

Well, there isn't much time left for subtleties and niceties. The patient is in shock, the diagnosis has been made, and we can't fiddle-faddle around any more with aspirin and rest. The scalpel is out and we're ready to cut. The tumor has spread so widely our incision will not merely be to achieve temporary relief but to achieve the relief promised by permanent price controls. If the operation is to succeed, we're obligated to examine the market glands with care and be sure we understand their nature and characteristics.

#### NATURE OF PRICES WITHIN MARKETS

Our position exposes us to, "Now that you have embraced the 'controls' technique as a solution, where are you going to find indications that prices and costs are out of line?" My response is that examples of where the problem lies are pretty close to the surface, and that you don't have to dig very deeply to begin to see the magnitude of the problem.

For example, *Time*, on November 16, 1970, reports on how Royal Inns, by zeroing in on customer's desire for luxury, has been able to set costs of units at \$20 for single, \$30 for double, and \$250 for high roller suites, in Las Vegas. Because of this policy, Royal Inns, in the first half of 1970—a bad year for the motel industry—tripled its profits in its eleven state operation. Taking a "price controls" approach, one has to ask, "Just how much 'running room' does this enterprise have before they would cease to be a profitable business?" This is pretty well answered by entrepreneur Gagosian, who told *Time's* reporter, "If times should really get bad in the economy," he says, "there is not a room in our chain that we couldn't rent for \$8 and pay our expenses at 70% occupancy."

There is the saga of entrepreneur John King, who, in a few short years, parlayed \$1,500 into a financial empire of \$480 million (*Time*, 5-25-70). King, through innovative use of the computer, came up with geological survey procedures and techniques which resulted in substantial savings to firms needing this service. Because of profits from the service and Mr. King's acknowledged marketing genius, he has a fleet of custom-built limosines with fur upholstery, 9 airplanes, 3,000 pairs of cuff links, (many of them solid gold), and homes in Denver, Hawaii, Palm Springs, and Manhattan, and a ranch at Grandy Colorado, encompassing 4,000 acres, with guest-houses that accommodate 120 people, a shooting gallery, and a beauty parlor. As the article states, "King is a man who is willing to take the big risk to get the big reward and knows how to use technology and the tax laws."

Fine, we'll all agree that the guy who takes the risk deserves the reward. The only question here is, how much reward? If King had charged 10% less for his service, would not

the reward have been ample? One even wonders if King could not have eked out a reasonable profit if he had charged 20% less for the service. If we're really concerned about the wealth-poverty paradox, how much reward in terms of net profit and tax breaks does an entrepreneur need to motivate him to take the risk? Entrepreneur King deserves the thanks of the oil companies and of the nation for his innovative use of the computer to cut costs of oil exploration. But \$480 million worth? How high is up?

The fact that King is now facing bankruptcy (Forbes, 7-15-71) doesn't change the significance of this entrepreneurial adventure into "instant riches" through inflated prices and tax shelter manipulations. Rather it suggests even the entrepreneur can be overwhelmed with vast wealth and that such an enormous accumulation of riches can be a confusing experience to him and an utter waste to society. For example, if King had charged a reasonable fee for his exploratory service, and tax loopholes had been plugged, perhaps the price level of gasoline might have been a quarter or a half cent cheaper. Think what this would have meant in terms of economic security to millions of low-income motorists throughout the nation.

While we're looking for clues as to where reasonable price levels might be established to halt the inflationary spiral, let's return to FORBES' annual report on "Dimensions of American Business" May, 1970 and 1971 issues. Here listed among the nation's great corporate enterprises are:

American Telephone and Telegraph with assets of \$43,903,121,000. Their *Net Profits* for 1969 were listed at \$2,198,698,000 after Capital Expenditures of over \$5.5 billion, in 1970 their net profits held to \$2,189,000,000. One suspects the FCC has been very fair with AT & T over the years and wonders if a 4% hike in long distance rates is justified.

General Motors with \$14,675,736,000 in assets. Their *Net Profits* for 1969 are listed at \$1,710,695,000 after Capital Expenditures of \$1,906,942,000. In 1970, despite James Roche's heart-rending walls over disastrous wages increases, GM's *Net Profits* held to a healthy \$609,000,000! Is it really necessary for GM to raise prices on autos and parts after the recent settlement with the AWW? If so, how much? Must the consumer be slugged for the entire cost of the increase? How high is up? Seven of the nation's largest steel producers with combined assets of \$14,472,314,000 are listed in 1969 for *Net Profits* of \$674,292,000. For the second quarter of 1971, U.S. Steel alone recorded a whopping \$77,879,954 in *Net Income*. Does steel really need to force another price rise of almost 7%? What would be the effect on price levels of refrigerators, washing machines, autos, construction, and other commodities and services using steel as a basic resource if steel could live within a \$674,000,000 profit range?

Standard Oil of New Jersey is listed with assets of \$17,537,951,000 with 1969 *Net Profits* of \$1,310,000,000, after Capital Expenditures of \$1,690,716,000. Similar profits ranges are listed for Texaco, Gulf, Atlantic-Richfield, etc. From a review of these indicators of successful carrying out of earnings stability and growth plans, one wonders if an annual price hike in gasoline of 9.4% is needed. One also wonders why the entire costs of production of un-leaded gasoline should be passed on to the consumer.

Certainly a few minutes of study of price indexes reveals that, in a recent 9 months period, copper prices increased by 24% and zinc by 11%. It appears that in any review of business literature and other organized data concerning operations of business and industrial establishments clues come rolling out as to where one might make a start in achieving price stability through the "Controls" approach.

#### BLAME

Lest the reader, at this point, feels that what I'm building to is a wholesale con-

demnation of business and industry, attributing to it blame for the monstrous tumor of economic dislocation which has the nation in its grip, let me set the reader straight.

First, on a purely selfish basis, if business and industry can't realize a reasonable return of net profits for their efforts, a part of the financial security I have built to sustain my wife and me for the remainder of our lives will be wiped out. I freely admit that in an assessment of the role of business and industry in our society, my views are perhaps canted toward supporting the contribution it has made and can make rather than embracing a sweeping indictment of this role.

Second, I suspect history pretty well bears out my canted leanings. Past events show that whenever the nation's leaders have clearly set forth national peril and emergency, and sought assistance and cooperation from industry, the response has always been positive and immediate in support of the nation's effort.

Surely the generals and admirals and their forces drawn from both the "regular services" and the "civilian pools" deserve a full measure of credit for pulling this nation out of the shambles of disastrous defeat after Pearl Harbor. It was through their courage, skill and determination this nation achieved victory over the most formidable enemies any nation has faced in the world's history.

Let's face it, the "Awakening Giant," to which the Supreme Commander of the Japanese Forces referred after the successful ravage of Pearl Harbor, was the incredible potential of the American business and industrial establishment to produce the weapons of war. He knew that, when that productive power was coupled with the determination of a people infuriated by sneak attack and blatant aggression, that defeat of the aggressor was inevitable. The Supreme Commander knew this, and that is why his reaction to the "glorious" victory at "Pearl" was sheer sadness.

The common thread running through our experiences in World Wars I and II—which posed the great threats to the nation's survival in modern history—was that business and industry received from the nation's leaders (1) clear definition of the magnitude of the threat to the nation's survival and (2) specific direction as to the nation's means to meet the threat. More recently, President Johnson expressed the nation's determination to wrench the goal of "equal opportunity" from the rhetoric of statute and make it a way of life in America. As a point of departure, he appealed to leaders of business and industry to find a means to substantially increase participation of minorities in the work force of the "private sector". Henry Ford II stepped forward and offered the prestige and expertise of his organization to organize and administer the "National Alliance of Businessmen". To date, no effort to increase participation of minorities in "private sector" employment has come close to matching that of the NAB!

Other examples of generous and effective response of business and industry to meet emergency needs of the community, state, and nation are legion. This experience seems to fully justify the view that whenever a public need is clearly described to business and industry, and specific direction and purpose set, the cooperation and dedication of business leaders is assured in efforts to meet the need.

#### CULPRIT

To me, the culprit for failure to halt spiraling inflation has not been the leadership of corporate establishments who have influenced the steady increase of price levels across the economic spectrum. Rather to me, the real culprit is the nation's leadership in its dismal failure to present the nation's dilemma to business and industry in terms of its true characteristics, namely, a dilemma

born of the wealth-poverty paradox which is eating away at the roots of democracy and threatening our survival as a free people.

In attempting to clearly define the magnitude of this threat to leaders of business and industry, President Nixon could have said, "Twenty-four millions of the nation's citizens are at or below the poverty level. Fifteen million, despite all welfare measurements, are relegated to status of the 'hungry poor'. Eleven million are illiterate and almost 5 million of our 'employable' citizens are facing long terms of unemployment. Yet our GNP is pushing toward the trillion dollar mark."

"Gentlemen, inflation is at the root of our inability to solve the wealth-poverty dilemma, and spiraling prices are feeding and strengthening the inflationary root system. So long as I am President of all of the people, I intend to bring the total force of the nation's purpose and determination to end this dilemma, the outcome of the 1972 elections notwithstanding!"

"In the magnitude of its threat to our existence as a free people, where each citizen has the opportunity to seek a productive life in line with his or her legitimate aspirations and to live in dignity, I compare this threat to the assault on our freedom at Pearl Harbor in 1941. To meet this threat in 1941, the nation asked you to perform 'Mission Impossible.' This you did by only asking, 'When must the mission be accomplished.' I now ask you to join me in meeting our present threat by attacking and halting the momentum of the price spiral. This we will do by working together to develop and place in effect a system of controls, just as we did during World War II and the Korean War. These controls will insure your continued activities under the umbrella of reasonable profits levels based on reasonable earnings stability and growth.

As these controls become operative, we will act at once to rearrange the nation's priorities and go forward with all urgency and speed with attacks on problems of health, hunger, education, employment, and pollution which threaten the well-being of large segments of our citizens. I know the nation can count on your dedication to this great and sobering purpose!"

Instead, Mr. Nixon has, in effect, told the nation's business leaders that, "Oh, I want to halt inflation, let there be no mistake about that. I deplore hunger and joblessness. I understand the despair of poverty, for I have seen it in the eyes of the man without hope of job or income who has come into my father's grocery store when I was a boy.

"Let me make it perfectly clear that this administration did not start inflation. We inherited it. Already, through our 'monetary controls' approach, which has limited the flow and supply of money in the economy, we have brought inflation under control. Decreases in wholesale prices in some months show that progress has been made. Admittedly, these measures have caused pain and dislocations in terms of unemployment and business slowdowns and failures, but this is what we must pay for our past sins.

"I deem wage increases are a dominant factor in driving prices up, and deplore pressure exerted by the big unions which is causing this dislocation."

"Whatever the case, I assure you I will not support any type of price controls approach, and I am certainly not going to engage in 'jawboning', when you really get out of line."

"I am pleased the FED is dropping the discount rate and that the supply and flow of money in the economy is being increased. I am announcing to the nation I am going to engage in 'expansionary budget' spending to the tune of about \$25 billion through 1972, in the hope that through deficit spending, we can pump more jobs into the economy.

"Let me assure you that somehow we'll lick this problem without upsetting your autonomy to get as much return from your



activity as your participation in the "Free-Market" system will allow. I know I can count on your cooperation to use restraint in pursuing your goals!"

It would seem that a businessman, pledged as he is to goals of profit maximization, earnings stability and growth, wouldn't be worth his salt unless he reacted to this type of direction and instruction from the nation's Chief Executive, as it being the "green light" and full license to "grab while the grabbing is good!", and let someone else worry about "social responsibility" matters. After all, that reaction by business leaders appears to be entirely consistent with the view of the nation's leading advocate of the "monetary controls" approach—which has been followed so assiduously by the Nixon administration—when he advocated that, "Few trends could so thoroughly undermine the very foundations of our free society as the acceptance by corporate officials of a social responsibility other than to make as much money for their stockholders as possible."

One wonders if Messrs. Friedman and Nixon perceive what opportunities lie ahead for corporations to make money for their stockholders when the point is reached when 25 million Americans, who are at or below poverty levels, become infuriated by the specter of hunger and malnutrition facing their families and loved ones. One ponders on how susceptible these Americans might be to "outside" leadership which beckons their joining in a violent and forceful effort to attack and destroy the structure of their government; a government which denies them opportunity to provide for themselves and their loved ones. Is a climate of disruption and upheaval the climate in which goals of maximum profits, earnings stability and growth can be achieved? Or, in such a case, will Mr. Nixon, in order to "preserve the American Dream", turn to the military to insure these rabble rousers are kept in their place?

So, I resist labeling business and industry as being singularly responsible for the inflationary spiral through its greed and avarice, just as I resist the claim that it is only in the private sector where there is motivation for efficiency. For me the truth more clearly lies in the view that mis-management, greed, inefficiency, and crookedness are where they are found, whether it be in Penn Central, Lockheed, or the activities of the Bobby Bakers. Any idiot can generalize from the extreme case, and attempt to set up a smoke screen by using the ploy of clever polemics to draw attention away from the truth.

Men of goodwill, love of nation, and generosity are present in all walks of American life, whether it be in the public or the private sector. The question is, is the leadership of this nation competent to provide a means whereby these men can join together in common effort to rid the nation of the tumorous dilemma which threatens our freedom.

#### FEASIBILITY OF CONTROLS

If it is agreed that inflation is directly influenced by the price spiral, then we must face two questions: (1) Is it possible to set up and administer a system of price controls? and (2) Is the nation ready for controls?

When we pose question (1) to the experts, the response is clearly in the negative. When it was asked of a foremost "Free-Market" advocate before a national TV audience last year, he responded in the God-like mantle of proclaimer of the ultimate truth to the effect that, "Never in man's history have price controls worked, and they won't work, now or ever!" In the hope of finding some chink in the armor of this dogma, we listened to the same question directed to a top administration economist by an NBC commentator before a national TV audience, in January of this year. He responded to the effect that, "Yes, we need some kind of control over the price spiral, but it is impossible

to achieve this through a system of price controls. This would mean study of the trends and characteristics of over 200,000 price items, and this is, in volume of work and complexity, beyond our capability to do. It is not worth the trouble to try it."

So there you have it, folks: "It's much too complex and difficult a job for Americans know-how!" My problem with these declarations—I guess because I'm a Middle-American square and don't know any better—is that they go against the grain and raise my hackles. I have a propensity for curiosity which I've never been able to curb. This gets me into a bit of trouble, on occasion, because my darned curiosity more than not leads me to challenge whatever seems to smack of dogma.

It seems to me also that the challenge of history has also been pretty rough on dogma and demagoguery. I recall it was proclaimed as an ultimate truth that were this nation's Congress to pass the Social Security Act, that this "socialistic" measure would lead us down the road to destruction of our democratic institutions and threaten our existence as a free people. The legislation, it was claimed, was inspired by "communists" and "pinkos." "Besides," it was concluded, "it is a bad law and will falter under its own dead weight of the complexity of keeping records of employee and employer payroll taxes and the making of eligibility determinations for millions of Americans." And yet, under the national purpose of freedom and dignity of the individual citizen, it was deemed urgently necessary that our citizens be accorded a measure of protection from problems of age, disability, health, and unemployment, and the SSA was passed post haste!

Since its passage, it has become administratively feasible and widely accepted as an indispensable element of our free society. And about the only thing you hear about social security programs today is a bit of squabbling about increasing levels of benefits to match cost of living hikes and extension of benefits to a wider segment of the population.

And my persisting curiosity impels me to ask, "Could Neil Armstrong have taken the first 'giant step for mankind' on the moon if it was beyond the reach of American know-how to accumulate data in depth on some 200,000 separate items?" Is it beyond the capacity of computer technology and mathematical genius of this nation's engineers, scientists, and technicians to organize price data so that reasonable judgments can be made as to trends and levels? And why must all 200,000 items be covered in a controls system? As a matter of fact, if we focussed attention on a half dozen of the "durable" and "non-durable" items involving products of some four to five hundred corporations, wouldn't most of the other related price levels of smaller enterprises fall into line? What if, as a modest start, we covered Oil, Tobacco, Steel, Chemicals, Electrical, and Autos? Wouldn't price stability on these items have far-reaching ramifications throughout the economy? Why must we judge the merits of price controls by engaging in polemics based on achieving ultimate coverage. In its inception SSA coverage was far below needs. It still hasn't caught up. Did we postpone VE day until we could account for every last soldier who would be killed or put out of action? Did we wait until we could be sure as to each piece of equipment which would be immobilized? If we had, we'd still be planning the invasion of Europe.

What would happen if the problem of programming and organizing price data were given the hundreds of space engineers, scientists, and technicians who have been laid off from NASA and related programs? "How long," I ask, "Mr. Administration Economist, do you think it would take these men and women to develop an efficient system to handle data, in

depth, on some 200,000 price items?" I suspect, Mr. "party-line" Economist, the answer you'd get back from these Americans is something like, "Only 200,000 lousy items? When do you want the data? How about yesterday?"

"But," we are instructed by free-market advocates, "price controls have never worked in all of man's history and never will work!" "What about our experience in World War II and the Korean War when, almost overnight, our price structure was stabilized," I ask. "Oh, those were wartime measures and don't count," the FM advocates reply, and add, "And besides, in times of national peril, the people will go for anything." "Haven't we been in a \$250,000,000,000 'shooting war' for the past 10 years?" I ask. "Yeah, but that'll be over soon, what with the Vietnamization policy and everything," they reply. "Besides," they add, "the worst thing which has happened is a little unemployment, and now that Mr. Nixon has adopted 'Keynesian' economics, we'll lick that by 1972!"

This dialogue has little satisfaction for my curiosity; for it seems to me that, along with our status as a world power, comes prospects\* for continued levels of "Defense" spending. These sums take more than half of our out-go as we engage in either "shooting wars" or preparation against threats of wars and for maintenance of military bases and installations throughout the globe. Who is to say that, whether we are in or out of a shooting war, that our level of military spending, which we must maintain as a world power, does not have the basic characteristic of keeping us in the grip of a "War Economy" which feeds inflation, and that on that basis alone, a "price controls" approach is needed?

Apart from this feeling that price controls might be fully justified by reason of continued prospects for high levels of military spending, which, in effect, expose us to living within a "wartime economy", my curiosity leads me to surmise that we've maintained a system of price controls during "peace time" for many decades.

I note that AT&T cannot increase their long-distance rates without examination of their case by the Federal Communications Commission. And, as I look a bit farther, I see that freight and passenger rates and costs of similar services are, and have been, for many years, under public scrutiny and control.

"What, then, do you mean, Mr. Free-Market Advocate, when you say that never in man's history have price controls been a viable part of our society?", I ask. "And are you asserting that all regulation of freight and passenger rates, and rates of heat, power, and light should be scrapped? If not," I ask, "why should telephone rates be subject to public scrutiny and not Chemicals, Steel, Oil, or Autos? Aren't these goods also important to the national welfare? When you come to think of it, Mr. Advocate, isn't it a little silly to use the 'Never-in-man's-history' argument to a nation which put the first man on the moon, a nation which is capable of exploring the entire universe, and to a nation where the challenge, 'Mission Impossible,' is just a matter of stimulating a response of, 'When must it be done!'"

#### PUBLIC OPINION

So I suggest that, whenever the nation determines that the price controls approach is a best means for attacking inflation, then, at the point of time of that determination, a system of controls can be promptly established, efficiently administered, and the impact of the operation of the system can be felt almost immediately in terms of price stability.

The means of establishing and administering a controls system, then, isn't really the question. The real question is, is the nation ready for this step? And here I depart from my own opinions in favor of noting the

views of others. These illustrations of public opinion range all the way from the "Voluntary" to the "Permanent" controls approach.

Although I favor the "Permanent" approach, I naturally favor any move which will acknowledge need for a direct assault on the price spiral, no matter how modest it might be in its inception.

This "Rifle" approach of zeroing in on the price level structure would be vast improvement over the "Shot-Gun" approach, where, under imposition of monetary controls, blasts of "tight money" pellets mowed down whatever came in their paths. These blasts left in their wake, in the name of "paying for our past sins," unemployment, swelling welfare rolls, bankrupt businesses, stock market collapse, and general loss of confidence in the economy.

The illustrations which follow, then, appear to show a widening groundswell of opinion which would have us put the "shot-gun" back in its rack and, in its place, pick up our "rifle" and zero in on the price spiral by dead center aiming. This, of course, is the basic shift in national policy which I advocate we must make if we are to preserve individual freedom in our nation.

*Gallop Poll, June, 1970*; as reported by SF Chronicle: "Actually, if the question of wage and price controls were put to the people of the nation in the form of a referendum, the odds are that they would go further than voluntary controls and vote for mandatory controls. . . . The latest survey shows that 48% . . . favor 'freezing prices and wages at their present level as long as the Vietnam War lasts. . . .'"

*Gallop Poll*, as reported by SF Chronicle, November 10, 1970: "Government to Set Wage-Price-Controls":

"Should ----- 65%  
"Should not ----- 35%"

*Committee for Economic Development* (formed by a group of businessmen); as reported by NY Times Service, November, 1970: "A majority of a study group, composed mainly of prominent businessmen, concluded yesterday that the time had come for the government to try to influence private price and wage decisions, though not by mandatory controls."

*International Monetary Fund*, Pierre-Paul Schweitzer, managing director; as reported by SF Chronicle, November, 1970: "The managing director of the 116-nation International Monetary Fund yesterday suggested the United States consider wage and price controls."

*Knight, John S.*, Editor Detroit Free Press; as reported by Sacramento Bee, December, 1970: "In my judgment, the President should have asked for wage and price controls long ago. Now, even the FED is increasing the money supply, thus giving evidence that Washington has lost its courage in the fight against inflation."

*Leggett, Robert L.*, Congressman, 15th District, California; as reported by Sacramento Bee, November 15, 1970: "Instead of relying on high interest rates and spending cuts to check inflation and rising budget deficits . . . the administration should switch to a firm policy of wage and price guidelines, coupled with stronger federal investment in domestic programs."

*McFall, John J.*, Congressman, 15th District, California; as reported by Sacramento Bee, November 15, 1970: "McFall and other Democrats on Capitol Hill maintain both objectives could be met if Nixon were to use the full power of the White House to hold wages and prices in line. . . ."

*Christian Science Monitor*, November 1970: "Means must be found to provide them (wage and price controls) with teeth which can really bite and hold. We therefore propose that wage and price guidelines be accompanied by, say, a 90-day waiting period.

During that period, any major wage or price increase could be challenged, studied, and asked to justify itself. This is little enough to demand of any American citizen, union, or industry when so much is at stake."

*Sacramento Bee Editorial*; November 17, 1970: ". . . the President cannot avoid pondering whether he should not have taken more drastic measures, such as wage and price controls, a year ago. And why not? These have proved effective in past economic instabilities resulting from war, and surely the nation has been engaged for some years now in a major war effort which has been a principal spur to inflation."

*New York Times-Post Reporting Service*, November 19, 1970: "Maurice Mann, Assistant Director, Office of Management and Budget, and Murray L. Wiedenbaum, Assistant Treasury Secretary, urged the President to shift emphasis earlier this year by trying to hold down price and wage increases through direct action—using 'guidelines' or direct pressure of public persuasion. . . . After Mann and Wiedenbaum spoke out publicly in support of this policy change, they lost standing with the White House."

*Burns, Arthur F.*; speech to American Bankers Association, as reported by Time, June 1, 1970: "There may be a useful—albeit a very modest—role for an 'income policy'." Time reports by "incomes policy" Burns means (1) presidential preachings to business and labor that they have a social responsibility to hold down wages and prices; (2) wage-price guidelines drawn up by business and labor; (3) federal compilation and publicizing of statistics that would point a finger at industries, such as construction, where wage and price boosts have been distressingly high.

*Hayes, Alfred*, president, Federal Reserve Bank of NY; December 1970; as reported in SF Chronicle: "Alfred Hayes . . . told a meeting of the national Association of Mutual Savings Banks he hoped for development of an incomes policy enforced either by 'jaw-bone or some more tangible carrot or stick.'"

*Rinfret, Pierre*, President Rinfret-Boston Associates; as reported in Forbes magazine, June 1, 1970: "We should follow Bob Roos's (Former Treasury Under Secretary) suggestion of a six-month moratorium on wages and prices, and then put on credit controls."

*Galbraith, John Kenneth*, Harvard Professor; as reported in Forbes magazine, June 1, 1970: "The solution . . . is federal controls on prices and wages. In the end, awkward and disagreeable as the prospect may be, businessmen should be the first to argue for direct controls, because, in the absence of them, you wreck the financial markets."

*Lurie, Louie*, Real Estate Magnate; as reported in SF Chronicle, February 1, 1971: ". . . I wrote a letter to the President which consisted of three words: wage-price control. It would bring the situation back to normal."

*Bergeron, Victor*, Owner, "Trader Vic" Restaurant Chain; as reported in SF Chronicle, February 1, 1971: "Somebody's got to say you can't raise your prices any more."

*Meany, George*, President, AFL-CIO, as reported by Clayton Fritchey on January 30, 1971: ". . . George Meany . . . has told Nixon what he told Johnson before him—that the only effective answer is government wage and price control."

*Childs, Marquis*, Commentator, February 4, 1971: "The only visible answer, therefore, is wage and price control or some equivalent form of restraint."

*Albert, Carl*, Speaker of the House of Representatives, as reported by UPI on February 8, 1971: "Speaker Carl Albert, joined by Democratic leader Hale Boggs, La., and whip Thomas P. O'Neill, Mass., told newsmen they will drive for congressional passage of legislation to extend for two years Nixon's power to impose controls over wages and prices."

*Langendorf, Stanley S.*, President Langendorf Bakeries, as reported by the Sacramento Bee in editorial on 1-18-71: "Now he (Langendorf) wants price and wage controls to stop inflation, measures to guarantee full employment and regulation of market speculation."

*Porter, Sylvia*, Commentator, National News Syndicate Inc., as reported in SF Chronicle, 7-7-71: "Incomes policies' to fight inflation may not work either, but at least they must be tried. The world is watching and waiting for our President to act."

*Bank for International Settlements*, Basel, Switzerland, as reported by Wall Street Journal, June, 1971: ". . . the BIS also hinted it would like to see some form of wage and price controls in the US. . . ."

*Javits, Jacob K.*, Senator, R-New York, as reported by AP: "The Senator said he believed a national wage and price controls board was the key to stabilizing the economy despite the Nixon administration's reluctance to adopt controls because they worked out badly in many countries."

## LOBLLOLLY RANCH

### HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. SYMINGTON. Mr. Speaker, I would like to commend to my colleagues a letter written by Dr. John B. Shapleigh, a noted St. Louis physician, describing Loblolly Ranch, an innovative approach to the problems of the young drug abuser. The letter follows:

LOBLLOLLY RANCH,

St. Louis, Mo., September 24, 1971.

Congressman JAMES W. SYMINGTON,  
St. Louis, Mo.

DEAR CONGRESSMAN SYMINGTON: As Chairman of the Loblolly Committee I would like to describe to you the basic concepts and plans for Loblolly Ranch which as you know is the idea of Mr. Edward Hooper, a former drug-addict. Having been through the disaster of drug addiction for many years, Mr. Hooper has become very sympathetic and conversant with young drug abusers.

The basic idea of Loblolly Ranch is to recruit young people who have recently been motivated to stop the use of drugs. We will offer them a challenge based on the Outward Bound philosophy; supervised by individuals who have not only experienced the horrors of drug addiction themselves, but have had training in the Outward Bound Schools. Through this program, it is hoped that these participants will acquire the necessary self-respect and ambition to stay off drugs and contribute to society in general.

The present plan is for perhaps 10 to 15 ranchers to participate in the program for a 2 to 4 week period on a year round basis. This will allow some 250 individuals to complete the program annually. Selection of participants will be without regard to race, color or religion.

More recently the idea of drug abuse prevention has been discussed. The idea here would be to include border-line school dropouts and others who are experimenting with drugs and integrate them in the program. Interest in this phase of activity has been expressed by area public and private schools.

Application for a Missouri Law Enforcement Assistance Council grant has been made and is pending. Financial support by interested individuals and private governmental agencies is very much needed. If this innovative project is successful, it could well become a model to be adapted elsewhere in the country.

Very truly yours,

JOHN B. SHAPLEIGH, M.D.,  
Chairman, Loblolly Committee.



# LIBERALS DEMONSTRATE THAT EQUAL OPPORTUNITY MEANS PREFERENTIAL TREATMENT OF MINORITY

## HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. RARICK. Mr. Speaker, the American people certainly must be wondering by now what is meant by "equal employment opportunity." The only sure thing is that this overused phrase of Government bureaucrats does not mean that the man best qualified for the position gets the job—regardless of race, color, or creed.

Recent newspaper articles dealing with announcements of major policy changes at two of our "leading liberal universities on opposite ends of the country, confirm that the proper definition of the phrase "equal employment opportunity" is preferential treatment of blacks and other minority groups in job hiring practices and in admissions. It is an "educated" world indeed when the English language has deteriorated to the point where equal and preferential mean one and the same thing.

Other aspects of life in America today also tend to create confusion over the meaning of "equal employment opportunity." While many native-born Americans are unemployed, certain foreign-born immigrants enjoy guaranteed success.

A classic example of this is Stalin's daughter, Svetlana Alliluyeva, and her brother-in-law, Dr. Samuel Hayakawa—who also happens to be the president of the State college in California that decreed that the college's new hiring for the next 2 years be primarily of blacks or other minority members. He has said that his goal is "to achieve within each school and within the college as a whole a diverse, multiracial faculty."

I include related news articles and a biography from *Who's Who in America, 1970-71* in the RECORD:

[From the Washington Post, Oct. 5, 1971]

### UNIVERSITY OFFERS PLAN TO ADD MORE NEGROES

(By Eric Wentworth)

Chancellor Charles E. Bishop of the University of Maryland at College Park announced steps yesterday to help increase black enrollment despite high admissions standards.

Bishop's announcement followed recent charges by black faculty, staff and students that new admissions policies adopted by the board of regents last month to control total enrollment were discriminatory.

These critics primarily attacked the planned use of scholastic aptitude tests (SAT) scores as a factor in the index on which freshman admissions would be based starting next fall. These tests, they asserted, were culturally biased against blacks, other minorities, and low-income students generally.

Plans so far have called for an index combining high school grades and class standing with SAT scores into a predicted college grade point average. To be guaranteed admission, a student's predicted average would have to be at least 1.9 (on a 0-to-4 scale) for three years and 2.0 thereafter.

Bishop, acknowledging the anti-SAT crit-

icism, said yesterday he has asked his institutional research office to come up with a standard based upon high school grades and class standing alone that would equal to 1.9 predicted average.

Such a system, presumably, would be more acceptable to the SAT critics. Whether the regents would have to approve its adoption was unclear last night.

Bishop said he has also asked the Cultural Study Center on campus "to intensify its ongoing studies of the accuracy of predictors of achievement at College Park and to provide continuing analysis of the effects of the new admissions policy."

The chancellor also said he was seeking addition of Glenwood Brooks, one of the center's staff, to the committee reviewing the new admissions policies. He said he wanted to make sure that the panel considered fully the results of research to date.

At the same time, Bishop announced that College Park recruiters would intensify efforts to attract minority students who could meet the admissions standards. He called on civic leaders and high school counselors to help identify and encourage such students.

He also ordered admissions, counseling, housing and financial aid officials to coordinate their programs "in order that recruiters may be able to do a better job in counseling prospective students."

The chancellor disclosed that only about half the black students admitted to College Park this fall actually enrolled. Many of the others, he said, failed to enroll for want of financial aid. Blacks at present represent only about 4.5 per cent of College Park's 35,000-student enrollment.

"This campus," Bishop pledged, "will continue to intensify its programs to achieve a better racial balance of the student population."

Since Mrs. MacFarland was out of the country during the summer and the grievance committee could not meet to consider her complaint, Mandel decided to take a look at the file himself, Thomsen's statement said.

[From the Washington Post, Oct. 3, 1971]

### MINORITY HIRING POLICY SET AT SAN FRANCISCO STATE

SAN FRANCISCO—President S. I. Hayakawa of San Francisco State College, saying not enough has been done to end job discrimination, has ordered that the college's new hiring for the next two years be primarily of blacks or other minority members.

In a letter to key personnel, Hayakawa said all departments will be included in an aggressive program to comply with recent interpretations of the 1964 Civil Rights Act.

He said the college could face "suspension of federal grants and money" unless it does so.

Hayakawa, himself a minority group member by virtue of his Japanese ancestry, took over as president of the college in November, 1968, during a violent student faculty strike over demands for creating an ethnic studies department. He gained national attention for his hard line against militants.

He said in his letter that the goal "is to achieve within each school and within the college as a whole a diverse, multi-racial faculty capable of providing for excellence in the education of its students and the enrichment of the college community."

"Unless it can be clearly demonstrated that the goal is impossible to attain because qualified or qualifiable employees are not available it is understood that each school and department of SFSC shall hire a substantial majority of women and persons from minority groups whenever openings occur during the 1971-73 period."

[From Parade magazine, May 30, 1971]

### PERSONALITY PARADE

Q. What is the relationship between Stalin's daughter, Svetlana Alliluyeva, and Dr.

Sam Hayakawa, president of San Francisco State University?—Desmond Westerley, Lancaster, Pa.

A. Dr. Sam Hayakawa is Svetlana Alliluyeva's brother-in-law. Svetlana is married to Wesley Peters, the architect in charge of Tallesin West, the Frank Lloyd Wright Foundation outside Phoenix. Wes Peters' sister, Margedant, has been married to Sam Hayakawa for more than 30 years.

### WHO'S WHO IN AMERICA 1970-71

Hayakawa, S(amuel) I(chlye) ha-ya-ka'wa), educator, writer; b. Vancouver, B.C., Can., July 18, 1906; s. Ichiro and Tora (Isono) H.; B.A., U. Manitoba, 1927; M.A., McGill U., 1928; Ph.D., U. Wis., 1935; D.F.A. (honoris causa), Cal. Coll. Arts and Crafts, 1956; m. Margedant Peters, May 27, 1937; children—Alan Romer, Mark, Carol Wynne. Came to U.S., 1929. Fellow English, U. Wis., 1929-30, asst., 1930-36. Instr. English extension div., 1936-39; Instr. English, Armour Inst. Tech., 1939-40; asst. prof. English, Ill. Inst. Tech., 1940-42, asso. prof., 1942-47; lectr. univ. coll. U. Chgo., 1950-55; prof. English, San Francisco State College, San Francisco 1955-68, acting pres. of coll., 1968—; Alfred P. Sloan vis. prof. Menninger Sch. Psychiatry, 1961. Recipient Claude Bernard Medal Exptl. Medicine and Surgery, U. Montreal, 1959, Fellow A.A.A.S., Am. Psychol. Assn.; member Modern Language Assn., Am. Dialect Soc., Nat. Council Tchrs. English, Internat. Soc. for Gen. Semantics (pres. 1949-50), Am. Anthropol. Assn. Soc. for Psychol. Study Social Issues, Consumers Union U.S. (dir. 1953-55), Inst. Jazz Studies (dir.), Clubs: Press San Francisco; Pannonia Athletic. Author: Oliver Wendell Holmes (with Howard M. Jones), 1939; Language in Action (Book-of-the-Month Club selection), 1941; Language in Thought and Action, 1949; Language, Meaning and Maturity, 1954; Our Language and Our World, 1959; Symbol, Status and Personality, 1963. Columnist for the Chicago Defender, 1942-47; reviewer Chicago Sun Book Week. Editor: ETC.: A Review of General Semantics, 1943—. Editor: Funk & Wagnalls Modern Guide to Synonyms, 1968; sup. editorial bd. Funk & Wagnalls Standard Dictionaries. Contbr. to Middle English Dictionary, U. Mich., 1933-38. Home: 225 Eldridge, Mill Valley, Cal. 94941. Office: 1600 Holloway, San Francisco 94132.

### HON. WILLIAM O. COWGER

## HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. BLACKBURN. Mr. Speaker, like other Members of this body, I am deeply saddened by the passing of my esteemed friend, the former Congressman from the Third Congressional District of Kentucky, William O. Cowger.

Bill and I began our service in the House together. During his tenure in the House, it was my privilege to work closely with him. That close day-to-day association brought about a profound respect for his abilities and knowledge. Bill Cowger had deep convictions and worked diligently in pursuit of his ideals. The many accomplishments of his life, both within and without the U.S. Congress, could not have been attained without his genuine concern and interest in people as individuals.

My wife, Mary, joins me in expressing our deepest sympathy to Bill's survivors.

I hope that knowing of the high esteem in which Bill Cowger was held will afford them some measure of comfort in their time of grief.

## RURAL DEVELOPMENT

### HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. DOW. Mr. Speaker, I would like to compliment my colleague, the Honorable JOHN CULVER, of Iowa, on the fine statement he made before the House Committee on Agriculture on the subject of rural development.

It is now recognized that urban as well as rural Congressmen share a common concern about rural development. I am inserting this testimony in the RECORD for those who may not have seen it because it is such a comprehensive statement of the rural problems faced in America today. Congressman CULVER offers some imaginative approaches to the solution of these problems through such mechanisms as credit incentives, better information, community centers, expansion of rural credit sources, and improved organization to serve the rural constituency. His testimony follows:

STATEMENT OF THE HONORABLE JOHN C. CULVER BEFORE THE HOUSE COMMITTEE ON AGRICULTURE

Mr. Chairman. I want to thank you for the opportunity to appear before the committee today, to address the need for a commitment to a national growth policy establishing a sound balance between urban and rural America.

A good starting point in any discussion of rural development is the nation's population distribution. More than 20 million people have abandoned the small farms and towns for the large cities, so today more than 75 percent of our people are now crowded into less than 2 percent of our land. The recent census confirmed that rural America has been undergoing an outmigration crisis. From 1950 to 1960, 1,500 of the 2,700 rural counties lost population because of failing incomes, disappearing jobs and other economic opportunities, and because of a deteriorating or lagging ability to support community facilities and institutions. In the decade of the 1960's, the story was the same—nearly half of this country's counties lost population, and 1,000 of them were the same counties as during the previous decade. In Iowa, 74 of our 99 counties lost population; 24 lost over 10 percent. If this trend is not reversed, it has been projected that by the year 2000 over 100 million more Americans will be crammed into the large urban areas where 150 million are already living.

President Nixon reflected awareness of the rural crisis when he disclosed in his first State of the Union message that the objective of national policy must be not only to "stem the migration to urban centers but to reverse it." And the Congress last year formally expressed its awareness of the rural crisis when it committed itself, in the Title IX of the Agriculture Act, to "a sound balance between rural and urban America" and declared, "the highest priority must be given to the revitalization and development of rural areas." Yet the executive has proposed no measures, and the Congress has enacted no measures that come anywhere near to being adequate to achieve the policy objectives of

a national growth policy covering the geographic distribution of economic opportunity, jobs and people.

If we are to implement such a national growth policy we must first recognize that the headlong pace of urbanization cannot be checked without very strong government assistance to rural areas. We must realize that the forces of urbanization are powerful and will require governmental action of sufficient leverage.

The forces I am talking about are economic, not social. It is a myth that most people want to live in big cities. A 1968 Gallup poll indicated that where people are given a choice, 56 percent preferred a rural setting; 25 percent suburban; and 18 percent the city. But people have to live where jobs are. Concentration of population has followed concentration of economic activity. This trend can be reversed if the Federal Government helps bring about greater balance in national investment through diverting into rural areas much of the economic growth that would otherwise take place in already congested population centers.

If we are serious about developing as well as successfully implementing a comprehensive rural development program, we must answer two questions: (1) How do we get technical assistance in the form of permanent professional staffs into rural areas so that there is somebody on hand who can communicate with the Federal Government, promote development, fill out those complicated application forms for assistance, design a comprehensive development plan, mobilize resources, coordinate and expedite projects? (2) How can rural areas compete with urban areas for Federal programs and dollars?

Urban mayors are the men the Federal Government and the State government deal with as representing half a million or a million people; they have staffs with the expertise to develop plans and projects, to act as grantsmen in getting money from the Federal Government, and to coordinate the execution of the projects. They also have a powerful lobby and service organization—in fact two of them—the U.S. Conference of Mayors and the National League of Cities—to help them develop programs and obtain funds.

Unlike their urban counterparts, small town mayors are part-time officials working with very limited staff and equally limited financial resources. In many cases, they cannot employ the planners and experts and grantsmen who have the time and talent to conceive and implement development programs. Moreover, it is seldom that you see small town mayors or any organization which represents their interests beating down the doors of Washington in order to develop programs tailored to their special needs.

Consequently, all of us must be more sensitive to the unmet needs that stare us in the face when we travel to small towns but often go unreported in major news stories or unvoiced in lobbying sessions. In short, the federal as well as state government must make a special effort to insure that the institutions representing rural America recognize its problems and are equipped to solve them.

I would like to submit an illustration of why these two questions must be answered before rural development can be successfully undertaken.

In September of 1969 the town of Andrew, Iowa, inquired about receiving financial assistance for the construction of a sanitary sewer system for the community. The inquiry was initiated by filing the requested form 101 with a request to meet with a representative of the Economic Development Administration in order to discuss their problem. Two subsequent meetings were held in Jackson County with an economic development specialist, and a town meeting was held

prior to March, 1970. An initial pre-application conference was scheduled for March 10, 1970 and then cancelled. A pre-application conference was scheduled and held in Duluth, Minnesota on April 11, 1970. At this meeting, the town was instructed to complete its application and submit it for review. A review was held with a representative from EDA on July 15, 1970. The corrections, additions, and review comments were then resubmitted to EDA again on August 11, 1970.

The town of Andrew, population 350, after expending much time, energy and money, or to be more specific, after filling out, reviewing and correcting a seventeen page form, a form for assurance of job opportunities for the unemployed; eleven eight page certificates of non-relocation; writing six letters from the town council to the EDA; Department of Commerce and the Department of Agriculture; petitions from the citizens of Andrew; 35 letters from citizens of Andrew to the EDA; and the hiring of a professional consulting firm, the town received, one year and eight months later, a direct grant of \$86,000 for its project.

Just imagine the difficulty Andrew would have experienced had it applied at the same time for funds for other projects to improve their social services and attract economic activity; or imagine, if you will, the compounded difficulty if Andrew were a town of 3,500, 10,000, 15,000 or 25,000.

We have reflected on rural development for two decades and now the luxury of time has run out—the crisis demands action.

The following suggestions are not specific legislative recommendations, but rather guidelines that, in my judgment, the committee should follow in preparing a legislative package. I suggest that a government policy designed to effectuate a balanced national growth policy must have five facets.

1. *Information:* A good starting point is the need to redefine and restate what we mean by rural community. Traditionally, a rural resident has been defined as a person living in places of 2,500 population or less, or in open country. The definition of "rural area" adopted in the President's "Report on Government Services to Rural America", however, is the definition of a non-metropolitan statistical area. A non-metropolitan area is defined as a place which does not contain at least one city of 50,000 in population.

The old definition of a rural area is too narrow for the purpose of analyzing the need for additional rural services. However, the breakdown into standard and non-standard metropolitan areas is even less appropriate. The problem with this classification is it gives us very little information about the kinds of services needed in our smaller communities.

This definitional problem surfaces most dramatically in the lack of coordination and planning at the Federal level. For example, many critics say HUD does not operate very effectively in communities having a population of less than 25,000, and the Farmers Home Administration has authority to operate only in towns of up to 10,000 in population for housing, and 5,500 for water and sewer. Obviously, thousands of small towns are left out by the gap between these two agencies.

If Congress intends to fulfill its commitment to meeting the critical needs of our rural population and small towns, in the face of a heavy outmigration to the cities, it must have the quantitative and qualitative information by which to take informed legislative action on comprehensive national growth policies and programs.

2. *Community services:* Economic growth depends primarily upon an infrastructure of public services. Too often public services in rural communities fall far short of the standards set by the metropolitan areas with which they compete for industry. In order to be able to provide adequate access roads,



water and power supplies, and sewage facilities for industrial plants, rural communities need Federal assistance. In addition, rural communities often cannot, through their own efforts, provide the other services that make a community an attractive place in which to live and work—good schools, health facilities, park and recreational facilities, adequate housing, sanitation facilities and so on.

In short, balanced population growth will not occur until public services in non-metropolitan areas are raised to a parity with the level of public services in the metropolitan areas with which they must compete for industry. This will require both adequate funding and programs tailored to small community needs rather than to urban problems. To this end, I introduced this year the Small Community Development Act of 1971, which would provide Federal assistance to small communities in renovating their business districts, and in constructing community centers which would provide government, health, and recreational facilities.

3. Economic incentives: People live where there are jobs. Without new investment incentives to encourage industry to locate more facilities in rural America, the jobs will continue to be in our already over-congested metropolitan centers. During the 19th century we utilized incentives to encourage people to move westward; today we should do no less for rural areas throughout the country since to do so would help alleviate both the urban and rural crisis.

4. Rural credit sources: The Congress many years ago created a series of credit instrumentalities for agriculture, but non-agriculture enterprises in rural areas are equally remote from the Nation's financial centers and thus have the same kind of difficulty in obtaining credit. This is a gap that needs to be filled by some form of public or quasi-public credit institution.

A rural development bank, similar to the one proposed in the Consolidated Farm and Rural Development Act, of which I am a cosponsor, is a step toward providing adequate credit for rural communities and businesses. A rural development bank, in whatever form it finally takes, should guarantee loans made through private lenders for community or area development and improvements; fund housing; provide loans to industry and businessmen who are willing to establish or relocate business in smaller communities; provide direct loans to communities for special community facilities and services; and provide a full range of technical and planning assistance to those groups and individuals eligible to borrow money from the institution.

5. Organization: If rural development is to succeed we must create a new national and regional planning framework to develop and coordinate the thousands of Federal and State rural development programs, individual projects, and area planning efforts operating both in the Federal Government, and at the various political subdivision levels within the States.

In order to simplify the administrative burdens of small town mayors, we need multicounty and multicomunity organizational groupings. Tiny jurisdictions lack expertise, and professional skills. To assist these organizations in planning promotion, and implementation of development, technical assistance and community development management assistance should be available on a full time, permanent basis to each multicounty or multicomunity organization. The availability of full time technical assistance would have simplified and expedited Andrew's problem in obtaining a sewer and water grant.

I have set forth a rough plan for a balanced national growth policy. In the days ahead we must remain cognizant of three problems inherent in the course we are dedicating ourselves to follow. First, we must realize that we cannot sacrifice effective agri-

cultural programs to rural development. We have to build on our economic base of agriculture, not risk that base in the name of rural development. Second, we must plan rural America's rebirth carefully so as to preserve its environment. We must not again enslave ourselves to progress and technology. We must recognize that growth simply for growth's sake is not an appropriate goal. Third, and most important, we must soon bring a halt to rhetoric. The rural crisis has been as much studied as neglected for 20 years; immediate and sustained action is all it now needs.

#### RESEARCH IS THE KEY TO METHADONE ALTERNATIVE

### HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. PEPPER. Mr. Speaker, the September 29 edition of "The Blue Sheet" published by Drug Research Reports includes an article concerning a meeting between members of the Select Committee on Crime and representatives of some of the Nation's top drug houses. The purpose of the meeting was to initiate cooperation between Government and industry that will lead to the discovery of a successful antagonist drug to heroin.

The meeting was an important first step. Witness after witness has told the Crime Committee at our public hearings that at least half of all crimes committed against person and property in the United States is traceable to the addict's necessity to feed his expensive habit.

It will be of no small interest to the House, I believe, to carefully read and consider the recommendations that its Crime Committee will soon be making on the matter of developing an antagonist drug to combat heroin addiction. We also plan to announce a national program for the treatment and rehabilitation of the many thousands who have fallen victim to the influence of heroin and other dangerous drugs.

At this point, Mr. Speaker, I insert the brief notice of our executive session with representatives of the drug industry:

The article follows:

[From "The Blue Sheet," Drug Research Reports, Sept. 29, 1971]

REPRESENTATIVE PEPPER (D. OF FLORIDA): GOVERNMENT SHOULD PAY MOST ANTIADDICTION RESEARCH COSTS

The congressman who first suggested industry should collaborate on research to find a suitable compound for narcotics addiction therapy, Rep. Pepper (D-Fla.), now suggests that the govt. should award grants or contracts to pharmaceutical mfrs. for 75% to 90% of such compounds' development costs.

Representatives of 10 firms attending a Sept. 22 meeting with Pepper, who heads the House Select Cmte. on Crime, said they need help with clinical evaluation of existing investigational drugs. After that, they said govt. support is needed for working out new screening methodology. Concurrently, basic research should be funded to discover new leads or theories pointing to compounds not now known.

Other crime cmte. members at the meeting were Reps. Charles Rangel (D-NY), William Keating (R-Ohio), and Larry Winn, Jr. (R-Kan.). Company delegations were led by Robert Herting, Abbott; Wilbur Lippmann,

Ayerst; Irwin Pachter, Bristol; Joseph Conlon, Endo (duPont); Earl Herr, Lilly; George Poos, McNeil; Robert Hodges, P-D; Carl Lunsford, Robins; Philip Jehle, SK&F; and Sidney Archer, Winthrop; and Jack Kelly and Frank Voris, PMA. Merck was invited but did not attend.

#### TESTIMONIAL DINNER FOR NATIONAL PRESIDENT

### HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. GARMATZ. Mr. Speaker, the women of this Nation are demonstrating their leadership ability in many fields of endeavor, and they deserve to be recognized for their accomplishments.

On Saturday, October 9, 1971, the Ladies' Auxiliary, Ancient Order of Hibernians, will sponsor a testimonial dinner for its national president, Miss Rita A. McDonough.

I am proud of the fact that—in addition to living in my home State of Maryland—Miss McDonough is a resident of the Third Congressional District, which I happen to represent.

I would like to insert Miss McDonough's biographical sketch into the CONGRESSIONAL RECORD, because I think this information aptly describes her as a woman of great dedication and talent; it certainly explains why she has received such an honor, and I recommend its reading to my colleagues. A copy of the biographical sketch follows:

BIOGRAPHICAL SKETCH—MISS RITA AGNES McDONOUGH, NATIONAL PRESIDENT, LADIES' AUXILIARY, ANCIENT ORDER OF HIBERNIANS

A native Baltimorean, Rita Agnes McDonough attended St. Brigid's School, Seton High School and the University of Maryland, College Park. She is the daughter of the late Edward Patrick and Christina McDonough. Her father, a lifelong Democrat, was Executive of the First Ward for fifty years. He handled Docket A of the Circuit Court No. 2 for thirty-five years.

Rita's love for the Hibernians had been instilled during childhood when her father served on Division, City and State levels of the Ancient Order of Hibernians. He also served two terms as a National Director of the organization. In recognition of his dedicated service to the Hibernians, Division No. 10 of Anne Arundel County, Maryland was named in his honor, the Edward Patrick McDonough Division. Mr. McDonough was also the recipient of an Honorary Life Membership Certificate from the National Board in recognition of fifty years of service to the organization.

Rita, as a child, accompanied her parents, brothers, and sister to local Hibernian functions and National Conventions. Upon reaching the age of eighteen, she joined the Ladies' Auxiliary, Ancient Order of Hibernians, Division No. 14 in Baltimore. She has served with distinction in many Division offices as well as on the Baltimore City Board and Maryland State Board. In 1956 she was elected State President and reelected in 1958 to her second term.

Her spirit of dedication and fruitful accomplishments locally were recognized nationally, and in 1960 she was nominated and elected to the National Board of the Ladies' Auxiliary as National Chairman of Missions.

In this position she instituted locally the first annual Mission Festival for the benefit of the Columbian Missions, the recipient of

all funds raised for the Missions by the Auxiliary. This year, the eleventh annual Mission Festival sponsored by the Maryland State Board raised nearly two thousand dollars for the Columbans. Rita spurred other States on to similar projects. As a result national contributions to the Columbans increased by fifty percent during her term in office.

After serving two terms as National Chairman of Missions, Rita was elected as National Director-Organizer. She was instrumental in reorganizing Division No. 4 in Baltimore which soon became a hard-working and thriving Division with its sister Division No. 14.

The 1966 Biennial National Convention brought the honor of election to the office of National Historian to Rita and to Maryland. One of the subjects selected by Rita during her term for the National Irish History Essay Contest was: **THE LABOR MOVEMENT—FROM CARDINAL GIBBONS TO THE PRESENT DAY**. Among the National Judges of the contest was an official of the Communication Workers of America which organization also contributed a savings bond to the first prize winner in the State.

In 1968 the National delegation at the biennial convention elected Rita as the National Vice President. In the Auxiliary, one of the principal duties of this office is the development of the Junior Divisions throughout the country. Rita formulated for the first time a national program of competition suitable for participation by all Junior Divisions. The three-phase competitive plan included a Pen Pal program, photo contest of activities, and a poster contest. It was most successful and is the base upon which the current Junior programs operate.

She also instituted and published the **NATIONAL NEWSLETTER**, a quarterly publication of the National Board, for the purpose of promoting better communication between the Board and State Presidents.

In Indianapolis, Indiana, the delegates to the 1970 National Convention unanimously elected Rita as National President. She will serve in this capacity until the conclusion of the 1972 Convention in Dublin, Ireland.

Rita has been employed by the United States Government in the Department of the Army since 1942.

Her career in government service began in the Army Signal Corps at Fort Holabird. With the Baltimore Signal Depot, Rita initiated and organized annual Christmas parties for various orphanages throughout the City. Approximately three thousand dollars in donations solicited by Rita and her Committee made Christmas happier for many of the City's children each year.

From 1954 to 1956 Rita was with the Chemical Corps Material Command in the Butler Building in Baltimore. In 1956 she was transferred to Edgewood Arsenal where she is now employed as a Production Equipment Specialist.

Rita resides on Linwood Avenue in the former home of her parents and is a member of St. Elizabeth's Parish.

She is also a member of the Catholic War Veterans Auxiliary and the Guild of St. Joseph's Spiritual Center. She has held office in both of these organizations.

## SALUTE TO ITALIAN AMERICANS IN OBSERVANCE OF COLUMBUS DAY

**HON. JOSEPH E. KARTH**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 5, 1971*

Mr. KARTH. Mr. Speaker, it is a pleasure and honor today to rise and pay trib-

ute to our Italian Americans as we prepare to participate in the first nationwide celebration of Columbus Day on Monday, October, 11. For this day of observance gives us the opportunity to reflect upon the courage of the first Italian American, Christopher Columbus. His dedication in overcoming nearly unsurmountable obstacles opened up the New World to Western Civilization.

Indeed, the heritage of that great explorer is carried on today. Just as Christopher Columbus sailed into the unknown with the *Nina*, *Pinta*, and *Santa Maria*, so have we discovered new frontiers in our exploration of space. I might add, Mr. Speaker, that we today have a far better idea of what our space age explorers will face in their own small crafts than Columbus did when he ventured forth. It is the spirit of Columbus that we pay tribute to each time we extend our explorations into space.

In remembering the great individual courage of Columbus this day, we are reminded of the great heritage the Italian people have brought to the United States. Justifiably proud of their rich heritage, Italian Americans have enriched all of our lives with their contributions in so many areas.

Mr. Speaker, I not only speak today from a deep appreciation of the Italian-American heritage, but from my own personal experiences. Many of my colleagues in the House are proud bearers of their Italian-American heritage, and their concern for their fellow citizens is firmly marked on many works of legislation that have been passed by this body. In addition, one of the most meaningful events I have the honor of participating in is a dinner regularly given for me by the Italian Americans of my district. Many of my colleagues know that this affair is unsurpassed for good fellowship, good food, and yes, even good speeches.

Mr. Speaker, it is good that we will pause in our deliberations October 11, to reflect upon the great contributions Italian Americans have made, and to remember that it is true when we say, "It all started with Columbus."

## PROMOTING RURAL INDUSTRIAL DEVELOPMENT

**HON. ROBERT PRICE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 5, 1971*

Mr. PRICE of Texas. Mr. Speaker, as part of my continuing effort to promote the development of rural America, I am today introducing legislation to increase from \$5 million to \$10 million the amount of tax exempt bonds by States and their political subdivisions that can be issued for industrial development.

This bill becomes part of a package of rural development legislation I have previously sponsored, including my proposals to provide a tax credit for businesses which relocate in rural areas and to provide a similar credit to businesses which maintain ongoing training pro-

grams for the unemployed and underemployed.

The bill I introduce today would allow States and local governments to be more self-sufficient in attracting much needed industry to the countryside by allowing them to raise money at a favorable interest rate. It is becoming all too apparent with our spiraling cost of living and doing business that the present \$5 million limit is simply inadequate to do the job of raising sufficient capital to attract any but the most modest of business enterprises. Furthermore, it should be emphasized that since Federal bonds are exempt from State or local taxation, as a matter of tradition and equity, it is only appropriate that State and local securities be accorded similar treatment by the Federal Government.

I strongly recommend my bill be given favorable consideration by the Congress so that we may continue and accelerate our efforts to reinvigorate rural America, the very heartland of our great Nation.

## A VOICE OF AUTHORITY ON VOLUNTARY PRAYER IN OUR PUBLIC SCHOOLS

**HON. HAROLD D. DONOHUE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 5, 1971*

Mr. DONOHUE. Mr. Speaker, ever since the Supreme Court, several years ago, determined that it was unconstitutional for New York State to permit its own State school board to compose school prayers and ordered them recited in the presence of a teacher, great confusion, as to the exact meaning and effect of the Court's ruling, has increasingly developed.

Because of the legal uncertainties and the great doubt that exists among so many of our citizens on both sides of the question I think it is in order, particularly now that the U.S. House of Representatives has approved a discharge petition, for all of us to review and weigh the testimony of the highest authorities on the subject of voluntary prayer in our public schools.

For these reasons I am pleased to include, at this point, testimony given to the Worcester, Mass., City Council on April 1, 1966, by the most highly esteemed and respected bishop of the Catholic diocese of Worcester, His Excellency Bernard J. Flanagan, D.D., in support of a recommended—and subsequently passed—resolution calling on the Congress to propose a prayer amendment to the American people. The statement follows:

It has now been nearly four years since the United States Supreme Court struck down a twenty-two word prayer in New York's public schools as "establishment of religion." That prayer, composed by religious leaders in New York and made available on a voluntary basis to the schools of the State, read:

"Almighty God, we acknowledge our dependence upon Thee and we ask Thy blessings upon us, our parents, our teachers and our country."

Eleven of the thirteen justices who had



previously judged the case saw nothing unconstitutional in so simple a prayer. Nineteen State Attorney-Generals petitioned as "friends of the court" saying:

"Our Founding Fathers together with the great and God-fearing leaders of the last century and a half would be profoundly shocked were they to have been told in their day that in this year of Our Lord . . . a voluntary nondenominational acknowledgment of a Supreme Being and a petition for His blessing, recited by American children in their classrooms, is being seriously attacked as a violation of the Constitution of the United States."

Hardly has the Court's majority reached what Harvard Law Dean Griswold called its "thought-denying" decision than Americans everywhere rose in protest. Proposal after proposal was dropped into the hoppers of the Congress demanding the right of the American people to be heard in an issue so clearly critical. Many predicted that this incredible denial of a consensus prayer would lead on to successive denials until the nation stood stripped of its long and good traditions of public reverence. We said ourselves:

"Many people will be deeply concerned about the continuing erosion of our religious traditions implicit in these decisions."

On June 28, 1963, after the Court had widened its ban in a second decision, a major editorial in "the Pilot", publication of the Archdiocese of Boston, spoke thus under the heading "All Public Life Affected":

"The Supreme Court, in the Lord's Prayer and Bible ruling, has continued along a path unhappily familiar to all from its earlier decisions. The same tedious arguments emphasizing the establishment of religion clause are brought forth to support a position which turns its back on the total American tradition and outlaws the present practices of 39 states.

"Let us suppose that the Lord's Prayer and the Bible are excluded from the American public schools for precisely the reasons given by the Supreme Court. What is the next step? Clearly, all other expressions of religion in public life must now be deleted. Let us not wait for them to come up case by case, but in one single gesture let them be suppressed.

"It may take the Court a long time to come to the full understanding of what its decision means, but by that time the American public may make some decisions of its own. In democratic life the tyranny of the few is always a temporary victory: it may be uncomfortable, but its fortunes will ultimately be reversed."

On July 19, 1963, our own diocesan publication, "the Catholic Free Press", ran this editorial:

"It would seem that the only way to stem the tide which threatens to banish any reference to God from American public life is the passage of an amendment to the Constitution clarifying the first amendment. We are not anxious to see the Constitution become a patchwork, amended each time a grievance cannot be resolved to everyone's satisfaction by the Supreme Court of the land. In this instance, however, the implication of the High Court's pronouncements on the relationship between church and state are so patently contrary to the intent of the Founding Fathers that a clarification by the people seems in order. We applaud the gesture of the several Senators and Congressmen who have filed resolutions in the Congress requesting that a prayer amendment be made to the Constitution. Proponents of a prayer amendment are all agreed on one basic principle—that the Founding Fathers never intended to identify the separation of church and state with the separation of God from state."

Also on record for amendment is the National Conference of Catholic Youth. So is the National Governors Conference (on two occasions). On February 17 and 21, 1966, the

Massachusetts General Court repeated its petition of March 18, 1964, to the Congress urging immediate proposition of a prayer amendment to the American people.

Despite such widespread evidence that the prayer-ban decisions were very seriously questioned by the American people and that a restorative amendment was needed to return the first amendment to its original and traditional good sense, effective action continued for four years to be blocked in Congress. Hearings were held, in the House only after a nearly successful discharge petition had forced a recalcitrant Chairman to move, but no bills were forthcoming. Efforts are now once again underway.

We join our voice enthusiastically to those men of good will of varying faiths and parties who are wrestling with this difficult matter. We believe, as in all such issues, that a reasonably worded prayer amendment is possible. We believe that this amendment will constitute not an attack upon, but rather a counter-attack against a dangerous misinterpretation of the first amendment. We call on the Worcester City Council today and on all citizens and their legislative spokesmen—on all in fact who honestly believe in the democratic process—to respect the clear will of the nation and demand from the Congress without further delay a proposal for a prayer amendment. We believe in the wisdom of the American people to act rightly on such a proposal. We have confidence they will decide as their ancestors decided before them, when they wrote into the seal of the City of Boston, those good words—"Sicut patribus, sit Deus nobis." As God was with our fathers, so let Him be with us!

#### GIVE THE PRESIDENT'S ECONOMIC PLAN A CHANCE

#### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. YOUNG of Florida. Mr. Speaker, the Congress must avoid any action that would tend to prejudge President Nixon's new economic program—at least until we know exactly what phase II of that program will be. With 39 days still remaining under the present wage-price freeze, unseemingly haste on our part could have serious consequences affecting the future of our Nation.

The Congress cannot predetermine a few details in a program that must be fully integrated and extremely wide in application if it is to be truly effective.

The President, I am certain, will not be stampeded into taking any ill considered action, and the Congress should refrain from pressuring him during this sensitive stage in the planning process.

The issue demands statesmanship, rather than seizing the opportunity for a short-term gain by taking what might appear to be the "popular" side.

This thought was echoed Tuesday by a newspaper in my district, the St. Petersburg Times. The Times is recognized as one of the leading newspapers in America, and here is what the paper had to say:

[From the St. Petersburg Times, October 5, 1971]

#### TOO SOON TO VOTE

It isn't often one can make a case for congressional delay. The usual complaint is that Congress is not moving fast enough. But the House was moving far too hastily

in seeking a Monday vote on whether to give federal workers their scheduled pay raises in January, rather than in July as President Nixon ordered.

The House delayed the vote until Wednesday, but it should be set completely aside until President Nixon outlines Phase II of his economic plan. Only then can the House see how the timing of federal pay raises fits into his post economic freeze plans.

President Nixon has already given some hints the House should heed in this regard. He has pledged to seek controls with teeth in them for the post freeze period, and to pay special attention to wages and prices in major industries.

If further restraints are imposed on the private sector, it would be greatly unfair to leave federal workers free of restriction. The federal machinery should support, not wreck, attempts to stabilize the nation's economy.

On the other hand, it would be equally unfair if federal employees were singled out to swallow the largest share of the post freeze economic pill. All wage earners should be treated equally, regardless of whether they are employed in the public or private sector.

The House (and the Senate, which is seeking not only to speed military pay raises but to increase them as well), should wait until all the economic cards are on the table before playing their hands.

#### WTOP COMMENDS REPRESENTATIVE GUDE FOR OPPOSITION TO POTOMAC DAMS

#### HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. REUSS. Mr. Speaker, Congressman Gilbert Gude, a member of the Conservation and Natural Resources Subcommittee, has taken a firm stand against environmentally-harmful dam building on the upper Potomac River. His stand was endorsed in a recent WTOP editorial, a copy of which follows:

[WTOP Editorial]

#### OPTIONS OTHER THAN DAMS FOR POTOMAC

We agree with Congressman Gilbert Gude that the dam builders shouldn't be given free rein on the Potomac River.

The Maryland Congressman recently announced his opposition to the construction of six new dams on tributaries of the upper Potomac. The dams long have been advocated by various agencies as safeguards for Washington's future water supply.

Mr. Gude seems to be trying to break the old knee-jerk response which goes like this: water shortage? build a dam!

The problem with dams is that they frequently destroy other important ecological values while in the process of conserving water. There are several possible alternatives to such dams for insuring a future supply for Washington's water faucets.

For the foreseeable future, water shortages will occur during seasonal periods of low-flow in the Potomac. Why not cut down on the waste of water during those periods—and there is plenty of waste—by jacking up the price of water for consumers?

The Potomac estuary between, say, Chain Bridge and the city, might be tapped as a supplementary water source. It's plenty dirty now, but it ought to be cleaned up in any event.

For the long haul, why not push research into the re-cycling of water? Three key off-

cials who work in the field of waste water treatment have conceded to us in the last couple of weeks that very little effort is being expended in that direction. According to a spokesman at the federal government's advanced waste treatment laboratory, the technology for achieving the re-use of water basically is in existence now.

Washington's future water supply obviously is something not to be trifled with. Upriver dams may yet prove to be essential. But those who are pushing dams have cast aside some other options without giving them a fair test.

This was a WTOP Editorial . . . Norman Davis speaking for WTOP.

## ATTICA AND "MICROVIOLENCE"

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 1971

Mr. ROBISON of New York. Mr. Speaker, since the tragedy of Attica in my State last month, a number of my constituents have written me about all aspects of crime and violence in this Nation. Because of the tremendous interest in the increasing danger of uncontrollable violence to our democratic society, I attempted recently to discuss some of the sources of the problem.

The occasion of my remarks was the installation dinner-dance of the zone 3, New York District Optimistic International, held in Vestal, N. Y., on September 25. The text of my speech follows:

### ATTICA AND "MICROVIOLENCE"

One of the pitfalls for the dinner speaker who desires to stay reasonably up-to-date is that events in our fast-moving society so often out-distance his best laid plans. Tonight, for example, I had planned to discuss with you the President's New Economic Policy—and Congressional reaction thereto—because there is little question but that we are entering a new economic age; one in which the new realities of our domestic economy and of our financial relationships with other nations are being boldly recognized. I was going to try to make that an interesting speech; although economics can be a pretty dry topic, but I doubt that any passions would have been stoked by my position on liquidity, balance of payments, or accelerated depreciation schedules.

However, certain events in recent weeks make it impossible to ignore an even graver danger to the Republic than its present economic difficulties.

First there was Attica.

What can a responsible person say about a prison uprising that results in 42 lives being so senselessly lost? There is surely much fury and bombastic rhetoric at anyone's disposal if he wishes to engage in a bit of demagoguery. At the one extreme is the prison guard who—after the revolt was put down—complained angrily that it should have been done days earlier and concluded by saying, "no one is safe as long as the Oswalds and the niggers run the state." On the other extreme are some of the prisoners and their short-sighted supporters of the far left who applaud the dead prisoners as visionary champions of justice and revolution.

But what should the thoughtful, decent American think or say? What can he learn from Attica? What can he do in the face of the tragic penchant for confrontation that Attica represents? And finally, can the fabric of our society long stay together when such divisive pressures are ever-present?

And then there is that report as made by the *New York Times* earlier this week cataloging the incredible increase in irrational violence and acts of terrorism throughout the country. Terrorism—because it often has no easily ascertainable motive—is the most difficult form of crime to deal with, and its spread is particularly dangerous to democratic societies.

Consider these disturbing facts:

During an eleven-month period from July 1, 1970, to June 1, 1971, there were 1,425 bombing incidents reported in this country. A spokesman for the International Association of Chiefs of Police reports that, "It used to be that only the hardened elements set off bombs, but now it's gotten to be general. All kinds of people are fooling around with explosives." Police have reported in several instances that high school students are putting together bombs in their suburban homes.

During the past summer, small riots or urban disorders sharply increased over the previous year, despite the fact that large-scale disturbances were less frequent. Small disorders have become so commonplace, the *Times* reports, that they are not even reported outside the communities in which they occur in most cases.

Or consider this: In the 13-month period ending July 31 of this year, 116 policemen were killed in violent clashes and 965 policemen were wounded. A study of the murdered policemen indicates that the largest single cause of death was just plain, unprovoked ambush attacks for no reason except alienation and hostility against policemen generally.

Then, there are incidents like the one that happened in Washington, D.C. this summer. A young man was on his way home from work one Friday afternoon. He was inching along with the rush-hour traffic on a major city street. Suddenly, a driver coming in the opposite direction swerved and side-swiped several cars, including this young man's vehicle. The man got out of his car to inspect the damage, while the careless driver in the other lane calmly got out of his car, walked up to the young man and shot him in the chest five times with a pistol, killing him. No words were spoken between them, and the subsequent police investigation determined that the two men had never even seen each other before.

The assailant was, quite obviously, mentally deranged. But this incident was not a rarity. In every urban center, and increasingly in suburban areas as well, this kind of motive-less carnage is taking place with greater and greater frequency. It is what Dr. John P. Spiegel, director of the Lemberg Center for the Study of Violence, calls "micro-violence", or scattered, unconnected fragments of violence. It is a new phenomenon—though with very old roots—and it is as difficult to understand as it is to counter.

What is easier to dissect is what impact this all has on a democratic society. On the one hand, we are appalled by instances such as those I have described, and we feel that something must be done, immediately if society is to long survive. On the other hand, we are somewhat afraid of the situation and we clearly do not know what to do about it. The natural result of this is a flammable combination of apathy and extremism—some citizens, not being able to answer the quandaries presented, simply ignore the problem hoping it will go away; while other citizens will grasp any measure, seek the protection of any authority, or permit any action on the part of the established order, in the illusory hope that this will put an end to unrest and violence.

In my judgment, neither apathy nor extreme reaction is going to help. The case against apathy is so obvious I won't belabor it. Suffice it to say that we are shadow-boxing with reality if we think violence can be contained by indifference. But the case

against extreme reactions may not be as clear. Wouldn't it make sense just to stiffen our existing laws, beef up our present prisons, cut out things like rehabilitation efforts and parole and leniency, forget about the Bill of Rights as it applies to those charged with crimes, start using the death penalty again for a wider number of crimes than is now permissible, and so forth? There is a certain superficial appeal to this list of actions; for at the very least we would be doing something, or so it would seem.

But there is a very strange thing in this respect. That is precisely what the self-styled revolutionaries in this country would like the government to do. They feed on the paranoia produced by peoples' fear of the government. Remember the rumors last year that the President had asked for a study on how to avoid having an election at all in 1972? Remember the charges last summer that the Justice Department was secretly building concentration camps for dissident blacks somewhere in the Midwest? Such rumors, ridiculous as they are, were put to great use by some individuals, because those rumors were used, in turn, to justify violent activity.

If the Bill of Rights was repealed, you can be certain that these same individuals would be crowing, "I told you so," to anyone who would listen; and their case for guerrilla warfare against the government, against the police, against the "establishment" if you will, would be strengthened accordingly.

On a very practical level, then, repression is counter-productive in a nation as large and diverse as our own. Just as importantly, of course, none of us would want to live under those conditions in any event. You can't just suspend the Bill of Rights for certain people and not for others; or put another way, if all of us are not safe from unwarranted interference by certain authorities, none of us are.

Well, all right, if we reject these two extremes—and I hope all of you agree with me that we should—where do we go from there? As I asked earlier, what does the thoughtful decent American do?

I think the answer, in short, is that we have to begin putting our Nation back together again. It must be put together in equal parts this time around, for no group of citizens can be systematically denied equal opportunity without disastrous results. It is going to take years, decades, perhaps generations to accomplish, because the social dislocations that produce much of our violence and crime have long histories.

To buttress my argument in this respect, I'd like to refer to a perceptive analysis made by Carl Rauh, Advisor to Attorney General John Mitchell—hardly, as you know, a "bleeding heart" sociologist. Rauh has singled out what he considers the four major causes of crime and violence, and in the process, provides us with a useful frame of reference.

First he refers to what he calls the "root causes"—things that relate to the quality of life most obvious to the would-be criminal, including poverty, the breakdown of the family unit, inadequate schools, the inability to find jobs, racial discrimination, and the all-encompassing bitterness and frustration. As he puts it, "There is no question that these root-cause factors play a substantial part in the rising crime rate."

Second, there is narcotic addiction—a habit which may cause, in and of itself, almost fifty percent of all crime in our urban centers.

Third, there is "the inadequate criminal-justice system and, coupled with it, the loss of confidence in the system on the part of the general public."

Fourth, there is the attitude on the part of the criminal that "crime really does pay"—that being "straight" is unrewarding, that the path to status and comfort is by means of



the criminal world; that whatever the possible penalties if one is caught, they are not as serious as the prospect of forever living one's life in grinding poverty and despair.

If these are the major reasons for crime, then it follows that our efforts must relate directly to them or we are just kidding ourselves about finding remedies. Perhaps two examples will clarify my point. Unemployment among black youths is about three times as high as for their white counterparts. Is it any wonder, then, that narcotic addiction and the crime rate in the ghettos of our cities are astronomical? It is any wonder that in Chicago a black woman is ten times more in danger of assault than a white woman?

A different example: according to a 1970 survey by the Justice Department's Law Enforcement Assistant Administration of the Nation's 4,037 jails, 86% had no facilities for recreation or even exercise, 89% lacked educational facilities, 49% lacked medical facilities, 26% were without visiting facilities, and 14% even lacked toilets. As Norman Miller, an astute reporter for the Wall Street Journal, noted in Wednesday's edition of the paper, "These are medieval conditions, and homosexual rape, drug traffic and beatings of inmates and guards are rampant amid them." Is it any wonder, then, that in the District of Columbia, 75% of those convicted of felonies this past year had already pre-served time in jail?

These examples suggest that violence has many forms and they all tend to reinforce each other. An individual in one of our urban ghettos, unable to find a job, tempted by the temporary euphoria of heroin, ruthlessly robs someone to support his habit. He's caught and eventually imprisoned, after waiting six months for a trial. While in prison, several of the older inmates mistreat him physically. He is released a year later—with no training or psychiatric care—and sent back to the same ghetto. Now, in addition to his other problems he has a criminal record. This makes it even more difficult to find a job; and by this time he may not even want one anyway. Two months later he kills someone in the process of robbing a bank. At his trial, he defends his action in revolutionary terms and accuses the judge of being the real criminal. Crazy? Well, certainly by our lights it is; but insofar as that logic is accepted and reinforced, it is a theory we have to recognize and deal with.

To break that pattern we have to do a lot more than threaten that sort of offender with the death penalty, because simply put, he's not listening to our threats anymore. Our task as a society is not only to protect law-abiding citizens from him, but also to erase the conditions that created him, if that is possible.

Now some people confuse this sort of analysis with "coddling criminals." But I'm not suggesting that sentences have to be shorter or that we should turn our backs on anti-social conduct. If anything, that would make matters worse. What I am suggesting is that we protect ourselves by removing some of the incentives of violence against ourselves.

If we could give convicts training and incentive and thereby reduce the rate of recidivism by—let us say—50%, we could, by that action alone, reduce the crime rate in our urban areas some 25-30% next year. That's not "coddling criminals"; that's just common sense.

If we could break cycles of unemployment, we might have better luck reducing the number of heroin addicts. Along the way, we'd also be making life a good deal easier for our hard-pressed police forces.

In short, we've got to try—in every way we can—to stop not only the criminal violence in our streets, but also the violence done to scarred individuals who have lost hope.

That is why Attica and the random "micro-violence" threatening the Nation are both part of the same problem.

In my judgment, the people who will be successful in meeting the challenge this problem presents to the United States will be those who love justice and demand decency at every quarter. They will not be deterred by the far left which hopes to use the agony of individuals as a springboard to political power they know they cannot win legitimately. And they will not be deterred, either, by those who seek to consolidate their own power by creating a police state in the name of protecting us against the "criminal element."

They will not rail aimlessly against criminals without giving us a plan which will help us reduce their number; and neither will they take the opposite tack and endlessly express masochistic guilt, for that is the last thing this country needs. What they will do is take the long view and work steadfastly for a better quality of life for all Americans. What they will also do is encourage a widened sense of social consciousness that can be translated into concrete political action—action directed at the real problems of real people. It will be the kind of action not only worthy of your support, but impossible without your support. I hope you will provide it in the difficult, challenging years just ahead; for the future of the Republic may well depend on your response.

#### HOUSE RESOLUTION 630

**HON. ANDREW JACOBS, JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. JACOBS. Mr. Speaker, I was wondering, in view of the events of the past few weeks in Saigon, if any Member of Congress or any member of the executive branch would care to say he or she is willing, from this day forward, to give his or her life, limb, sanity or freedom—POW even for another day—further to prop up the Saigon dictatorship.

Other Americans are being ordered to do so today.

Following is the language of House Resolution 630, which I introduced on September 30, 1971:

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 Madame Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on July 1, 1971, that the policy of her government is: "If the United States Government sets a terminal date for the withdrawal from South Vietnam in 1971 of the totality of United States forces and those of the other foreign countries in the United States camp, the parties will at the same time agree on the modalities:

"A. Of the withdrawal in safety from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp;

"B. Of the release of the totality of military men of all parties and the civilians captured in the war (including American pilots captured in North Vietnam), so that they may all rapidly return to their homes.

"These two operations will begin on the same date and will end on the same date.

"A cease-fire will be observed between the

South Vietnam People's Liberation Armed forces and the Armed Forces of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp."

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 South 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 Provisional Revolutionary Government of the Republic of South Vietnam of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

#### POLLUTION: A TIME TO ACT

**HON. RICHARD T. HANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. HANNA. Mr. Speaker, pollution and the environment seem to be the topic of the day. Much has been said about the quality of our environment in the past few years. The quantity of articles, books, letters, and so forth, is so great as to pose a threat to that very environment which the authors hope to save. In my mind, the time has come to stop talking and start doing.

A major problem, which few, if any, have addressed themselves to is just what constitutes pollution. Given the industrial and technical society in which we live today, there is going to be some rearrangement of natural resources. But at what point does the putting of nitrous oxides into the air become dangerous to the environment; at what point does the dumping of refuse in the waters of the Nation become dangerous? In general, then, at what point does the price we pay—monetarily as well as environmentally, over both the short and long run—exceed the benefits of the ease by which we dispose of waste? These are questions which I believe only experts in the field of environmental biology and chemistry can answer.

Once we have defined the problem, Mr. Speaker, we must develop methods of measuring the amount of pollutants in the environment. On this matter, there seems to be some disagreement.

Dr. Lewis W. Branscomb, Director of the National Bureau of Standards, is quoted on page 119 of a study prepared for the Subcommittee on Science, Research, and Development of the Committee on Science and Astronautics entitled "National Bureau of Standards, Review of Its Organization and Operation," as saying the following during the Department of State, Justice, and Commerce appropriations hearings for fiscal year 1972:

Measurements to determine the quantities of pollutants present in the air are not yet sufficiently accurate and reliable to permit air pollution regulations to be set fairly and enforced with confidence.

Yet, Mr. Speaker, for some 15 years Air Pollution Control Districts—APCD—in southern California have been keeping continuous records of ozone, oxides of nitrogen, nitrogen dioxide, sulfur dioxide, hydrocarbons, carbon monoxide, hydrogen sulfide, and particulates in the air. In addition, the Los Angeles County APCD and the Orange County APCD also keep records on lead content in the air. Further, there have been over 100 successful prosecutions of polluting industries brought by the Los Angeles APCD alone.

I pursued this seeming inconsistency with Dr. Branscomb before the Science, Research, and Development Subcommittee in oversight hearings of the National Bureau of Standards. At that time, Dr. Branscomb indicated that California was almost universally regarded as a national leader in air pollution control, not only from a legislative and policy point of view, but also in terms of their technical competence and success. He quoted the results of a study dealing with the reliability of instrumentation for air monitoring. The study, which concentrated on ozone reading, revealed that 67 percent of the instruments were found to give consistent readings within 10 percent in subsequent calibration, and 83 percent were within 20 percent. Dr. Branscomb stressed the point that this study dealt with precision not accuracy, that is, with repeatability of results not with whether or not the instruments measured the amount of ozone in the air.

California, according to Dr. Branscomb, has used the best state of the art available and used it responsibly. Yet, it was his desire to have instruments with increased specificity, improved reliability, extended automation, and flexible field use. Mr. Speaker, I find that I must concur with this statement, as it has recently come to my attention that such a technique has been developed by two scientists at the Bell Laboratories. The system, as I understand it, uses a laser-light technique and can measure several gaseous oxides of nitrogen in quantities as small as 10 parts-per-billion of air, using samples as small as 1 cubic centimeter of air, in as little as 4 seconds. This, I believe, must now become the focus for our hopefully constructive and timely efforts in restoring and preserving our vital environment.

During the last Congress, it was my privilege, as a member of the Merchant Marine and Fisheries Committee to conduct hearings into the affect of sewage outflows on the water life in the ocean off of Orange County, Calif. It was the consensus of the hearings that the effect of the sewage outflow at the very least was to upset the ecological balance in that there was an abundance of food, making it possible for fish who would normally not be able to compete for sustenance to survive and reproduce in such numbers as to create a preponderance of abnormal fish.

As I mentioned previously before this distinguished House, the method considered by many jurisdictions who wish to stop pollution in their area is that of strict pollution laws. This, however, puts them on the horns of a dilemma. By en-

acting strict laws, they may be saving the environment of the area at the expense of keeping new industry from locating there and forcing existing industry to relocate. The result of this loss of industry is a loss of jobs as well as a loss of the tax base upon which the jurisdiction survives.

All of the problems that I have alluded to, Mr. Speaker, are those that the experts must solve. The definition of pollution in chemical terms; the setting of realistic goals as to how much pollution we can live with; the development of techniques to measure the amount of pollution more reliably and accurately; the methods of dealing with the potential chemical offenders before they enter the environment; and the removal of the pollution that is already in the environment are problems that we in this House can only talk about. It is the technicians, engineers, inventors, and innovators who must now solve the problem.

In this time of high unemployment of highly educated people, Mr. Speaker, this country must do everything in its power to channel these people into solving the problems that face us in the environment. We, the Members of this distinguished legislative body, must do more than tax our way out of pollution. We, as a Nation, must redirect our priorities and our commitment to solve this problem before it consumes us.

#### ATTICA PETITION

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. HARRINGTON. Mr. Speaker, the following petition was signed by more than 200 students at the Harvard Law School. It is significant for many reasons. First, because the program of action it outlines is a sensible and urgently needed one; second because it shows how deeply this tragedy has seared the conscience of America; and finally because it is a very hopeful sign that those who are about to join the legal profession and provide the personnel of what should be—and sadly is not—a system of fair and efficient criminal justice are aware of how badly society has failed in this area.

I wait the report of the Pepper committee and the other bodies studying the Attica tragedy with great interest and intend to press for affirmative action by the Congress as soon as these reports are available to us. It is my hope that the speed which Chairman PEPPER has so far displayed will be maintained so that we may take appropriate action in the immediate future.

It is the duty of all of us in positions of leadership to respond to the lesson of Attica before it is repeated dozens of times across the country.

The petition follows:

#### ATTICA

We the undersigned, of Harvard Law School, in deploring the actions and results of the Attica situation, do hereby call upon

the Federal Government: (1) To immediately institute investigatory proceedings into the Attica tragedy, where the rule of force took precedence over the rule of reason; that a Commission be appointed to report in full its findings to the public no later than 15 January 1972; (2) To analyze the precipitating and underlying causes of the failure of this aspect of the penal system; That the Federal government call a National Conference on Prison Reform for no later than 15 February 1972; that study groups be immediately appointed to prepare materials for participants in the Conference; That the findings, discussions, and conclusions of this Conference be made available to the public and forwarded with a letter of guidelines for administrative and legislative action to the appropriate offices and branches of the State and Federal Governments no later than 1 April 1972; That the Justice Department be required to file a public report with Congress in January 1973 with respect to the progress of corrective actions which have been undertaken by State and Federal authorities.

#### NEEDED—CLEARER THINKING ON VOLUNTARY PRAYER

### HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. WYMAN. Mr. Speaker, indicative of some of the fuzzy thinking going around on the subject of allowing voluntary prayer in the public schools is an editorial in the Washington Post of September 30, entitled "The Wall That Shields Religion." Allowing youngsters the option in school to voluntarily pray or to silently pray, or to refrain from praying at all, combined with the use of a nondenominational expression of acknowledgment of the existence of a divine being before whom we are devoutly humble, breaks down no walls between church and state.

Many of the problems we are encountering today among young people, especially within the so-called mod groups, are directly attributable to the fact that many of these young people grew up without developing a sense of humbleness before God Almighty—whatever may be the denominational frame of reference.

As with a distressingly unnecessary number of other subjects, Supreme Court decisions of the Warren era have contributed materially to unrest, domestic discord, civil conflict, and a growing supposedly sophisticated agnosticism that leaves its holders high and dry on the rocky shores of nihilism in a time of moral and spiritual crisis. Few of these decisions have been more deeply offensive to those vitally concerned with a strengthened America than the decision against voluntary prayer.

Of course, the home, the church, and one's own heart and mind are most appropriate places for worship. But it is elemental that to worship at all one must learn how. It does no harm and in fact much good to expose young people to at least the option of prayer and to observe that other young people do pray. This is denied youngsters by excluding even voluntary prayer from our



schools. This is not good for the country or for the character of our people no matter how many misguided fuzzy thinkers may urge that the first amendment prohibits voluntary prayer in public schools. It does no such thing except in the rationalizing of the tortured semantics of intellectual theoreticians.

Our Founding Fathers never intended to deny the option of voluntary prayer in the schools of this land. Voluntary prayer neither denies nor enjoins a particular religious preference of any citizen, young or old. Voluntary means what it says—one can pray or not pray. That is up to each boy or girl. To assert that an option of voluntary prayer imposes "religious by rote" is ridiculous.

The article follows:

#### THE WALL THAT SHIELDS RELIGION

Although there are those who seem to regard it as a restraint on religious worship, the First Amendment is, above all else, a guarantor of religious liberty. It reflects a recognition, as Mr. Justice Clark once put it for the Supreme Court that "the place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind." The Justice continued, however, with a reminder: "We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relation between man and religion, the State is firmly committed to a position of neutrality."

Justice Clark wrote those words in an opinion for the court holding that the First Amendment, by virtue of the Fourteenth, forbade a Baltimore school board to require the use of the Lord's Prayer, or any other prescribed form of worship, in public schools. This is to say simply that schools supported by public money and used by children of every faith and of no faith at all are not appropriate places for religious worship. Use of them for worship, even if participation be nominally voluntary, imposes on children a kind of coercion, a pressure toward conformity, wholly alien to the First Amendment's spirit of complete toleration. The appropriate places for worship are "the home, the church and the inviolable citadel of the individual heart and mind."

Yet today a majority of the House of Representatives seems disposed to repeal the religious freedom clause of the First Amendment. They have signed a discharge petition to bring from the Judiciary Committee to the floor of the House a proposed constitutional amendment designed to authorize public school prayers. Devout and well-meaning these men may be; but understanding of their country's history and institutions they are surely not. They would give away, for the sake of a shallow show of religious devotion, the great constitutional bulwark against governmental control of religion that has kept America for nearly two centuries the world's foremost bastion of religious liberty. What folly it would be to breach the wall that shields conscience from the reach of secular authority.

When men seek to use the public schools, which children attend by the requirement of law, to propagate faith, they confess a loss of faith in the home, the church and the inviolable citadel of the individual heart and mind. When men strive, in the name of divine worship, to impose religion by rote, they perpetrate what is, in truth, a sacrilege. Genuine religion germinates only in the soil of freedom.

#### A HAND OF HELP

### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, as a Member of the Congress who has long been deeply concerned with, and involved in, the problems of the physically handicapped, and mentally ill, it was with the keenest of interest that I reviewed the findings of a research study program recently conducted under the aegis of the Federation and Employment Guidance Service. The increasing prevalence of mental illness, and the alarming rise in the number of adults who have found themselves incapable of coping with crises, in times of stress, underscores the need for additional attention to this urgent problem. The experimental project undertaken by FECS in which disabled senior citizens acted as "buddies" to retarded adults, and the highly encouraging results of this experiment, suggest the timeliness of the adaptation of this approach in other areas of mental health. This study program, which demonstrated that insecure and retarded adults, with a helping hand from one similarly disadvantaged, if only less so, have learned to fill meaningful roles, is most relevant, and worthy of widespread attention. For this reason, I include a commentary upon the Federation and Employment Guidance Service's program, which appeared in the Quincy, Mass., Patriot Ledger on October 1, at this point in the RECORD.

The commentary follows:

#### RETARDED ADULTS HELPED BY ELDERLY "BUDDIES"

(By Martin E. Segal)

A recently completed three-year experimental project concerning the vocational rehabilitation of mentally retarded adults has come up with some astonishing conclusions.

#### PHYSICALLY DISABLED

The Federation and Employment Guidance Service (FECS)—the agency which conducted the adult retarded project—discovered that the mentally retarded trainee functioned and adjusted much better when placed in the care of an older, physically disabled, person who became his "buddy." In effect, it was learned that one group of disabled persons, the elderly physically handicapped possessed sufficient resources to offer meaningful assistance to another group of disabled, the mentally retarded.

Major barriers to the successful rehabilitation of some adult mental retardates are that they are emotionally unstable and tend to exhibit inappropriate behavior. This is especially true of retardates who have long been sheltered by family or an institution, and these formed the majority of the 70 participants in the project.

Bearing these facts in mind, the FECS staff incorporated the "buddy system" into their project from the very beginning. They hoped that the establishment of such a protective relationship with an older person would help the retarded person adjust to his surroundings and facilitate his rehabilitation.

#### PROGRAM EXPANDED

In order to test the system theory, an initial experiment was conducted with the first 30

retardates to participate in the project. Half was assigned older buddies; half were not. Statistically, the results overwhelmingly supported the buddy system. Fourteen of the 15 retardates who had buddies remained in the program until completion, while only nine of the 15 retardates in the group without buddies remained through completion. Upon final evaluation, staff ratings showed that 14 of the first group of 15 (with buddies) made good progress in their rehabilitation process, while only eight of the second group of 15 (without buddies) made good progress.

Although the initial test of the system was brief, the results were so favorable that buddies were assigned to all of the remaining 40 retardates who participated in the project.

The buddies were selected from groups of disabled senior citizens who were participating in other FECS rehabilitation programs. Most were over 65. There were no formal education or background requirements. In fact, two-thirds of the buddies had a history of blue collar work and the typical number of years of schooling was 7.4.

In general, buddies needed a warm personality, special patience, and the ability to understand and accept mentally retarded adults. It was important that the buddy had made sufficient progress in solving his own rehabilitation problems so that he was not preoccupied with his own difficulties. Also each participant was carefully matched with the retardate so as to be compatible in the areas of sex, personality, life style, and common interests.

#### TAX BILL

### HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1971

Mr. MOLLOHAN. Mr. Speaker, it is my intention to support the tax bill before us on the floor today. I hope that it will provide a basis for economic recovery within a stable price system that the country badly needs at this time. Like many others, however, I, too, have reservations both as to the effectiveness of and the justness embodied in this legislation.

It is disturbing to me, for instance, that while we are being asked by the administration to incur close to \$30 billion of Federal revenue losses over the next 2 years, they are willing to predict an increase in employment of only half a million people at a time when there are 5 million people who are looking for jobs. Additionally, the Government is undertaking to remove 140,000 jobs from our Federal employment.

While there is little question that we should encourage the most efficient and modern productive plant system we can, there is a substantial question that this can be accomplished with the investment credit and the accelerated depreciation. Most industries, when they have a sufficient backlog of sales, already have access to the capital markets to provide for plant and equipment outlays. What is decidedly lacking, at this time, is not access to capital but the backlog of sales and any real confidence in the volume of future sales.

Of course, the remedy for an un-

healthy sales outlook is an increased consumer purchasing power, which we are providing for in the acceleration and liberalization of the personal income tax exemption and deductions. We are also providing a further incentive in the auto industry by giving their consumers the benefit of removing the automobile excise tax.

The question remains, however—how many jobs will be generated by these measures? And we might also add, how much will it cost to provide those jobs? At this time all we can say is that it will cost \$25 billion less the additional taxes that we will gain from the profits and wages generated by those jobs.

In my judgment, we have not yet generated the kind of analyses either in the House or in the executive branch that will give us either the information or an acceptable basis for predicting the effectiveness of this measure. We should begin to gather that information and insist that the administration do the same, or we may find ourselves in the position of having lost a great deal of revenues without having made any appreciable improvement in the employment situation. We should be ready, if these measures do not prove effective, to take further steps that will guarantee the creation of jobs in those areas where we have work that needs to be done. And we should do these things now so that we can act rapidly if necessary.

In addition to the questions regarding the effectiveness of this approach, I think we should be concerned about the judgment and the justness of this program. Essentially we are seeking to stimulate employment and investment in the private enterprise area of the economy, and that, of course, is desirable.

Yet, it is the investment in the public plant and the public service area of our

economy that so desperately requires our attention. Our cities and towns are polluting our rivers because they cannot build sewage treatment facilities. Our colleges and schools are cutting back in their investments in our children because financial resources are not being made available to them. We need a near revolution in the manpower and resources for adequate health care in this country. We need more parks and recreation areas. We need more resources for research. But the administration has asked us to cut \$5 billion from the Federal investment in these areas.

Much the same situation exists in the area of housing, where we have, on the one hand, between 11 and 13 percent unemployment in the construction trades, and a substantial housing shortage on the other.

In short, it is of questionable judgment that we are on the one hand attempting to stimulate private investment and employment at such high cost where the returns are, at best—if the administration's figure of 500,000 reduction in unemployment is reliable—modest, and on the other hand cutting back in our public investment when we know both that it would provide employment and that we so badly require the plant and services that public works and public employment could bring us.

We need both private and public investment and private and public employment if we are to have the goods and services we need in this country, but the policy we are considering today will not give us the balance in those two areas that today's priorities demand. Indeed, if anything, they will intensify the private affluence and public squalor that has seriously hampered the quality of American life throughout the past two decades.

There is also the question of justness, and this probably reveals the most serious shortcomings of the legislation we are today considering. It holds out no real hope for a substantial reduction of unemployment that could eradicate poverty or fulfill the needs in the fields of health, environment, science, transportation, housing and education. It also gives little relief or equity to the working Americans in the low- and moderate-income brackets who have suffered so much from inflation. These are the Americans who work but who do not make enough to give their families the benefits of a good home and good medical services and good education along with the other necessities. They and their families comprise nearly 40 percent of our population and they pay more than their full share of our taxes. It is time that we make concrete plans to help this set of Americans fulfill their goals, as well by opening the channels of employment and housing and services to them.

We should consider a strong minimum wage hike that would give this family the income it needs to stay off welfare and not incidentally to swell consumer demand. We should consider housing legislation that will make private and public housing available to this family. We should consider a realistic and responsible revenue sharing plan that will allow cities and States to establish the social services that are needed and can employ the men and women who are now looking for work.

We should fully fund our investments in health care and environmental protection as well. If we are willing to take these steps we will provide the jobs and the consumer purchasing power that is needed to make both our private and public economies healthy.

## SENATE—Wednesday, October 6, 1971

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. ELLENDER).

### PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, giver of life, ruler of men and of nations, we thank Thee for this Nation conceived in liberty and dedicated to the proposition that all men are created equal. Help us so to live, so to work, and so to legislate that all citizens may be equally free under Thy rulership to find fulfillment and a high purpose in life.

Mindful that from the beginning, this Government was ordained to establish justice, insure domestic tranquility, provide for the common defense, and promote the general welfare, guide Thy servants here this day in furthering these objectives that their plans and appropriations neither be too little nor so excessive as to be wasteful but that their actions may be only in accord with Thy will for His people and the peace of the world. Keep them brotherly in their con-

duct and faithful in their dedication to Thee.

In the Redeemer's name. Amen.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 5, 1971, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar under New Reports.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nomination on the Executive Calendar under New Reports will be stated.

### AMBASSADOR

The second assistant legislative clerk read the nomination of Malcolm Toon, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Federal Republic of Yugoslavia.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed; and, without objection, the President will be immediately notified of the confirmation of this nomination.

### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.