

Wheeler, George Clifton
 White, Ervin Eugene
 White, Robert Sherman
 Whitmer, Benjamin Franklin
 Wicklund, Richard John
 Williams, Willis Terrell
 Wilson, Richard James
 Wingo, Robert Freeman
 Wold, Robert Michael
 Woodbury, David Edward
 Woodworth, Benjamin Bohlken
 Wren, Gregory Secord
 Wright, Robert Herring, III
 Wuorenmaa, John Paul
 Wyatt, Richard Lee
 Yaeger, Ernest Franklin
 Young, Arthur Edmund, Jr.
 Young, Robert Allan
 Young, Sol
 Zeller, Raymond Guy
 Zorbach, Anthony Joseph
 Zucker, Channing Morse

The following-named officers of the Reserve of the U.S. Navy for temporary promotion to the grade of commander in the line, subject to qualification therefor as provided by law:

Hardman, William Morgan
 Hart, Robert Netherland, III
 Hedden, Forrest Farley
 McCalla, Thomas Richard
 Strobel, Carl William
 Tarbox, Thomas N.
 Taylor, Richard Louis
 Woodhouse, James Everett

The following-named Regular officers of the line of the U.S. Navy, for temporary promotion to the grade of commander, pursuant to title 10, United States Code, section 5787, subject to qualification therefor as provided by law:

Cullen, Richard Columbus
 Jones, Jenus B.

Katz, Alfred Charles
 Long, David Elbert
 McKee, Richard Grant
 Mixon, Tracy Roland
 Nielsen, Emanuel Kevin
 Shaw, Frederick Albert
 Specher, Herbert Edgar, Jr.
 Taylor, Bruce Andrew, Jr.
 White, Robert
 Youngberg, Guy Milton

The following-named women officers of the U.S. Navy for permanent promotion to the grade of commander in the line, subject to qualification therefor as provided by law:

Burch, Mary Jean
 Higgins, Maria Salter
 Jackson, Virginia Elliott
 McIlraith, Margaret Ann
 Steenburg, Anna Lea

EXTENSIONS OF REMARKS

WELFARE LEGISLATION

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES
 Tuesday, October 26, 1971

Mr. BYRD of Virginia. Mr. President, the Northern Virginia Daily of October 21 contains an interesting editorial analyzing the welfare legislation supported by the administration.

The editorial refers to this proposal as "revolutionary and expensive," a description applied to it by Secretary of Health, Education, and Welfare Richardson.

I believe this is an accurate description, and I believe that the proposal has many flaws. I hope that Congress will not take action on the proposal this year.

I ask unanimous consent that the editorial, "A Needed Analysis," be printed in the Extensions of Remarks.

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

A NEEDED ANALYSIS

Speaking on the floor of the Senate yesterday, Senator Harry F. Byrd Jr. had some important comments regarding the Administration's welfare reform proposals. The senator's remarks are extremely pertinent to the question of whether or not this nation wishes to go all the way down the road to welfare statism, proceeding to the ultimate point at which handouts to millions of able-to-work recipients will be an intolerable fiscal burden for the nation.

Classifying the Administration's present reform proposals as "welfare expansion" rather than "welfare reform," Sen. Byrd said he cannot support this "revolutionary and expensive" program for these basic reasons:

"One, it lacks adequate work incentives.
 "Two, I doubt the wisdom of writing into law the principle of a guaranteed annual income.

"Three, the annual cost of the new program would be at least \$5 billion greater than the present program.

"Four, the number of welfare recipients would be increased from 12 million persons in 1970 to 25 million persons.

"Five, Richard P. Nathan, Deputy Under Secretary of Welfare, says the government would need to hire an unprecedented 80,000 new federal employees to administer the program."

According to the Department of Health, Education and Welfare's own figures the cost

of Federal welfare in 1962 was \$2.7 billion. The cost in the current fiscal year of 1971-72 is projected to be \$14.2 billion. If the Administration's proposed reform program is adopted, HEW Secretary Richardson has estimated that welfare costs for the Federal government in 1973 would be \$19.7 billion, an increase of \$5.5 billion in one year.

Does this recommended program provide the kind of welfare reform that we need and that we can afford to live with?

Sen. Byrd thinks not, and we agree. He put it to his fellow senators this way yesterday:

"I feel that the government has an obligation to our fellow-citizens who are physically or mentally unable to earn a living. But the 'revolutionary and expensive' proposal of Secretary Richardson goes far beyond that. It does not have adequate work incentives, nor does it have adequate provisions to keep off the welfare rolls able-bodied citizens who should be seeking jobs instead of hand-outs."

The senator reminded the nation that, "When President Nixon was a candidate for President in 1968, he stated again and again that he wanted to reverse the trend to the welfare state. How does one reverse the trend . . . by doubling the number of people on welfare?"

Yes, how?

AMERICAN MINING CONGRESS SERVES AMERICA'S PEOPLE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES
 Tuesday, October 26, 1971

Mr. BARING. Mr. Speaker, the State of Nevada, which I represent in the House of Representatives, was host last week to a convention of one of this Nation's most important and largest industries—the American Mining Congress.

I was privileged to attend as a speaker for the informative seminar on public lands along with several of our colleagues in both the House and the Senate who attended and spoke before other mining meetings at the convention.

The site of the convention for 15,000 mining men was our Nevada city of Las Vegas and, needless to say, Las Vegas offered a warm western welcome to this traditional American industry whose history is well marked with development in our Silver State—Nevada.

The theme of the week-long series of seminars and speakers centered on man's duty for the search for improving his existence while at the same time offering concrete proposals to secure the proper balance between man's needs and uses of America's natural resources and the preservation of those resources.

Mr. Speaker, the publisher of the Las Vegas Sun newspaper, Mr. Hank Greenspun, took time and space to record his thoughts about the history and men of the American mining industry.

I include the following article, "Where I Stand," by Hank Greenspun, in the October 14, 1971, issue of the Las Vegas Sun, in the RECORD for the benefit of our colleagues:

WHERE I STAND (By Hank Greenspun)

The earth is jealous of her bounties and yields only to those who have the strength and the will to contest for her riches.

The American Mining Congress is made up of such men.

It is fitting that the foremost mining men and the major exhibitors of the tools they need in their work are holding their annual convention in Nevada.

As history shows, Nevada earned the title of "Battleborn State" because the wealth of her mines is credited with saving the Union during the Civil War.

But wealth wasn't the only contribution made by the pioneer engineers who challenged earth for her treasure during the mining booms of the late 19th and 20th Centuries in Nevada.

Many of the innovations in mining methods which were necessary to work the rich deposits of the Comstock Lode are still in use around the world today, with modern refinements, of course.

Square set mining, which allowed the stripping away of huge blocks of ore were first used on the Comstock, as were steam powered drills, huge pumps for dewatering deep mine shafts, and various kinds of hoists and milling processes.

Many of the techniques have changed of course, but miners today aren't much different than they were a hundred years ago. They still are men of courage and confidence. Without these two ingredients, much of the earth's wealth would have remained in her bosom.

Instead, the fruits of the earth have been used to build cities, to fuel industry which has provided food, clothing and shelter for millions, and to build our nation into a world power.

The earth of Nevada has been good to

those with enough daring to dream their dreams and then turn them into reality.

The evidence that these basic attributes haven't been lost is easily visible at the Las Vegas Convention Center and in the surrounding grounds.

For those not closely connected with the mining industry, the equipment on display seems to be from another world.

Men are dwarfed by the monster earth moving equipment, the giant power shovels, the drills, generators and all the other tools which have been invented to ease the task of removing the earth's wealth for the use of humanity.

It's easy to believe that the modern miner can turn a mountain into a molehill in a matter of hours with the machinery now available for his use.

Alongside the forces of nature, man is puny, but his brains give him the means to challenge earth. Miners remain people who cherish the earth, however. They appreciate it like no others because they realize the earth is the source of all good things and can make nations and men strong.

Man is strengthened by the earth, not only because it produces food and fiber and precious and essential minerals, but because it makes him use his strength and knowledge if he is to harvest the fruits.

Farmers and miners are somewhat akin because they know firsthand the surprises and often the reverses the earth has in store for them and they have had to devise techniques and machines to overcome the superior forces of nature.

Mahomet of old made the people believe he could call a hill to come to him. When the people assembled and Mahomet called the hill again and again; and when the hill stood still he was never a whit abashed, but said, "If the hill will not come to Mahomet, Mahomet will go to the hill."

Today, Mahomet would have been able to move the entire hill within a matter of hours simply by getting one of the super earth movers now on display at the Convention Center.

Like Mahomet, the miners of today are challenged with bringing the mountains to the industry and they have devised the machines to do the job.

Thus, our nation can feed the world, if need be, or supply it with numerous basic raw materials, if necessary, because of the ingenuity of our industrious toilers in the earth.

When the American Mining Congress meets in Nevada, they come to the right place. There is no other state in the Union with a richer or more colorful history in this endeavor.

The earth has given Nevada sustenance all these years, and she shared her wealth with others to build cities and the nation.

Nevada's miners were men who matched her mountains and the American Mining Congress carries on that rich heritage.

PROTECTION OF WILD FREE-ROAMING HORSES

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 26, 1971

Mr. SCOTT. Mr. President, on June 29, 1971, the Senate passed S. 1116, a bill to require the protection, management and control of wild free-roaming horses and burros on public lands. As a sponsor of S. 1116, I am delighted that the House of Representatives has also passed this measure and that it will soon be considered by a Joint House-Senate Conference Committee.

At this time, I would like to call the

attention of the Senate to a Resolution adopted by the Pennsylvania State Senate urging the Congress to enact this legislation to protect these valuable and beautiful horses. I ask unanimous consent that the Resolution be printed in the RECORD.

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

SENATE OF PENNSYLVANIA,

Harrisburg, Pa., March 30, 1971.

Once again part of our American heritage is being destroyed. In ten of our Western states packs of wild horses roam freely; however, they are rapidly being killed and processed for dog food. Just a few years ago there were over two million of these animals and now there are less than twenty thousand. These horses are historically and esthetically valuable. We cannot allow them to be brought any closer to the brink of extinction. At this very time the Congress of the United States is considering legislation which would protect these animals;

Now therefore, the Senate of the Commonwealth of Pennsylvania memorializes the Congress of the United States to pass the legislation now before it which would protect the valuable and beautiful wild horses which roam freely in the West so that this part of our ecology may stay with us;

And further directs that a copy of this resolution, Serial No. 20, sponsored by Senators Louis G. Hill, W. Louis Coppersmith, Henry C. Messinger, Henry J. Cianfrani, Thomas P. McCreesh, Patrick J. Stapleton, Joseph P. Smith and Thomas M. Nolan and adopted by the Senate of Pennsylvania the twelfth day of October, one thousand nine hundred and seventy-one, be transmitted to the presiding officer of each House of Congress of the United States, and to each Senator and Representative from Pennsylvania serving in the Congress of the United States.

REPORT BY THE COMMITTEE FOR PUBLIC JUSTICE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. KOCH. Mr. Speaker, I should like to bring to the attention of our colleagues a committee known as the Committee for Public Justice. This committee has on its executive council well-known and distinguished citizens including Roger Wilkins, Blair Clark, Ramsey Clark, Robert Coles, Norman Dorsen, Lillian Hellman, Burke Marshall, Robert B. Silvers, Telford Taylor and Jerome Wiesner. The committee has recently issued a statement on prisons and the conditions in these institutions that must be changed.

The report includes a description of cells 7 feet by 8 feet by 9 feet in which three men are sometimes squeezed with the third man sleeping on the cement floor. Such conditions are not found only in the most backward sections of our country. I have personally seen these conditions in the Tombs, a major detention facility in New York City. I brought these conditions to the attention of the correction authorities and the mayor of the city of New York. Cell occupancy has been reduced to two in many instances and in cells where there continues to be a third man a mattress has been provided. And, as a result of exposure of that and other barbaric conditions some

changes have been made in New York City jails but clearly not enough.

The statement follows:

STATEMENT ON PRISONS AND JAILS BY THE COMMITTEE FOR PUBLIC JUSTICE, ISSUED SEPTEMBER 23, 1971

THIS STATEMENT IS ABOUT PRISONS AND JAILS, THE PEOPLE WHO MUST LIVE IN THEM AND THE PEOPLE WHO DO NOT

Last spring, members of the Committee for Public Justice began visiting prisons and jails throughout the country. We hoped to prepare a prisoners' Bill of Rights for use by enlightened penologists and prisoners' rights lawyers. We had already begun to draft our recommendations when the recent events occurred at the New York State Correctional Facility at Attica. Now Attica overshadows whatever we say, and perhaps it should because the startling fact is that our independent conclusions of what must be done significantly overlap the 28 demands of the Attica inmates. Often, our conclusions expand on the inmates' demands. But if Attica looms behind each of our recommendations, it may be because each of the institutions we visited was another Attica. The fear and danger is that by neglect or ignorance we have made Atticas of all our jails and prisons.

THE ISSUE

We have long known that about half of all inmates released from penal institutions return. This fact was a constant warning that we have been concerned more with confining people than with adequately preparing them for return to society. Perhaps this seemed cheaper, more efficient, less trouble. But most sentences are not life sentences, each year, about 100,000 men and women are released from state and federal penal institutions and, ready or not, return to society.

In recent years there has been additional compelling evidence that we are unconcerned with the fate of the people we lock up, so long as they are locked up. Inmate riots and suicides, press reports on conditions at numerous institutions, and judicial decisions holding particular prison practices (or even entire institutions) cruel and unusual, all reflect an ugly reality far removed from the pretty rhetoric of rehabilitation.

For one example, earlier this year, a Michigan state court ordered massive changes in the Wayne County jail because of deplorable conditions there. One portion of the lengthy opinion comments on the overcrowding and unsanitary conditions:

When two persons are squeezed into a cell, less than 7' by 8' by 9', the conscience of the court is disturbed. Yet two men to each of these tiny "old cells" is the rule rather than the exception in the old section of the jail.

When three persons are jammed into these undersized "old cells," with one person sleeping on the floor, the conscience of the court is not merely shocked, it is outraged. Three men are routinely confined in these undersized one-man cells for nine consecutive hours from 9:00 P.M. to 6:00 A.M. Although not the general rule, three men to an "old cell" is by no means uncommon. . . .

The plight of the "third man" is particularly oppressive. He must sleep on the floor. If he is in one of the many cells with a leaking toilet, he sleeps near seeping human wastes; and if he is admitted to the jail in a peak population period, he will not even have a mattress between him and the cell floor. There are so many leaking toilets, that when inmate population runs high, the jail lacks sufficient clean, dry cell floors on which all of the newly admitted jail occupants can sleep. (One inmate, who refused to sleep on the floor of a cell with a leaking toilet, was put in the hole as punishment.)

This and similar situations pose critical questions about the use and operation of our jails and prisons. In short, just what goes on in these places?

It is, we believe, a principle of our po-

litical system that power over the lives of men should, wherever possible, be subject to control and review. But this principle seems absent in penal institutions. Yet, as Judge Simon Sobeloff has written, "the corrupting influence of absolute power is true of prison guards no less than of other men."

In response to this problem, members of the Committee for Public Justice have, in the past few months, visited state and local penal institutions around the country.* We have talked to inmates, guards, administrators, and wardens. We have come to certain conclusions about the nature and scope of the issues raised. The single conclusion most obvious to us all is that these problems won't wait. Society must respond. We hope our experiences in the past few months will help crystallize the issues and suggest solutions.

A WAY OF VIEWING THE SOLUTION

Our experience indicates that the major issues in the prisoners' rights movement fall into four rough categories.

A. Rights to mental autonomy

This category includes the right to send and receive uncensored mail, the right to buy periodicals and books without control over content, and the right to religious freedom inside the institution.

Many correctional institutions censor incoming and outgoing mail. Since there is a limited number of censors, volume of mail is necessarily restricted. To assure this restricted volume, prisoners often may not write to anyone who is not on an approved list; in addition, letters may have length restrictions. The initial decision to censor thus results in secondary rules which have no independent justification. But is censorship necessary? The experience of one facility seems to indicate it is not. In the New York City Men's House of Detention, outgoing mail is censored, and incoming mail is opened but not read. There is no restriction on volume of mail or on number of correspondents.

It seems to us that censorship of mail, with its ancillary regulations, serve no real state interest and, therefore, unnecessarily intrudes on prisoners' rights. In any event, the positive experience of institutions which have relaxed these rules should lead others seriously to re-examine their positions.

Receipt of periodicals and books is another area in which the regulations cover a spectrum. For one example, we understand that the New York State Penitentiary at Ossining will not allow inmates to receive books from anyone but the publisher. The explanation given an attorney who recently tried to bring his client some paperback novels is that the prison does not have the manpower to search each book for hidden messages. The same state's facility at Auburn will not allow an inmate even to receive a publisher's catalogue because he might then try to order forbidden books. We do not here advocate a particular rule. We simply believe the whole question should be re-examined in order that limitations which no longer have a basis in fact—if they ever did—can be removed.

The same is true with religious freedom. Recent federal court decisions have guaranteed prisoners the rights, subject to reasonable limitations, to hold group religious services, to possess religious books and periodicals, and to follow special diets required by their religions. It is important that the federal courts, when petitioned, reaffirmed these rights. It is, however, a sad indication of the attitudes of the prison administrations that recourse to the courts was necessary.

B. Right to a humane environment

The most immediate problems in this area are overcrowding and unclean conditions. Our own experience confirms this. Psycho-

logical well-being and physical health require certain minimum living conditions. The literature—judicial, reportorial, autobiographical—describes, sometimes in graphic detail, the shocking extent to which facilities now fall below barest minimums. There is no need to repeat these descriptions here. We believe, however, that it would jolt the sensibilities and consciences of many Americans if they knew the conditions under which many of our jails and prisons propose to rehabilitate.

This problem is more acute when punitive segregation or "strip cells" are used. Whether conditions ever exist to justify segregation in no event, we think, do conditions justify subjecting an inmate to an inhumane environment.

There are, we believe, two other rights in this area. There is a right to medical, dental and psychiatric services. This right requires that every correctional facility have sufficient professionals available to provide these services—not only in response to illness, but on a preventative basis as well. Medical services, however, are apparently scarce in many prisons and jails; and too often, psychiatric and social services are entirely absent.

It was recently reported, for example, that the Manhattan House of Detention for Men did not have a functioning X-ray machine or sterilizer for its nearly 1500 inmates (500 above capacity). Responsible officials did not know who was in charge of providing a resuscitator for the mentally disturbed inmates. There was no comprehensive record of pharmaceutical drugs in stock. One critic estimated that nearly half the 25 deaths in that institution in 1971 might have been prevented if medical facilities were better.

A final right in the humane environment area concerns the way prison and jail inmates are able to occupy their time.

This problem most often arises in jails because they are housing more inmates for longer periods of time than was even intended when they were built. Jail inmates have complained to us that there is nothing to do during the months of their incarceration. We believe that if jails and prisons are going to be constructive, the men and women we lock up must have meaningful jobs while inside. If they have a useful skill, they should be allowed to use it; if not, they should be taught one. In this regard, we think there is a right to rehabilitation opportunities, a right to have or to learn a constructive job that can be used to make a living during confinement and after release.

One footnote to the issue of a humane environment. We have noticed in our visits that smaller institutions, both in size and population, provide a more humane environment than large ones. In addition, smaller institutions, such as Yardville in New Jersey, seem to have an atmosphere of community and personal interdependence beneficial to both inmates and staff. The large institutions we visited, on the other hand, tended to lack these qualities. At huge Trenton State Penitentiary, for example, the Warden refused to let us talk to prisoners or see the solitary confinement area.

C. Right to political freedom

We think there are two predominant rights here. They are in need of special protection now because inmates will more likely seek to exercise them as the prisoners' rights movement grows.

Prisoners, like the rest of us, should not be punished for holding or espousing a political belief. In addition, consistent with reasonable administrative controls, prisoners should be allowed, without fear, to organize and exercise their political beliefs. It is not the Warden's job to give an inmate "the proper" political perspective. In correctional facilities, as elsewhere, the state has no business in this area.

The real danger is that prison and other officials will discriminate against an inmate because of his political beliefs or activities

without actually saying so. Since the internal operation of prisons do not enjoy great public visibility and since there are many areas in which prison officials and others can control the lives of inmates, this danger is not one we can ignore.

Three areas, for example, in which discretion may be abused for political reasons are the loss of good time, denial of parole, and punitive segregation. In each case, officials have the power to control either release or the conditions of imprisonment; and in each case, standards are vague and public visibility poor. The denial of parole to George Jackson and Philip and Daniel Berrigan come readily to mind. We are not convinced that political considerations did not play a part in these decisions. But Jackson and the Berrigan brothers are simply the most obvious examples. Are there others? Again, low visibility and vague standards leave this question unanswered.

The other side of the right not to suffer for holding or exercising one's political beliefs is the opportunity to exercise them. We recognize that institutional life demands certain restrictions that the state could not impose outside. But we do not believe that these restrictions can reasonably, or justly, deny all chance to exercise one's beliefs. Such claims should be carefully examined by responsible officials and reexamined by the courts.

D. The rights of access and fairness

Inmates live in a world of rules. There are the rules that affect the inmate inside the correctional facility and those that put him there in the first place. Inmates are rightly concerned that they not be unjustly punished for allegedly breaking a facility rule and that they have access to the judicial rules that might eventually free them or improve the conditions of confinement.

With regard to the rules of the correctional facility, we believe that before an inmate is punished for their breach, he should have an opportunity to defend himself at a hearing. That hearing should observe certain minimum due process safeguards. We recognize that this puts a large burden on the institution, and we emphasize that we do not urge the right to a fair hearing every time the infraction of a minor rule results in a minor punishment. But when the punishment is solitary confinement or loss of a substantial amount of good time, for example, we think a fair hearing is necessary. This procedure, we believe, will serve the additional function of helping to convince inmates that authority is not necessarily arbitrary and punitive, but is concerned with a just result.

Perhaps the major goal of inmates is to change their status and rejoin society. We think prisoners should be aided in that pursuit by allowing and encouraging their access to legal know-how. Inmates should be permitted to help and to be helped by their fellows as they pursue judicial remedies. They should have access to an adequate law library. They should have reasonably free access to their attorneys and to the courts. No inmate should be punished for gaining lawful release for himself or for another. Here again, we believe that the therapeutic value of encouraging resort to legal remedies far outweighs any harm—if there is harm—it may involve.

CONCLUSION

We do not claim this list of rights is exhaustive. Many will consider other rights equally important and, as time passes, society may find that it will have to devise additional ways to protect the interests of confined men and women. There is a common denominator, however. It is the depth of humanity we share as a nation. If our concern for fellow human beings is real and deep, we will not have to worry about future Atticas. They will not happen. But if our concern remains only to lock people up and not prepare for their almost certain return to society, then we are all in trouble.

* Institutions visited include Soledad, Vacaville and the Corona Rehabilitation Center in California, Trenton State and Yardville in New Jersey, and the Women's and Men's Houses of Detention in Manhattan.

FINAL REPORT ON MAYDAY

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mrs. ABZUG. Mr. Speaker, news reports over the past few days have informed us of the dismissal of the last 300 cases arising out of the 12,000 arrests during the Mayday demonstrations. Of the 12,000 arrests, only a few were sustained after trial, and all of those were reversed on appeal.

It is important, at a time when the President is preparing to fill two seats on the Supreme Court, that we be reminded of his administration's lack of commitment to civil liberties and due process of laws. We must take care that a man who has tried again and again to gut the Bill of Rights by executive action is not permitted to gut it by judicial action.

The Board of Trustees of the Public Defender Service of the District of Columbia has just issued a report on the legal services which it rendered in connection with the Mayday demonstrations. I include the text of that report in the CONGRESSIONAL RECORD at the conclusion of my remarks, and I commend its contents to all of my colleagues:

LEGAL SERVICES DURING THE 1971 MAYDAY DEMONSTRATIONS

(A Special Report of the Board of Trustees of the Public Defender Service for the District of Columbia)

INTRODUCTION

The Board of Trustees of the Public Defender Service is required by statute to submit an annual report of the Service's operations. This year, in light of the unprecedented demands made upon the agency by the events of April 28 through May 7, we present in addition to the report of our regular activities, this special summary of services rendered as a result of the "Mayday" demonstrations.

What is reported is not intended to indict or absolve any of the institutions which processed the approximately 12,000 arrestees. Nor do we report the response of many lawyers who played a significant role during the Mayday period, such as volunteer attorneys, the Georgetown Legal Interns, and American Civil Liberties Union lawyers, all of whom worked hard and long in providing representation. Our purpose is to present the facts and situations with which PDS attorneys dealt. Much of the representation during the Mayday disorders was of a nature unusual for the Public Defender Service, which under its governing statute ordinarily represents only those charged with serious crimes. But when called upon by the courts, the PDS responded to the emergency in the District of Columbia. It is the view of the Board of Trustees that the ability of PDS attorneys to provide such emergency aid averted a serious problem which would have arisen from the lack of attorneys to assure adequate representation.

The detailing of the activities of the PDS staff during the disorders is done partly in consideration of our statutory duties to report our activities, and partly in the hope that such a record may be of use to others who share with us the duty to plan for the administration of justice during crises.

SAMUEL DASH,
Chairman, Board of Trustees,
Public Defender Service.

LEGAL REPRESENTATION

The Public Defender Service became involved in representation of demonstrators on Wednesday, April 28, with a 9 P.M. call from the Clerk of the Superior Court to the Director of the Service, stating that the courts were starting to arraign several hundred demonstrators arrested at Selective Service Headquarters and that lawyers would be needed to represent them. In the following days similar requests were frequently made. While some PDS attorneys were representing defendants, others were recruiting, aiding and organizing volunteer attorneys from the private bar.

The Board of Trustees believes that the response of the Public Defender Service proves the usefulness of a central office of defense lawyers, which can be quickly mobilized in emergencies. As Chief Judge Greene wrote in a letter to the Service dated July 6, 1971: "Without the dedicated assistance of many [PDS] staff attorneys the Court's ability to function during the period immediately following the demonstrations would have been seriously hampered."

The pattern of arrests was as follows: Wednesday, April 28: 255 people arrested at Selective Service; Thursday, April 29: 254 arrested at HEW; Friday, April 30, 385 arrested, mostly at a demonstration at the Justice Department; Sunday, May 2: more than 200 arrested in the dispersal of people from the campsite at West Potomac Park; Monday, May 3: the mass arrests of more than 7,000 people from different parts of the city; Thursday, May 4: approximately 3,800 arrests comprised of demonstrators at the Justice Department and again from various parts of the city; and Wednesday, May 5, approximately 1,500 arrested, including 1,200 persons assembled on the Capitol grounds. These were the last mass arrests, although there were others arrested at several small demonstrations on Thursday and Friday, May 6 and 7.

Between April 28 and May 7, Public Defender Service attorneys spent more than 1,030 hours in court representing defendants, and assisting the private bar in representation. Approximately 675 of these hours were between 6 p.m. and 9 a.m. In addition, PDS attorneys spent over 850 hours in places of detention or in court cellblocks counseling people who had not yet been brought before a judge.

Advice to the detainees, most of whom had never before been arrested,¹ and aid in contacting friends and relatives was the first part of the lawyer's job. Secondly, as in every criminal case, the defense attorney tried to obtain the release of his client pending disposition of the charges. But during the early days of the Mayday demonstrations, on April 28, 29, 30 and May 2, there was, to some extent at least, a uniform policy of setting money bond, regardless of the individual case. On those days also, the police suspended the collateral schedule,² which meant that all people arrested were arraigned in court even though almost every one of them was charged with typical collateral-forfeiture offenses. Bonds of \$250 and \$500 were frequently set with a provision that a percentage of the sum could be deposited with the court. To handle the volume of arraignments, the courts remained open until all the day's arrests were processed, often as late as 3 or 4 A.M. or even around the clock.

The allowance of collateral-posting returned briefly at about 6:30 p.m. on Monday, May 3, while a habeas corpus hearing (see pages 6-13) was in progress. At that time the police began to release—upon the posting of \$10—those persons on whose behalf the habeas corpus action had been brought. In light of this reversal of policy by the police, resulting in many people being released from places of detention, Chief Judge Greene closed the courts after the

habeas hearing, because further late hours were unnecessary.³ This was at about 1 a.m. on Tuesday, May 4.

The power of the police to suspend and reinstitute collateral at will was challenged in a suit argued late Tuesday night, May 4, by a private attorney representing the Mayday demonstrators. Upon completion of oral argument Chief Judge Greene issued an order suspending the collateral schedule altogether; therefore most of the arrestees of May 4 who had not previously been released, and all arrestees of May 5 and 6 were processed through the courts, continuing the sustained demand for lawyers.

Generally, during the last part of the Mayday period, May 3-8, the various judges did not appear to be following a uniform policy with respect to bond or conditions of release, through each judge seemed to treat all defendants similarly. Thus, when and whether a defendant was released became very much a matter of which judge he appeared before. For clients not released at arraignment, attorneys spent much time seeking review of the bond conditions and by Saturday, May 8, virtually all people arrested had been released, although many who had been simultaneously arrested spent vastly different amounts of time in custody.

When a money bond of about the same amount is routinely set in every case by almost every judge (as occurred until May 3), or when there are great disparities from judge to judge in the treatment of people similarly situated (as occurred from May 3 on), defense attorneys are frustrated in their work. If the bond is predetermined, the attorney's argument for his individual client is meaningless. When some judges set conditions of release which can be met and others do not, the attorney's role as counselor and explicator of the process to his clients becomes, simply, impossible.

Attorneys were, moreover, dealing with clients who were brought to court exhausted by unusually long periods in detention, frequently under difficult physical conditions. For the vast majority of people arrested, the setting of any condition of release came after at least ten or fifteen hours, while many others were detained thirty, forty or even sixty hours.

On most days the demonstrators did not arrive in the court in any numbers before nightfall. By 8 P.M. on May 3, for instance, only 363 persons of more than 7000 arrested had been arraigned in court. When told this at a hearing by a representative of the U.S. Attorney's Office, Chief Judge Greene observed:

Many more cases could have been processed. All the judges were available at eight o'clock this morning and the same was true yesterday. The court waited ten or twelve hours before the first cases came, so I know that there are difficulties under which everyone is laboring, but you can't say that the greatest haste was made in bringing these cases before the court, which I think should have been made.⁴

Five PDS attorneys and three Offender Rehabilitation Division workers⁵ labored exclusively in the Superior Court's Juvenile Branch during the demonstrations. Representatives of the Corporation Counsel's Office recognized as early as May 2 that successful prosecution of the vast majority of the juvenile cases being brought to court was doubtful. Nevertheless, they attempted to use the threat of prosecution and pretrial detention to prevent juveniles who had been arrested from participating in any further demonstrations. Thus a trial date was set in each case, but the Corporation Counsel would agree to close the case on or before the trial date in exchange for a promise from the juvenile that he would return home and not participate in any further demonstrations. The promise having been extracted, the Government did not oppose release if a

¹Footnotes at end of article.

relative or suitable third party custodian was available to see that the promise was kept. Therefore, the emphasis of PDS attorneys was in obtaining third-party custodians to aid out-of-town juveniles in returning home. Private citizens responded enthusiastically to the call of the attorneys, appearing in the court through the night and agreeing to aid arrested children. The processing of juveniles proceeded throughout most nights during the Mayday period.

EMERGENCY LITIGATION

The first habeas corpus action: May 3

Arrests on Monday, May 3, began as early as 6 A.M. By noon the media reported thousands of people detained, more than had ever been arrested on a single day in the District of Columbia or anywhere else in the United States during a similar period of time. PDS lawyers were waiting to represent the people who would presumably be brought speedily to court. But the morning and the afternoon passed with cases arriving in dozens, rather than hundreds.

Following a rumor about the location of the people arrested, PDS attorneys went to an open field adjacent to RFK Stadium where they saw approximately 1,700 people encircled by armed guards. Through a chain fence lawyers interviewed about 100 of them and heard of students arrested on their way to class, professional people arrested on their way to work and demonstrators arrested while not demonstrating. The field was next to the Anacostia River, and the day was unseasonably cold with temperatures in the fifties reported. There were no apparent provisions for shelter or blankets, and very few portable toilets. Most of the people had been there since early morning without food. Many of the people said that they had not been "arrested", meaning that they had never been told that there was any charge against them, asked to give their names, seen any form made out about their arrest, or received any other indication that they were in official custody.⁹

The lawyers returned to the PDS office at about three in the afternoon. Immediate phone calls were made to civil liberties and private lawyers to see whether they planned to seek release of these young people before nightfall. No one was ready or equipped to act.

While some lawyers collaborated on an affidavit describing what they had observed, others wrote a "Complaint for Habeas Corpus, Temporary Restraining Order or Other Appropriate Relief" on behalf of "John Doe and Approximately 1700 Detainees Confined Adjacent to Robert F. Kennedy Memorial Stadium, *ex rel.* Public Defender Service for the District of Columbia." Named as defendants were the Chief of Police, the U.S. Attorney, the Corporation Counsel, the Commissioner of the District of Columbia, and the Commanding Officer of the D.C. National Guard. It was an extraordinary legal document designed for an unprecedented situation.

A hearing on the complaint and affidavit was set for 7:30 P.M. on May 3 before Chief Judge Greene. At the time of this hearing, the number of people on whose behalf the action was brought was enlarged to include all those arrested on May 3, wherever they were detained. Petitioners' argument was that even if there had been probable cause for their arrests, it had evaporated because there were neither arrest forms nor any other methods to connect an individual defendant with any particular criminal activity. The Corporation Counsel's Office acknowledged its present inability to make a case against most of the detainees but responded that given time, it could sort out those who could be successfully prosecuted. As to the "sorting process", Government counsel explained:

That is precisely what is being done right

now. It may well be that within the lapse of a reasonable time these people will be sorted out, that the government will ascertain that it has no case, that the government will not proceed. . . . [But] this is an amorphous complaint. They are asking a "dragnet" injunction on the basis of a "dragnet" arrest. . . .¹⁰

Continuing, government counsel stated: [P]erhaps there might be a reasonable time—a week or so we'll go back and somebody will still be relegated to RFK Stadium and that is the time to seek habeas corpus, not a few hours after the arrest.¹¹

The "reasonableness" of government action was, in some respects, the central issue of the habeas corpus litigation.

At about 11 P.M. on Monday, May 3, the court entered an order finding "[I]t is extremely unlikely that a successful prosecution can be brought under the circumstances without a field arrest form or the equivalent and a photograph" and "that the interest of justice requires that persons against whom charges cannot be sustained shall not be held in confinement." The court then gave the Government until 8 P.M. on Tuesday, May 4 (21 hours from the time of issuance of the order) to show cause for any detention continued beyond that time. Thus the order clearly implied that throughout the next day people against whom the Government lacked evidence were to be released without awaiting the 8 P.M. Tuesday deadline.

During the court hearing, people confined in the open field adjacent to the RFK Memorial Stadium were removed to an enclosed sports arena—The Washington Coliseum. Following entry of the court's order, private and Public Defender attorneys went to the Coliseum and several other places of detention to advise people and to observe the execution of the order.

As described in subsequent testimony and affidavits by participants and observers, the processing at the Coliseum consisted of filling out forms, which were supposed to have been completed at the time of arrest, using information supplied by the arrestees themselves, fingerprinting and photographing them, and finally requiring the payment of \$10 collateral. The arrest forms were completed, hours after apprehension, by volunteer government attorneys, most from the Justice Department who on Tuesday night were to become witnesses for petitioners in the habeas corpus action, and to describe what they had done. When one such attorney was asked: "Did you understand or were you told or did anyone say in your presence what the purpose of this procedure was?" He answered, "well I gather—it was clear the purpose of this procedure was to formally arrest people—persons who had already been detained previously." Here is how it was done, as explained under oath by the same Justice Department lawyer:

Q. By PDS: [S]howing you [the form that you were instructed to fill out]. . . . What were the instructions?

A. The complaint number . . . was always the same number, 211046. We were then requested to get the name, nickname, or alias, address, sex, race, date of birth, height, weight, hair, eyes, marital status, place of birth, of the person to be arrested at this time. . . . [T]he space marked "Date and Time of Arrest", we were only to put the date, that is, the 3rd of May 1971. For "Location of the Arrest", we were to put . . . "D.C." For "Type of Premises", on the form we were to put "Public Street". For "Date, Day and Time of Offense", we were to circle "M" for Monday and write "3rd of May 1971. . . ."

We were then instructed to get from the people who were being arrested, where they were employed, or the school they were attending, their occupation and their home phone number, driver's license number if they had it, if they appeared to be students or young people, the parents name or address.

We were then instructed to write this sentence in the space for "Specification", "Arrested during demonstrations in D.C. on May 3, 1971". . . .

In the space for "Arresting Officer", we were given the names of seven officers . . . [and] instructed to fill . . . one name taken seriatim from a list of seven, as we were filling out these forms.¹²

Although some attorneys doing this processing received orders to change the designation "Arresting Officer" to "Court Officer," it was clear from all the testimony that, however denoted, the officer named on the form had no particular connection with the arrest.

During the early morning hours of Tuesday, May 4, as defense attorneys realized the import of this procedure, they sought from police officials and two Assistant Attorneys General who were present at the Coliseum, the release of the detainees without the falsification of arrest forms and without the other procedures, especially the fingerprinting and posting of collateral. This was refused.¹³

Then at about 2 A.M., a private attorney at the Coliseum, who had consulted previously with the PDS about its habeas corpus petition, phoned a judge of the District of Columbia Court of Appeals and asked for an immediate hearing on a motion to modify Chief Judge Greene's order so that all people against whom the Government did not have a case would be immediately released. The Court agreed to meet at 8 A.M. on Tuesday and PDS attorneys joined by American Civil Liberties Union lawyers argued, and also submitted affidavits from those who had observed conditions and practices in the Coliseum. Relief was denied on the ground that there was no final appealable order from the lower court, and that, "in view of the complexities of the case" the trial court had not "acted unlawfully by giving respondents 21 hours to prepare evidence on the factual issues raised by the order to show cause."

During the day of May 4, after the early morning Court of Appeals argument and decision, many people were "processed" at the Coliseum. Many others, however, refused to give their names, fingerprints, photographs, or the information sought on the field arrest forms, but instead awaited the 8 P.M. hearing. At the hearing, testimony concerned the processing in the Coliseum and the allegation that there were dragnet arrests throughout the city. A professor at George Washington University Law School testified, for example, that he observed large numbers of people on a quiet street being arrested and further testified that he had been arrested himself:

I was standing next to the curb on the sidewalk. I had a legal observer armband on my arm. . . . The police officer walked up to me, accused me of bumping into him and took me to the bus."¹⁴

The argument was then made by PDS counsel for the petitioners:

[I]n essence, what the Government has done here, is to round up . . . hundreds and thousands of people, place them into a type of confinement, and say . . . to all outsiders as well as to the court, "If we have enough time, if we take our time, maybe we'll come up with something". Although in fact, the only thing they have come up with are the filling out of what amounts to frankly fictitious [arrest forms].

[Then, the police] are taking those pieces of paper [i.e., the false arrest forms], calling them an offense against a person, saying "If you want your liberty, if you want your constitutional rights to liberty you can pay \$10, and you can exit out of the front door. And if you don't do that, then you are going to remain in custody."

Chief Judge GREENE. What is the purpose of that according to you, what is the purpose of that?

PDS COUNSEL. The purpose apparently

Footnotes at end of article.

Your Honor is to have them fingerprinted, to have them photographed, and without any question whatsoever, the very practical effect is to give them an arrest record in the District of Columbia, potentially to have that arrest record sent to the Federal Bureau of Investigation.

We would submit Your Honor, that law violation by the authorities should be no less subject to the law, than violations by demonstrators.¹²

To which the Government responded:

All I can say, Your Honor, is we can represent that they will be brought to the court in due course.

Does it follow that all these people should be forthwith released because of a present inability on the part of the police to link up some whom they will be able to link up later on, that's the question before this court.¹³

At the Tuesday night hearing, the Government outlined a method for linking with criminal activity the suspects that it had detained for the past forty hours. It proposed to compare 1500 feet of movie film and many still pictures taken of the demonstrators with the mug shots of people in custody in the hope that officers would be able to make identifications. How long this might take was not approximated.¹⁴

The hearing ended at midnight and shortly thereafter Chief Judge Greene ordered (1) that the detainees be released without collateral, bond or citation, and (2) that they be fingerprinted and photographed. Any person refusing to submit to such processing was to be brought to Court the following day, which was Wednesday, May 5. In a third paragraph Judge Greene added that the Government was:

... [O]rdered and directed that any information secured from any ... [fingerprinting and mug shots] shall not be used to constitute an official arrest record; shall not be disseminated to the Federal Bureau of Investigation or otherwise, unless and until such person shall have been convicted for an act committed on May 3, 1971, and shall be submitted to the Superior Court for destruction ninety days from this date.

Public Defender and private attorneys then went back to the Coliseum to make this order known. Lawyers advised the wisdom of being processed under the protections of the order and, beginning at about 1 a.m. on Wednesday, May 5, many people began to be released. Meanwhile, the Government secured by telephone from the D.C. Court of Appeals, a stay of Judge Green's order pending a 7 a.m. hearing in the Court of Appeals. When word of the stay reached the Coliseum at about 4 a.m., processing came to a virtual halt.

The next morning in the Court of Appeals there was no record of the testimony presented or the legal representations from the three-hour hearing before Chief Judge Greene the night before. Nor were any questions specifically asked by the Court about the purpose or appropriateness of any part of the order. Shortly after argument the Appeals Court issued an order sustaining release without collateral but requiring that the arrestees give information in addition to their names, fingerprints and photographs. The Court also struck paragraph 3 of Chief Judge Greene's order (see page 12) which had assured no official police record, prevented dissemination of fingerprints to the FBI, and provided for destruction of all fingerprints and mug shots if there was no conviction. PDS attorneys sought reconsideration of the part of the Court of Appeals order striking paragraph 3, and a further oral hearing was held on Wednesday afternoon. Revision of the order was denied.

Footnotes at end of article.

The case of 383 John and Jane Does: May 5

While the Court battles were waged May 3 and 4, people had been obtaining release from the Coliseum as well as other places of detention, by giving their fingerprints, photographs, and other information, and by paying collateral. After Chief Judge Greene's order Tuesday night, and the appellate court action of Wednesday morning, they obtained release in essentially the same way but without paying collateral. Some of the more than 7,000 arrested on Monday, however, refused to give even their names, much less their fingerprints or photographs. On Wednesday, May 5, at about 6 p.m., these people were finally brought before the Superior Court, where they filled the seats of two courtrooms.

The Corporation Counsel filed 383 individual informations in the names of John and Jane Doe and sought to have the courts arraign the people on the charge that each of them on May 3 had "crowded, obstructed and incommoded" the use of a thoroughfare or foot pavement in the District of Columbia. The location of this thoroughfare, or how it was obstructed was unspecified. Nor did the Government have, for any of the Does, an arresting officer or any witness to a crime. Before two different Superior Court judges in adjacent courtrooms Public Defender Service attorneys simultaneously argued the insufficiency of the information to advise the defendants of the charge against them, and lack of probable cause to hold the people. The Corporation Counsel's Office was also accused of an abuse of prosecutorial discretion for seeking criminally to charge persons against whom specific evidence was totally absent. The Government responded with a theory of "mass probable cause," apparently meaning that if later probable cause to prosecute some of the 383 Does was discovered, there was probable cause initially to proceed against everyone.

In the end, both judges dismissed the informations against the John and Jane Does. Then, the Government requested a stay of the dismissal so that an appeal to the D.C. Court of Appeals could be taken, stating: "[W]e would be irreparably injured if this person [the representative 'John Doe'] walked out of this courtroom. We would not have any basis for bringing him back."¹⁵ But the Court refused the stay and 383 out of the more than 7,000 arrested on May 3 were released without having given their names, fingerprints and photographs, having spent between fifty and sixty hours in detention.

A contempt hearing: The case of approximately 500 persons detained in the District Court cellblock

Late Wednesday, May 5, approximately 1200 people were arrested at the Capitol steps. By the next day it became clear that about half of the people arrested would refuse to be fingerprinted or processed by the Metropolitan Police Department on the ground that the arrests and fingerprinting violated their constitutional rights. Essentially, they maintained that their arrests were illegal, and that the Government in the circumstances had no right to take their fingerprints and transmit them to the FBI. The Corporation Counsel's Office commenced a civil action on May 6 in the Superior Court seeking an order to compel the defendants to submit to "processing" and to authorize the Metropolitan Police Department to detain the defendants until they complied.

A hearing was held the same day before Chief Judge Greene at which the defendants were represented, at the request of the Court, by Public Defender Service lawyers. At about 5 P.M. Chief Judge Greene ordered the defendants to submit to fingerprinting and photographing, but provided that the records were not to be transmitted to the FBI as a permanent file and that the fingerprints were to be surrendered to the Court within ninety days of the order for destruction.

The Government noted an appeal from this order the same evening, May 6, and moved for summary reversal. Following oral argument which lasted nearly to midnight, the D.C. Court of Appeals denied the Government's motion but remanded the case for further consideration. Thus, a hearing was held before Chief Judge Greene on Friday, May 7, and at its conclusion, he ordered that the defendants had to submit to fingerprinting, but that the records could be transmitted to the FBI only if they were retained in a separate file, were used solely for purposes of verification of identity, and were not distributed to anyone, whether a potential employer or any law enforcement agency. Friday evening the defendant, after still another hearing before a Superior Court judge, complied with the order by submitting to fingerprinting.

During the following week the Government again moved the D.C. Court of Appeals to summarily reverse Chief Judge Greene's restrictions on the dissemination of arrest records. The case was briefed and argued for the defendants in late May by the Public Defender Service, which stressed the equitable balance struck by the order between the rights of the Government to learn the identity of the arrested persons, and the defendants' rights to be protected against possible dissemination of FBI dossiers before they could demonstrate at trial that their activity was constitutionally protected. On June 14, the D.C. Court of Appeals affirmed that portion of Chief Judge Greene's order requiring the arrest records to be maintained in a separate file and prohibiting their dissemination to employers. Although the Court of Appeals ordered that the records could be disseminated to law enforcement officials, the United States Attorney's Office assured Public Defender Service attorneys that such disseminations would not occur, except in very limited situations, because the FBI was unable administratively to accomplish it. The Court of Appeals' order was to remain in effect until completion of the trial of the Capitol demonstrators, at which time the trial court would redetermine the defendants' rights in his regard.¹⁶

The second habeas corpus action: May 6 and 7

At about the same time on Thursday morning that PDS attorneys began litigating the refusal of Capitol Hill arrestees to be fingerprinted and photographed, those allegedly refusing to submit to these procedures were transported to the cellblock in the basement of the United States District Court. Normally, prisoners are brought to these cells on the day of their court appearance and are returned to a regular holding facility as soon as they are finished. Because it is not an overnight facility, the cellblock has neither beds nor kitchen.

The cellblock has a constantly shifting daily population of less than a hundred. On Thursday, May 6, there were never fewer than 500, and, for much of the day, as many as a thousand people were held there. By Thursday night when the detention issue was litigated, the number was over 600. Most of the people arrested on Wednesday afternoon and transported to the cellblock Thursday morning were not released, brought to court, or sent to another place of detention until after 4 A.M. on Friday, May 7.

Thursday afternoon doctors from the D.C. Public Health Association initiated a habeas corpus action and in affidavits described the cellblock conditions, including excessive temperatures, the presence of infectious diseases, inadequate toilet facilities, emotional trauma from fear, exhaustion, and overcrowding so extreme that people had to sit or lie down in shifts. The Public Defender Service entered the case at the suggestion of the Court to represent people in medical danger who had been without access to counsel since their arrest.

The habeas corpus hearing before Judge

Belson of the Superior Court began shortly after 6 P.M. on Thursday, May 6. After indicating that he might visit the cellblock later that night, the Court recessed so that Corporation Counsel lawyers could ascertain the exact number in the District Court cellblock and determine whether there were places of confinement to which people could be transferred.

At about 10:00 P.M. Judge Belson, with a court reporter and counsel, went into the cellblock and viewed the conditions. There followed arguments about the remedy for what both sides agreed was an intolerable situation. The Corporation Counsel represented that the police would remove the people to other places of detention and speedily bring them to court for arraignment. Petitioners sought immediate release and an injunction against this kind of detention ever again in the District. The hearing ended at about 1:00 A.M., Friday, May 7.

Four hours later, at about 5:00 A.M., the court issued a written order finding that "[S]erious conditions of overcrowding exist at the facility and . . . from the standpoint of health and sanitation, the facility is totally inadequate for the purpose for which it is being used", and holding that the "petitioners are experiencing cruel and unusual punishment and irreparable injury". The remedy ordered was their dispersal to other places of confinement, and it was further ordered that for ten days a limit of no more than one hundred men and fifty women be kept in this particular facility before being brought to Superior Court. The Court also ordered that the people be given blankets and "inasmuch as they have been detained for some thirty-five hours without counsel, be promptly afforded the opportunity to speak with counsel".

By the next day at noon, it was reported in open court that the terms of the order had been met. Throughout the record of this particular habeas hearing, counsel sought unsuccessfully to raise the issue of the equally bad, and on occasion even worse conditions at the Washington Coliseum, D.C. Jail, precincts and other places of detention. Only the night before this action, for example, PDS counsel had brought a habeas corpus on behalf of sixty women detained in the second precinct holding cells for more than thirty hours. Papers filed in that case alleged that ten or twelve people were housed in cells made for two; toilets had overflowed, hepatitis was spreading, and that at least one of the women enduring these conditions was pregnant. Judge Burke agreed at 4 a.m. to hear a petition on behalf of these women, and the Government responded by removing them from the precinct and bringing them immediately to court.

A second contempt hearing: May 6

At the end of the Court hearing late Thursday afternoon before Chief Judge Greene on whether the approximately 500 persons detained in the District Court cellblock had to submit to fingerprinting and photographing, the Court was informed that attorneys from the Public Defender Service had been denied access to their clients there. Faced with this representation, Chief Judge Greene orally ordered that two attorneys be given admittance for one hour. But when the attorneys went to the cellblock a short time later, the police would not admit them. When informed of this by telephone, Chief Judge Greene set a hearing for 9:30 the same night (Thursday, May 6) on whether those responsible should be held in contempt. From two hours of testimony, it emerged that the police officers were under general orders not to admit attorneys, and they thought that these orders were from the General Counsel's Office of the Police Department. A representative of that office testified that earlier in the week the General Counsel's office had tried to persuade the police administration to reverse their

general policy against admitting lawyers to places of detention, but that then

Yesterday and today additional information came to me that there was a widespread practice of a lot of attorneys to advise their clients not to cooperate in any way because of some legal issues that may be valid, I don't know. Based on that I made the decision . . . [that] the Metropolitan Police Department [shouldn't] do attorneys a favor, which I believed we didn't have to do . . . [i.e. allow access to the cellblocks] when [the attorneys] were messing up the process.¹⁷

On whether access to clients should turn on the advice attorneys were likely to give, there was the following colloquy:

PDS COUNSEL. It's immaterial . . . but I would state for the record that the advice given by [the Public Defender Service] . . . during this entire four day period . . . varied from time to time . . . depending upon the circumstances under which people were arrested.

THE COURT. No doubt it is much easier to keep people thirty hours incommunicado, without advice from anyone and that is preferable from the point of view of the police. I have no doubt about it.¹⁸

The problems of access to clients in places of detention were summarized when the representative of the General Counsel's Office was asked:

Q. By PDS COUNSEL. When you received the information that Judge Greene had issued the oral order [admitting attorneys] your concern was for a reasonable way out of that order, was it not?

A. Yes, ma'am.¹⁹

At the end of all the testimony, the Court expressed concern about the apparent belief of some subordinates in the police department that the police department is really completely independent of any civilian authority, either judicial or prosecutorial . . . [These are] people who have been in a Coliseum and have been in the District Cellblock for 30 hours or more, and many under extremely emotionally trying circumstances. . . .²⁰

But the Court found insufficient cause to issue a contempt citation. Counsel for the PDS observed:

. . . [I]t is very seldom that the Court has an opportunity to have before it what we as defense counsel experience daily. . . . It was extremely important that we get in to see these clients because . . . they are very uneasy. They know [that] Court proceedings are [underway] and they need to be advised as to what is happening. . . . I am not urging any action upon the Court, but I think it should be called to the attention of the Court that this is the way that defense counsel are treated with some regularity in times other than times of crisis.²¹

POST MAYDAY REPRESENTATION

On May 8, the Public Defender Service was left with some rudimentary information on thousands of clients from "legal advisor forms" devised by PDS attorneys and filled out in courts or the Coliseum, the knowledge that many of these people wanted to contest the charges against them, and the task of organizing representation for those unable to afford counsel.

For the first several weeks after Mayday, attorneys from within the PDS were assigned to coordinate representation. Then, on a temporary basis, an attorney was hired with the specific and sole task of organizing representation for people as they came to court. This attorney remained with the agency throughout the summer, and became the resident expert on the trial of demonstration cases. He aided volunteer lawyers in handling the day-to-day cases, as well as writing several handbooks on how to afford representation in the Superior Court. In addition, on June 15, the PDS sent to about 4,000 people (those for whom its attorneys

or the Georgetown Legal Interns had addresses and whose cases had not yet come to court), a memorandum explaining the progress of the cases and their various legal options.²²

"Demonstrator" cases were scheduled, as many as thirty or forty a day, throughout the Summer and early Fall. At this writing, the pattern of each court day has been much the same. Some cases are dismissed for want of prosecution because the police officer does not appear, or the Government does not have sufficient information to go forward. In many of these cases, defendants appear who have come great distances to meet their court dates. In other cases collateral is forfeited because the defendant does not appear; judges vary on whether they make an inquiry into whether the Government could prove its case before ordering forfeiture of collateral. Finally, each afternoon one or two cases may be tried, and many times there is an acquittal. The acquittals come with the inability of the arresting officer to specify any criminal conduct by the accused. Often the defendant testifies that he was not engaged in any such conduct.

In addition to the cases disposed of on a daily basis, several groups of cases were dismissed as a result of class suits. In early June, approximately 2400 cases were dismissed as a result of a suit brought by the American Civil Liberties Union demanding that prosecution cease of those against whom the Government had no hope of making a case. In early July additional cases were dismissed when a PDS attorney challenged the arrests made on Sunday, May 2, in West Potomac Park.²³

ISSUES RAISED FOR THE ADMINISTRATION OF JUSTICE BY THE MAYDAY DEMONSTRATIONS

As stated at the outset of this report, one of its purposes is to serve those who will study and seek to learn from the history of the encounter between the Mayday demonstrators and the criminal justice system. To aid in the study, we note some of the issues which emerge from the observations and experience of the Public Defender Service staff. While conceding the difficulty of the philosophical and legal problems presented, we urge that the following questions be faced and dealt with now, rather than in the midst of some future disorder.

(1) The initial issue is the propriety of many of the arrests themselves, especially those of May 3. Are police procedures for mass arrests, originally recommended in 1968 by the Committee on the Administration of Justice During Emergency Conditions, workable in the kind of confrontation experienced during Mayday? What was the ability of the Metropolitan Police Department and the National Guard to carry out the field arrest form procedures at the time of their suspension? Should other mass arrest procedures be devised? Are there techniques short of arrest and detention to prevent the disruption of traffic?

(2) Under any circumstances can detention be justified once procedures establishing a basis for prosecution have been abandoned? What plans should be made for detention of people awaiting arraignment in court? What steps should be taken to assure adequate health and other facilities in places of detention? How should access to counsel be effected in places of detention?

(3) What independent judgments about the merit of cases should the prosecutor make during periods of announced and assumed threat to the Government? Are there procedures and forms which would enable prosecutorial decisions to be more expeditiously and efficiently made during large-scale disorders?

(4) What view should courts take of their responsibilities to society and the individual in times of crisis? Do the courts have a responsibility strictly to maintain the law and apply the Constitution when institutions of Government are threatened? If their func-

Footnotes at end of article.

tion is to strike a balance between the rights of citizens in opposition to their Government and the Government's right to preserve itself, how can courts gain information which will enable them to make this delicate judgment? Should uniform bail and other policies for the treatment of people similarly situated be effected? How should they be developed? Should they be announced?

CONCLUSION

The focus of this report has been the activities of the Public Defender Service during the emergency in the courts. Although the entire course of representation was an unplanned part of the agency's work in fiscal 1971, the response to the situation is nevertheless illustrative of the capacities of a defender office organized like this one.

The Public Defender Service operates as a core for the delivery of defense services, in which public defenders may handle a majority of the cases (up to sixty according to statute) while providing backup and organizational services for private appointed attorneys. In this "mixed" system, the Service as an ongoing and organized office, has a responsibility to speak and act for the whole defense community when there are problems in the administration of criminal justice. These concepts were exemplified in the emergency representation. When demonstration cases flooded the courts, it became apparent that volunteer attorneys were not organized in sufficient numbers for the task. PDS attorneys, familiar with criminal processes, were able to train other attorneys and provide services ranging from round-the-clock representation to the organization of habeas corpus suits raising fundamental legal issues applicable to thousands of people.

A second central idea in the formation of the Public Defender Service is its governance by a private uncompensated Board of Trustees. Independent policy direction gives the Service flexibility to respond in emergencies. In addition, PDS attorneys are able fully to represent their clients, and if in so doing, they come in conflict with other parts of the Government, no limits are placed on them by the Board of Trustees. The ability of this public agency to act as it did during the Mayday arrests is, we believe, abundant evidence that a professional defender service organized like this one is a vital component in the city's criminal justice system.

FOOTNOTES

¹ The bafflement of some with the system is suggested by the case of a young man who entered the courtroom for arraignment carrying a balloon. "What's that balloon doing here?" the judge asked. "Well," the defendant replied, "it was doing the same thing I was on the street, just standing there." "All right," the judge reportedly answered, "we'll arraign the balloon."

² Usually a defendant charged with certain minor offenses is not arraigned in court, but, instead, is permitted to post a sum of money (collateral) at the police station. If he chooses not to return for a trial on the charges, the only sanction is forfeiture of the money posted.

³ Before the courts were closed, however, several hundred people already in the courthouse were arraigned before judges rather than being allowed to post collateral. Most judges released them on the equivalent of a ten-dollar collateral, but some continued to set substantial money bonds. Effectively, this meant that some people brought to court were detained while their companions, who fortuitously had remained in police custody, were released.

⁴ Transcript of court proceedings, page 43, *John Doe and Approximately 1703 Detainees Adjacent to Robert F. Kennedy Memorial Stadium ex rel. the Public Defender Service for the District of Columbia v. Jerry V. Wilson, Chief of Police, Metropolitan Police De-*

partment, et al., S.P. No. 50-71, May 3, 1971 (hereinafter cited as Doe v. Wilson).

⁵ The Offender Rehabilitation Division of the Public Defender Service is its social work arm, which in tandem with defense attorneys, helps defendants obtain employment, counseling, or whatever services may aid them in avoiding future involvement in the criminal process.

⁶ Affidavits by attorneys filed in *Doe v. Wilson, S.P. No. 50-71, Superior Court, District of Columbia.*

⁷ *Doe v. Wilson, Transcript at 19, 22, May 3, 1971.*

⁸ *Id.* at 22.

⁹ *Doe v. Wilson, Transcript at 10-11, May 4, 1971.*

¹⁰ The steps taken by attorneys and the refusal by police and Justice Department officials to alter procedures are summarized in an affidavit filed in support of the Public Defender Service appeal from the May 3 Show Cause Order entered by Chief Judge Greene. See court docket in *Doe v. Wilson, No. 5823, District of Columbia Court of Appeals.*

¹¹ *Doe v. Wilson, Transcript at 31-2, May 4, 1971.*

¹² *Id.* at 42, 43-44.

¹³ *Id.* at 47, 50.

¹⁴ Several weeks after the Mayday demonstrations, attempts at photographic comparisons were actually made. The Washington Daily News of May 12, 1971 (page 3) reported that photos of several thousand demonstrators were being studied by officers at the Police Training Center. According to the article, hundreds of policemen were coming to the Center in an effort to make identifications of people they had arrested. But apparently evidence was not developed of sufficient value to forestall eventual dismissal of virtually all cases against persons arrested on May 3.

¹⁵ Transcript of court proceeding, page 33, *District of Columbia v. John Doe, Criminal No. 25045-71, May 5, 1971.*

¹⁶ On July 26, 1971, after a thirteen day trial, verdicts of not guilty were returned in eight "test cases" raising the free speech, peaceable assembly and right-to-petition-Congress aspects of the Capitol Hill arrests. These cases were tried by ACLU and Georgetown Legal Intern attorneys. On August 26 the United States Attorney's Office announced dismissal of the approximately 800 remaining cases of persons arrested on the Capitol Hill steps.

¹⁷ Transcript of court proceeding, page 65, *In the Matter of Approximately 500 Persons Detained in D.C. Cellblock, CA No. 4602-71, May 6, 1971.*

¹⁸ *Id.* at 33.

¹⁹ *Id.* at 67.

²⁰ *Id.* at 72.

²¹ *Id.* at 69-70.

²² This memorandum is included as an Appendix to this report.

²³ People were arrested in the park when a permit to camp there was revoked. They were charged with unlawful entry, a misdemeanor carrying a maximum penalty of six months imprisonment. At a hearing stretching over the course of three weeks, a PDS lawyer argued that the arrests were in violation of the agreement between the Government and the people for use of the park, and that the prosecutions were in violation of the First and Fifth Amendments. Both the Chief of Police, Jerry V. Wilson, and Deputy Attorney General Richard Kleindienst were called by the defense as witnesses to explain the basis for the Government's action in closing the park. At the conclusion of the hearing, Chief Judge Greene granted the defense motion to dismiss informations, ruling that the Government had violated its contract with the Mayday demonstrators by failing to consult with the representatives of the people prior to revoking the permit. The Government has noted an appeal of this ruling.

APPENDIX A

PDS STAFF WHO WORKED ON MAYDAY REPRESENTATION

Attorneys

Jonathan P. Axelrod, Barbara Allen Bowman, James E. Brown, Sarah E. Brown, Colie B. Chappelle, Paul A. Chernoff, Theodore J. Christensen.

Marilyn Cohen, William F. Dow, III, James E. Drew, James E. Duggan, Carrie Fair, Robert J. Golten, Stuart S. Greenfeig, Marian Halley.

Thomas A. Hammond, Jr., Charles D. Hickey, J. Patrick Hickey, Gail P. Higgins, Peter J. Hoagland, Kirby S. Howlett, III, Susan J. King.

Peter R. Kolker, Martin Krubit, Norman Lefstein, Arline Mendelson, Karen Moore, Caroline Nickerson.

John G. Perazich, Roark Reed, William G. Schaffer, Lawrence H. Schwartz, Paul C. Semple, Stuart Stiller, William W. Taylor, III, Ricardo M. Urbina, Michael S. Wald, Silas Wasserstrom, Robert Weinberg, Frederick Weisberg, Stephen Zalkind, Matthew Zwerling.

Offender Rehabilitation Division Staff

Jane Comerford, Mary-Margaret Golten, Charles R. Rouselle, Donna J. Rowles.

Attorney Hired for Post Mayday Representation

Alexander P. Humphrey, IV.

APPENDIX B

PUBLIC DEFENDER SERVICE MEMORANDUM

To: All Those Arrested During the Mayday Disorders.

From: The Public Defender Service for the District of Columbia.

This memorandum is for the purpose of informing those arrested during Mayday about their present legal situation. We are sending it to all people for whom we or the Georgetown Legal Interns have interview forms, in order to aid those who do not have attorneys.

The Public Defender Service will arrange for an attorney at trial for persons unable to afford a lawyer. For those who can retain private counsel, the Lawyer's Referral Service of the District of Columbia Bar Association (202-223-1482) will, without charge, put you in touch with a local attorney.

Alexander P. Humphrey of the Public Defender Service is coordinating attorneys for indigent demonstrators. Basically because of the lack of government preparation and the uniformity of the legal issues, attorneys so far have been able successfully to defend people even though their only contact is on the trial date. We therefore recommend, for the time being, that questions await your appearance when you will be able to consult with a lawyer before you go to trial.

TRIAL DATES

Some cases have been consolidated for trials and continued for specific dates, or disposed of, as listed below:

April 29, Justice Department Arrests—continued to September 16.

April 29, HEW Arrests—All Dismissed.

May 2, West Potomac Park Arrests—continued to July 19.

May 5, Capitol Hill Arrests—continued to July 16.

(Certain Capitol Hill Arrests will be tried as "test" cases, raising the constitutional issues applicable to all on July 8.)

People not in the above categories who plan to stand trial should be in Courtroom No. 17 of the Superior Court, Building A, located on Fifth Street, N.W. between E and F Streets, at 9:00 a.m. on their scheduled trial date. If you know witnesses to your arrest, bring them with you. Also bring your receipt for the deposit of cash bond or collateral; you will need it to get a refund. The

court clerk has duplicate bond receipts; the police precinct where you paid your collateral has duplicate collateral receipts.

If you elected to forfeit collateral at the time of posting, you will not have a trial date. If through some misunderstanding you have given up your trial without intending to, you may seek to have the forfeiture set aside. This must be done in person within 90 days of the date of forfeiture. The steps for moving to set aside a forfeiture are set out on an enclosed sheet.

WHAT WILL HAPPEN IF YOU FAIL TO APPEAR

Please understand that we are not advising you not to appear but simply undertaking for those who don't have attorneys to outline the probable consequences of non-appearance.

(a) If you were released on a cash bond. The most severe consequence could be a warrant for your arrest, and a charge of bond-jumping. If convicted, you would be subject to fine and/or imprisonment beyond the penalties for the offense for which you are presently charged. You could be extradited from another state to the District to stand trial on the original and the bond-jumping charge. Most likely, you would not be extradited, but if the warrant issued and you ever returned to the District and were rearrested, the warrant would then be served on you.

The court will not, however, necessarily issue a bench warrant if you fail to appear. It may simply order the cash bond, or some part of it, forfeited.

When you appear for trial, the amount of the cash bond will be refunded (less a small amount for administration), regardless of the outcome of the case.

(b) If you were released on collateral. Failure to appear for trial means that the money you posted will be forfeited to the court. This forfeiture will be entered as a police record indicating an election to forfeit, but is not considered a conviction for any purpose. If you appear for trial, the amount posted will be refunded to you by the clerk.

(c) If you were released on personal recognizance (including release on third-party custody). The court will invariably issue a bench warrant for your arrest. See (a) above.

PROBABLE OUTCOME OF YOUR CASE

For all cases in which the government does not have a contemporaneous filed arrest form (i.e., where you were first written up in a precinct or at the Coliseum) the American Civil Liberties Union has successfully brought a class action resulting in the dismissal ahead of the trial date of these cases. If you believe that no field arrest form was made in your case at the time of your arrest but you have not received a letter from the ACLU notifying you, contact ACLU offices at 1424 16th Street, N.W., Room 501, Washington, D.C. 20036; telephone 483-3830.

Even where the government has a field arrest form or knows the name of a relevant officer, your case may not be prosecuted if the officer fails to appear on the trial date.

Trials in the vast majority of May 3 arrests have resulted in acquittals; there have also been many acquittals in Justice Department (May 4) cases, although there have also been some convictions. The statutes under which most persons were charged authorize fines of up to \$250, or imprisonment not to exceed ninety days, or both. Capitol grounds offenses are punishable by 180 days imprisonment, a fine of \$250, or both. The sentences imposed, so far, on those found guilty have uniformly been less than the maximum. The highest sentence imposed by the courts so far has been a jail term of ten days.

Some of you may be interested in pursuing civil remedies at law, as well as contesting the criminal charges. The ACLU is planning a variety of lawsuits, and you may work with them by completing the enclosed affidavit and returning it to 1424—16th Street, N.W., Washington, D.C. 20036.

HOW TO SET ASIDE A FORFEITURE OF COLLATERAL

Follow this procedure precisely, because failure to observe the steps inevitably results in lost papers, frustration, and wasted effort.

(1) Obtain from the Clerk of the Superior Court, Criminal Division, two copies of a printed Motion to Set Aside Forfeiture.

(2) The form must state good reasons for setting aside the previous forfeiture (e.g., you did not know you were forfeiting). If forfeiture was ordered by the court as a result of your failure to appear for trial, you must assign good cause for not appearing on that date.

(3) The motion must be signed by the Police Liaison Office, which is Room 117 in Building B and a trial date will be entered.

(4) The motion and your copy should be signed by an Assistant Corporation Counsel, whose office is in Room 127 in Building A.

(5) The motion then should be filed with the Clerk's Office, together with a motion card. The clerk will arrange a court hearing on the motion, which, if all of the foregoing steps have been completed before 10:30 a.m. can be the same morning.

(6) If your collateral receipt was signed by "Private John Doe," or has no police officer's signature, the Government is presently dismissing the charge(s) as soon as the motion is granted. Otherwise, if the court grants the motion, take it personally from the judge's clerk and deliver it to the Police Liaison Office, where you should have your own copy signed "Original received by [Officer's Name] _____ on [Date] _____ at [Time] _____." Plan to be in court on your trial date.

RECONFIRMATION OF FEDERAL JUDGES

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 26, 1971

Mr. BYRD of Virginia. Mr. President, the Lawton, Okla., Constitution of October 6 contains a fine editorial on the proposal for periodic reconfirmation of Federal judges.

This is one of many editorials which have been published in recent weeks on this subject. I believe that a healthy debate now is taking place on the subject of the proper role of the Federal judiciary, and I hope that this debate will end by making the Federal courts more responsible to the people.

I ask unanimous consent that the editorial, entitled "A Judge for Life," be printed in the Extensions of Remarks.

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

A JUDGE FOR LIFE

Sen. Harry Byrd of Virginia has a good idea. He has proposed a Senate review every eight years on the qualifications of Federal court judges. Right now, Federal court judges are appointed for life. Some, maybe even most, are excellent. But some are not.

Listen to Sen. Byrd:

"It is time that we made federal judges more responsible to the people. Too many have assumed more and more power—and have run rampant in asserting authority over the daily lives of all Americans. . . . In recent years, the federal courts have acted under the premise that the Constitution is whatever the judges say it is. . . .

"Prayer has been swept from our schools; the historic right of a legislature to redistrict itself has been abolished; sociological treat-

tises have replaced the common law; traditional equity powers have been enlarged to allow rule by judicial fiat," Byrd says.

"Mr. Justice Cardozo once noted that if judges are permitted to substitute their personal sense of justice for rules of law, the reign of law will end and the rule of benevolent despots will begin.

"Is not that about where we find ourselves today?

" . . . The revolution which began in the Supreme Court has permeated the lower federal courts. Judges of these courts have, in many cases, arrogantly assumed unto themselves the prerogatives of lords of the Middle Ages. Nothing in our system at present exists to control these judges. They have lifetime appointments. Their passions of the moment are unrestrained.

"I fully support the concept of an independent judiciary," Byrd says. "The legislation I introduced simply provides a method by which the courts might be made more accountable to the people."

This is the most sensible proposal coming out of Washington in recent years. But why wait eight years. The conduct of judges should be examined every four years, at most.

A WOMAN ON THE SUPREME COURT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 26, 1971

Mr. BYRD of Virginia. Mr. President, the U.S. News & World Report of October 25 contains an excellent editorial by Mr. David Lawrence, the editor of the magazine, on the subject of the desirability of appointing a woman to the U.S. Supreme Court.

Mr. Lawrence makes the important point that "we need realism on the Court and knowledge of human society." He adds that a woman's judgment would be "a great asset" on the Supreme Court.

I ask unanimous consent that the editorial entitled "Should a Woman Be on the Supreme Court? Certainly," be printed in the Extensions of Remarks.

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

SHOULD A WOMAN BE ON THE SUPREME COURT? CERTAINLY

(By David Lawrence)

Whether the President appoints a woman now to one of the two vacancies on the Supreme Court or does so in the future, it seems likely that he will brush aside any arguments about sex.

The discussion which has been going on about a woman serving on the highest court is indeed a surprise. Why should there be any controversy at all? Women have intelligence and the same understanding of impartiality and of the basic meanings of law that men have. Many of them are serving on federal, State and city courts in different parts of the country.

Women judges have shown a sense of fair play and have dedicated themselves to their tasks. To select a woman to serve on the highest court in our land would be a novelty. But it would also be a constructive step and a benefit to the other Justices, too.

There is a tendency to regard a person's qualifications for judicial appointment only on the basis of his or her experience in the practice of law or as a judge in a lower court. Should these really be the sole criteria? An individual who has not been a judge or who

has not engaged actively in the practice of law but has studied the Constitution intensively for many years can be well equipped to sit on the Supreme Court.

When a person is nominated as a Supreme Court Justice, the temptation is to look back on the record and, if the individual is a Senator, to find out what he or she has said on public questions. There also is an inclination to attribute particular views or ideologies to prospective nominees—whether they are "strict constructionists" or "liberals" or "conservatives." None of these attitudes should be important. For what the nation needs and expects to be appointed to the Court is a person with a fair and honest mind. A woman Justice can contribute a fair and honest mind and, what's more, a common-sense mind.

Any nominee to the High Court should, upon confirmation, say something like this:

"I don't believe I should advocate any of the theories which I have held in public or private life. I am not a legislator. I am not placed on the High Court to decide cases in accord with some political philosophy. My duty is to decide between right and wrong based on the facts and on what the Constitution honestly interpreted really means and commands me to say."

Some criticisms which have been made of opinions written by Supreme Court Justices are rather unfortunate. They tend to portray the men on the bench as legislators with political or partisan concepts in their minds. These may be convictions of political thought, derived from their own experience, but Justices are not supposed to make rulings that constitute legislation based upon any political doctrine, "liberal" or "conservative."

Justices are expected to deal fairly and honestly with the words of the Constitution and to read carefully the interpretations in past rulings. They need not accept the latter if they feel the decisions were wrong. But the test to be applied in the rule of fairness includes a recognition of the rights of the individual, the rights of the owners of property, the rights of government and the collective rights of society.

A Justice of the Supreme Court should consider only the facts, disregard all previous affiliations or associations and be guided by his conscience in interpreting the Constitution and rendering a decision that is just. True independence must be the goal.

There is a very heavy burden placed upon a Justice of the Supreme Court of the United States. The rulings of the Court have a far-reaching effect on the decisions of the lower courts and on the writing of laws in Congress and in the legislatures of States.

The Justices of the Supreme Court often confer with each other as they discuss drafts of proposed opinions, but, in the final analysis, each one makes his own decision. The presence of a woman on the Supreme Court would be helpful, for a woman's mind contains attributes that would be found useful in any discussion. A woman is sensitive to human feelings and, in controversies that arise, can well understand the consequences of a decision, not only in a particular case but in the effect on citizens as a whole.

Women have a keen grasp of the motivations of human behavior and also are fully aware of the many conflicts in our society which every day produce crimes and disturbances in our midst.

Are we too permissive in our approach, and do our laws fail to define the difference between liberty and license? These questions are pressing for answers. We need realism on the Court and a knowledge of human society.

A woman's judgment would be a great asset. There is no convincing reason why a woman should not be nominated to the Supreme Court of the United States.

NEW WAYS OF KILLING

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. ROSENTHAL. Mr. Speaker, the war in Vietnam is continuing but is purposely being deemphasized by the administration through press releases, troop withdrawal announcements and the increased attention on the President's Peking and Moscow trips. The major tactic of the administration is to change the quality of the American role in the conflict from ground combat to automated war involving aircraft, computerized artillery strikes and highly sophisticated technicians safely located in Thailand.

Americans are told the war is "winding down" and casualties are down to "acceptable" levels, only five or 10 or 15 a week. But these are only American deaths. The killing of Vietnamese has not slackened. While the U.S. command in Saigon proudly announced last week's American battle deaths were "only five," another 15 died from such causes as drug overdoses, illnesses, and traffic accidents. Further, 319 South Vietnamese were killed and 1,198 North Vietnamese and NLF soldiers were reported killed. In other words, more than 1,500 persons died in Vietnam last week either from American bombs and artillery or South Vietnamese using American weapons.

Our involvement in the killing contradicts the administration's pretense of withdrawing or that the war is ending. The absence of U.S. ground troops does not mean a decrease of the war effort by the administration, but rather a deception against the American people. The only true withdrawal is the removal of all American men, weapons, and support for that tragic conflict.

I wish to insert into the RECORD two articles from the New Republic concerning these aspects of the war. One is by William Haseltine from the October 16, 1971, issue discussing the automation of the war, and the other from October 9, 1971, on the question of amnesty for those who have broken the law by refusing participation in the war. Each exposes the dishonesty for the administration in its continued perpetration of the conflict.

The articles follow:

THE AUTOMATIC AIR WAR

(By William Haseltine)

"... War involves very small numbers of people, mostly highly trained specialists. The fighting... takes place on the vague frontiers whose whereabouts the average man can only guess at..."—George Orwell, 1984.

As this is written, hundreds of the most sophisticated machines of war in history are hovering over the bamboo villages of Indochina, waging a new kind of mechanized warfare even as US ground troops are being withdrawn. Since Mr. Nixon became President, we have dropped 2,700,000 tons of bombs on Indochina—more than was dropped on two continents during World War II and the Korean War combined.

There are O1E, O2 and OV10 spotter planes

at 2000 feet; A1E, A26, T28 prop bombers, AC47, AC54, AC119, AC130 gunships, flare ships, rescue and gunship helicopters at 5000 feet; F4, F100, F105, A7, B57 jet bombers, jet reconnaissance, EC47 and EC119 electronic aircraft at 10,000; KC-135 super-tankers at 20,000; B52s at 30,000; EC130 command and control aircraft at 35,000; and SR71 reconnaissance aircraft at 70,000 feet. As no less an expert than General Westmoreland puts it, "We are making unusual efforts to avoid having the American young man stand toe-to-toe, eyeball-to-eyeball or even rifle-to-rifle with the enemy." Hence Vietnamization, hence automation. Military planners are busy finding ways to wind down the war. The Electronic Systems Division at Hanscom Field, an Air Force Base not far from Boston, orchestrates the intricacies of applying space-age technology to counter-insurgency weaponry. The academic community provides advice and inspiration, the companies test and manufacture the new gadgets, the air base integrates these into tactical weapons systems and ships them to Indochina.

The most dramatic example of the automation of the war is Hanscom's show-case project, code-named *Igloo White*. It became operational in November 1967, over Laos, was expanded last year to include Cambodia, and today directs much of the bombing over both countries. Its major task is to automate destruction of North Vietnamese supply routes in those lands. Its supporters boast that *Igloo White* is "entirely air supported—it requires no ground troops." It is almost fully automatic as well. The system consists of battery-operated seismic and acoustic sensors dropped from the air along the elaborate system of roads and trails in Laos and Cambodia. The acoustic detectors transmit noises in their vicinity and are dropped so that they hang suspended from trees. The more widely used seismic detectors are partially buried and detect ground vibrations. The Air Force is working on new detectors and soon hopes to have one that responds to both metal objects and to body heat.

The exact placing of the sensors is a problem which isn't yet solved. Many of the sensors are dropped from planes flying hundreds of miles an hour. If you don't know where the sensor is, you don't know where to attack. A common solution is to use weapons which blanket large areas with lethal missiles and to attack several nearby locations.

The signals from the detectors are sent to a plane which retransmits information to ground facilities for processing. Formerly these planes were converted super-constellations with large crews and data processing equipment on board. They are being replaced with a modified Beech Debonair that can be flown by remote control, making the detection system fully automatic. These drones are currently circling over Laos 24 hours a day.

The information collected by the drones goes directly to two huge IBM 360-65 computers located in Nakhon Phanom, Thailand, 75 miles west of the Mueang Pass, the beginning of the Ho Chi Minh Trail. These computers analyze the noises and vibrations, printing out the data and labeling it by time and place. Upon request the computer can display a map of the section of the road under suspicion and indicate the target site by a moving blip. The computer printout is passed to an intelligence coordinator and on to the Battlefield Control Center, which sends out the planes for attack.

Besides being programmed to select sites for immediate attack, the computer correlates the information to determine a general traffic pattern, so it can be decided where to lay mine fields. The Air Force is working on mobile computation centers which can be air-lifted to any part of the world. A basic feature of *Igloo White* is that the sensors draw no distinction between friend or

foe, civilian or soldier, adult or child, man or animal, and will impartially call down an automated death on all who cross their path. Over two billion dollars has been spent on *Igloo White* over the past five years. Air Force officials consider the program to be successful and envision a worldwide deployment capability by 1976, the 200th anniversary of the American Revolution.

Igloo White is closely integrated with the attack system called *Commando Hunt* which began November 15, 1968, 15 days after the bombing of North Vietnam was halted. *Commando Hunt* is a four-step program to cut the supply lines in Laos and Cambodia. First, all major distinguishable targets such as bridges, buildings, dams and power stations are repeatedly attacked. For pinpoint accuracy the Air Force uses two new bomb delivery systems, one directed by a laser beam, the other by a TV camera. The laser-guided bombs and missiles weigh as much as a ton-and-a-half and have an eye on their nose which guides them to a spot of light beamed off the ground by another airplane. The man with the laser shines it on the target and the bomb falls on it. A TV camera on the other transmits a picture of what it sees to a screen in the cockpit. The pilot locks his bomb on the desired target image and releases it; it falls so that the central portion of the picture is always in view. It was first used over Laos in 1969.

The second part of the program is the dropping of antitank mines along suspicious paths and roads, mines triggered by sound, pressure, metal objects or vibrations. One of the newest detects movement and explodes when anything comes toward it. Some detonate within a specified time if not triggered, others do not.

Third, antipersonnel landmines are dropped over the antitank mines and down the entire length of some roads. The Air Force emphasizes that these are purely antipersonnel. WAAPM, the acronym for wide-area antipersonnel mine, is a large bomb containing hundreds of little bomblets. On impact each bomblet sends out rip wires. The mine explodes if the wires are disturbed. Both cover large parts of the countryside.

The fourth phase of the program is immediate reaction air strikes to areas selected by the *Igloo White* computers. The bomb favored for these missions is the CBU-24 antipersonnel and anti-light-material bomb. After it is released from the plane it splits open and hundreds of bomblets spill out. One bomb will normally send 250,000 pellets spewing about on an area the size of a football field. Anything above ground is lucky to escape unscathed. Another version of the same bomblet has a random time-delay fuse, so that after the initial attack bombs keep going off, making it difficult to care for the wounded or repair damage.

F-4 Phantom jets commonly used for these attacks have recently been equipped with a new TPQ-10 radar navigation device. The command computer can feed the map coordinates directly into a computer on the plane and direct it to a precise location. When the plane approaches coordinates, the computer automatically releases the bombs at the proper time to hit the target. The Air Force claims "using air-wide type ordnance, excellent results have been obtained with this blind-bombing method." All-weather navigation aides and light-amplification systems for night attacks are other new features on the attack planes.

The Air Force is satisfied with this program. They credit themselves with 5950 truck "kills" during the 1969-1970 dry period and 14,000 this year. Nevertheless the supplies traveling down the Ho Chi Minh Trail are undiminished. A recent Senate Foreign Relations Staff Report discounts the Air Force's claim by 30 percent. The total num-

ber of truck kills claimed by the Air Force greatly exceeds the number the US Embassy in Saigon believes are in all North Vietnam.

The ineffectiveness of the automated war against the trail was highlighted two weeks ago when the Communists launched a massive offensive in Cambodia in the midst of the rainy season and the heaviest floods in North Vietnam's recent history. With Si-hanoukville port closed, where were supplies obtained for this offensive? It is not only the cynics who suspect that supplies have been moving down the trail much as they always have.

Still, the bombs continue to rain down. The U.S. has dropped over one million tons on Laos alone in the last two-and-a-half years. And although overall sortie figures are classified, the Senate report revealed that 340 sorties a day were being flown in April 1971, twice as many as during the height of the bombing over Laos during the Johnson years. And this figure did not include the 30 tons per sortie B52 flights secretly sent over northern Laos since February 18, 1970. In all, over 1000 tons of bombs are being dropped daily on Laos.

Although the "Rules of Engagement and Operational Authorities" which regulate the bombing in Laos make it seemingly impossible for villages and other nonmilitary targets to be bombed, there is no evidence to indicate that they are enforced. Despite the most protracted bombing of civilian targets in history, for example, there are no known instances of disciplinary action taken against pilots for bombing villages in Pathet Lao-controlled zones. The Senate staff report itself states that in some cases the rules are deliberately violated, and in any case have loopholes which account for "roads with civilian traffic, villages and groups of civilians—bombed, rocketed or naplamed." One rule permits ground fire to be returned virtually anywhere in Laos when a U.S. plane is participating in a search and rescue operation or is flying in support of "infiltrating or exfiltrating" troops. There are 15 freefire zones in Laos not protected by these rules. In addition there are special operating areas that the embassy has determined have no active villages, where any type of ordnance may be jettisoned or used. These areas cover most of the Plain of Jars and route 7 leading from North Vietnam to the plain. Until 1967, when the bombing began, the population of the Plain of Jars was well over 100,000.

The bombing in Laos is, of course, only part of the air war. Large-scale bombing of Cambodia, South Vietnam and even North Vietnam continues. The Pentagon insists that since November 1968, there has been no bombing of the North—only "protective reaction strikes"—184 of them, 64 thus far in 1971, about two a week and some involving over 250 planes each, as on March 21 and September 21. The officially acknowledged purpose of the bombing is to interdict the flow of men and material into Vietnam, buying time for Vietnamization, and to provide tactical support to ARVN troops. Implicit is the threat, rendered credible by massive daily bombing of the countryside, that were NLF and North Vietnamese to seize control of the cities as they did during Tet 1968, the cities would again be destroyed from the air.

The need to replace men with machines in Indochina is becoming more urgent as more Americans come home. General Westmoreland is sure that the U.S. can meet this challenge: "Today machines and technology are permitting economy of manpower on the battlefield, as indeed they are in the factory. But the future offers even more possibilities for economy. I am confident the American people expect this country to take full advantage of its technology—to welcome and applaud the developments that will replace

wherever possible the man with the machine."

A PROPOSAL TO THE PRESIDENT—VIETNAM AMNESTY

(By James Reston, Jr.)

The figures on what the war in Vietnam has done to a generation of Americans are staggering. Beyond the 347,214 killed and wounded (as of September 18, 1971), there are over 50,000 American exiles in Canada. Members of the Canadian Parliament expect this figure to reach 150,000 before the war and draft are over. The FBI received 146,554 draft violation complaints between 1966 and 1970, and needless to say, the Bureau does not receive the name of every draft evader. Over 89,000 American soldiers deserted the military in 1970. In 1968, 723 men were in federal prisons for draft-related convictions.

There is no way to compute the psychological casualties. Beyond the despair all around us, we now have a new, sad element: the bitterness of those who offered themselves up as soldiers in 1965-66 for patriotic reasons, and now find out they were lied to by their President. Thus for the Vietnam generation, the country must prove itself worthy of respect, not as some would have it, the other way around.

The immediate issue, however, is restitution to a generation that has both fought the war abroad and been the vanguard of protest at home. This must come in the form of major concessions to the dissident young, concessions which should in no way demean the sacrifices of those who fought in Vietnam.

What is needed is a program of universal amnesty for all who are or have been subject to prosecution by the U.S. government for crimes relating to opposition to the war in Vietnam. This is the logical end result of a domestic application of Vietnamization, which is simply the national recognition of a mistake couched in bureaucratic language. Amnesty can come either by presidential or congressional action, either as the Amnesty Act, or the Amnesty Proclamation of 1971. The President is authorized under Article I, Section II of the Constitution "to grant reprieves and pardons for offenses against the United States". In numerous cases in the post-Civil War era, Congress acted to relieve persons whose civil rights had been taken away, before it finally passed the Universal Amnesty Act in 1898.

Universal amnesty is appropriate in the case of political exiles and political prisoners today, and is distinguished legally and historically from general amnesty. General amnesty has conditions and exceptions, whereas universal amnesty contains none. President Lincoln made the first Civil War Amnesty Proclamation on Dec. 8, 1863. It was a general amnesty for all who would sign an oath of allegiance to the Union, except six classes of individuals: civil or diplomatic officers of the Confederate government; judges who defected to the Confederacy; military men above the rank of colonel in the Army or captain in the Navy; legislators who left Congress to aid the rebellion; commissioned officers in the US military who resigned to become Confederate officers; and those who sold black escapees back into slavery across the battle lines. President Andrew Johnson declared three general amnesties: on March 29, 1865, Sept. 7, 1867, and July 4, 1868—all requiring an oath of allegiance.

A President with a sense of history might choose Christmas Day 1971, the 97th anniversary of President Andrew Johnson's declaration as a fitting time for a Vietnam Amnesty declaration. If President Lincoln could declare a general amnesty one year and a half before Lee's surrender at Appomattox, President Nixon can declare a universal amnesty this year.

The way amnesty is declared is nearly as important as the proclamation itself. A sanctimonious tone taken toward misguided, errant young will miss the point. The country has erred; the instinct of the exiles and the prisoners has been right. Amnesty must come as an honest and courageous attempt at national expiation. The majority of exiles are not waiting for their country to forgive them. Rather, I've been told by a counselor of hundreds of Americans in Toronto, it is a question of whether they can forgive their country.

The terms "draft dodging" and "desertion" have lost their old flavor, especially as the facts of US involvement become more widely known. These offenses are after all, not treasonous in the sense that the offenses pardoned under the Civil War amnesties were. The exiles in Canada or the prisoners at home have refused to participate in their country's intrigues; they have not actively joined the enemy. I suspect that draft refusal, and even draft evasion and desertion will be overlooked by most Americans, and indeed admired by many after the war, just as today a jail sentence during the Southern civil rights campaigns of the early 60s is a badge of honor.

Historically, the shortness of the country's memory is borne out. Dr. Evan Thomas, Norman Thomas' brother, who has perhaps the best pacifist credentials of any American alive today (draft refusal, 1917; chairman, War Resisters League in World War II) told me a story which shows this. After he was released from military custody in 1919, nearly a year after he had been sentenced in a military court to 99 years for "refusing to eat," the outcome of a hunger strike, Thomas tried to get into a number of medical schools. None would have him, including New York University. Ten years later, NYU sought him out and begged him to attend their medical school. He did and some years later was a resident physician at the NYU Medical Center.

Amnesty for political exiles abroad should be only one aspect of a general program of restitution. It would be irresponsible to grant amnesty to the exiles without attending to the whole pattern of harassment.

The campaign might start with the investigative machinery that has been created during the Vietnam years to track down the subversives and to report on the dissidents. This system is a hangover from the Johnson era when victory in Vietnam was a national goal, and the refusal of participation was considered treason. But still in 1971 the FBI and the military investigating agencies work on directives set under Johnson, and the bureaucratic ball is rolling more smoothly than ever. Department of Defense Directive 1325.2, entitled Unauthorized Desertion and Absence, directs the services to turn over to the FBI the names of all AWOL soldiers after 60 days absence. In FY '69 the FBI received 51,000 such names and apprehended 14,000 of them. An FBI spokesman proudly told me that this constituted a higher apprehension rate than in FY '68 when 38,885 soldiers deserted. The FBI has also received from Selective Service an average of 28,000 draft evasion complaints a year since 1966, but in 1970, the second year of Vietnamization, the bureau could point to 923 convictions, the highest yet.

The combination of a well-oiled investigative machine, the talk of an end to the war, and court decisions strengthening the pleas of conscientious objectors creates tremendous uncertainties. Should he who demurs flee to Canada before the FBI picks him up? Should he stay and try to win in court?—but what if he loses? What device will stall the induction process for two years when a draft call may be eliminated, and there may be a different President?

I know a 22-year-old who refused induction over a year ago and has waited ever since to be picked up. He has honorably tried to face his moral obligation as he sees it, has spent over a thousand dollars in legal fees, and has stayed in the town of his refusal, delaying a career he wished to pursue elsewhere. He has adjusted himself to the thought of prison, but not to the reality of waiting. I told the fellow to remove Vietnam from his life now as best he could, and continue about his business. He has paid his dues.

The Congress acted to remove the uncertainty of the draft by limiting eligibility to 19-year-olds. It could eliminate uncertainty about arrest also, either demanding a stop to further prosecutions of draft evaders and draft refusers, or at the very least, by limiting eligibility for arrest to a set period, say six months, after which the individual would be immune. Of course, the President could obviate this need, by simply freezing further Justice Department action. There is historical precedent for this. In late 1865 after Appomattox and after Andrew Johnson's first amnesty proclamation, Judge John C. Underwood of the Federal District Court of Virginia in Norfolk, continued to order arrests and treason indictments of paroled prisoners of war. Ulysses S. Grant appealed to President Johnson to restrain Underwood. Johnson at first refused, as initially in his presidency he espoused a tough line against the rebels. But when Grant threatened to resign over the issue, the President relented, and the prosecutions ceased.

Finally, there are some 500 persons in prison convicted on draft refusal charges. To them an amnesty is also due, for they are perhaps the most hopeful breed of all draft resisters. They've stayed, which may indicate that they feel the country is worth fighting for.

Draft refusal or draft evasion questions have largely been an issue for the college educated. This is reflected in the exile population: the impulse to flee for the evader is abstract, political, whereas the impulse to flee for the deserter is often a gut reaction of outrage at what he sees in the military. What sort of amnesty is due the latter?

The main area for concern here is the proposed All-Volunteer Army. In two summers I worked in the Neighborhood Youth Corps in New York City. I say time and again poor youngsters take the military option as the only escape from the streets. The Pentagon is perfectly aware of this opportunity. If you travel around the country, you notice the heavy advertising for the services in the rural areas or in poverty neighborhoods. The so-called combat skills get the biggest push, because the Army has the hardest time getting volunteers for these jobs. Thus recruiters armed with Madison Avenue techniques, appeal to the *machismo* of the 18 and 19 year old for whom virility is something to be proved. I will never forget an 18-year-old I met in basic training who had volunteered to be a helicopter gunner, one of the most dangerous jobs in Vietnam, because his recruiter said the job was like riding shotgun on the pony express.

The poor youth of this country deserve an amnesty from the military dupe. The Army must cease to be a primary escape from the Appalachias, the inner cities and the small towns of America. A system of humanitarian alternatives of equal statute, duration, and sacrifice to military enlistment should be devised. The streets of Brooklyn or the roads of Eastern Kentucky provide infinite possibilities for regional service if youth were mobilized for social programs. The goal must be to change of national emphasis: to admit error and get on with useful work, so that young people will again freely want to serve their country.

A MAJOR DIPLOMATIC DEFEAT FOR THE UNITED STATES

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. LANDGREBE. Mr. Speaker, last night's 76-to-35 vote in the United Nations to expel Nationalist China and admit Communist China must be considered a major diplomatic defeat for the United States, but it may be a blessing in disguise.

When the vote was first announced, I am sure most Americans felt a deep sense of loss. There was the suspicion that somehow we had laid the groundwork for betrayal of a friend with President Nixon's planned visit to Peking and Secretary of State William Rogers' subsequent announcement that the United States favored the Mao regime's admission to the U.N., although not at Taiwan's expense.

Perhaps if we had not opened the door via the route of pingpong diplomacy, this would not have happened. Perhaps we gave the impression that we would not get too upset if the member nations dumped Chiang's delegation and delivered one more gratuitous insult to America.

But then again, perhaps Mr. Nixon's efforts to ease Sino-American tensions would not have made any difference. Last year, you will recall, a majority of the General Assembly did vote to oust Taiwan in favor of Peking, and only our drive to make the vote an "important question," requiring a two-thirds majority, prevented an ouster of the Nationalists then.

Be that as it may, when viewed in the cold light of day, has either Washington or Taipei lost all that much? Despite the bold hopes of its boosters, is the U.N. all that important or effective?

In all fairness, it should be noted that the world body had done fairly good in the economic and social development fields. But the fact remains that, when it comes to global power politics, the U.N. is a hollow, toothless nonentity, taken seriously by few thinking men and fewer governments.

Thus, a case can be made that our loss has been slight—more symbolic than substantive. We can even hope that this latest humiliation will finally awaken the American public and the Congress to the realities of the U.N.

We have seen the organization deteriorate into little more than a sounding board for anti-American invective. We have seen the Soviet Union in a position of casting three votes—even more if you count the satellite countries—to our one. And we have seen this farce financed in large part, by Uncle Sam, who must be viewed by the other member nations as the biggest sucker in history.

Now, chances appear good that Congress will insist that our dues payment will be limited to our own fair share of the U.N. budget, instead of the present

ridiculous situation, in which Uncle Sam pays more than a third of the tab.

We have far, far better things to do with the taxpayers' money than to pay other nations to insult us.

But even beyond financial considerations, this latest vote will force thinking Americans to ask themselves a question that has needed asking for a long, long time: What on earth has the U.N. ever done for us?

UNITED NATIONS MOBILIZES TO COMBAT RACISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. RARICK. Mr. Speaker, the latest U.N. aggressive program is a call to mobilize the people of the world to combat racism. I fear that many of our people who are unfamiliar with Communist jargon and application of our words may fall unwilling accomplices in the so-called battle which they can wage only against themselves. Especially is this true for those who have experienced the loss of freedom of choice in selecting a child's school and those denied the use of their own neighborhood school by having their children forcefully bused to eliminate some idealistic theory of racial imbalance.

In each of these instances, the forced integration of public schools and the busing experiment are said to be advantageous to our society in the attainment of peace by overcoming racial imbalance—someone's sociological solution to prejudice and racism.

Likewise, the United Nations' goal of stamping out racism is rationalized as a requirement to further the U.N. goal of peace. Conversely, the propaganda impact on our people is that anyone opposing the combating of racism is against peace.

Experience since 1954 in the United States certainly should convince any doubters that the race-mixing policy, as an implementation of the United Nations peace through racial proportions program, has backfired and there is more overt evidence of racism in the United States today than before the Supreme Court adopted Gunnar Myrdal's novel as the judicial guidelines for the future.

In the United States since 1954, the taxpayers have been milked of billions in the battle to combat racism called ordered equality. Millions of American people have been coerced, intimidated, and have surrendered to unbelievable tyranny from their government by forced changes in custom and practice.

Public schools are integrated at great expense amid community tension only to become resegregated. Cities and suburbs are integrated by every conceivable ploy of preferential Government financial assistance only to resegregate. Hardly a segment of our society has remained untouched under the some 17 years of promotion of equality in the war to stamp out racial distinctions. Thus far, every move and action taken by the Govern-

ment to eliminate racism in the United States has proven but costly and futile failures which have succeeded only in massive migrations of our people.

The reason for the failure of these racial experiments in our country is that free people refuse to be regimented or herded like so many cattle. Free people, on their own initiative and following their own conscience, refuse to accept unnatural conditions and socialistic solutions.

There can be no elimination of racism in the United States or elsewhere in the world so long as the individual is free to escape the planned patterns. Racism can be eliminated only if freedom is destroyed.

I am doubtful that those Americans who are so eager to protect their school, home, business, and community realize that they are the target of activities which further the U.N. goal to stamp out racism whenever they watch TV, go to church, attend a concert, or even go to a professional sporting event. Many Americans are now engaged in a war for survival and do not know who the enemy is.

We learn here in Washington that schoolchildren are being encouraged to participate in oratorical contests on the subject "What Can We Do To Combat Racism Around the World?" This program apparently is to continue until December 10, which has been established as Human Rights Day. What a difference it would make to the American people if words were honest and the subject for the debate was expressed so that it would be understood by Americans to be "What Can We Do To Combat Freedom Around The World?"

I include a related news clipping:

[From the Washington Evening Star, Oct. 23, 1971]

UNA TO CELEBRATE U.N. DAY-WEEK

Tomorrow is United Nations Day, but every day is U.N. Day to the shoppers and volunteers at the UNA Gift Shop in Georgetown.

The 2,000-member Washington chapter of the United Nations Association—part of a 100,000-member national organization—hopes to have 150 persons enrolled to work at its shop during the Christmas shopping season. During that time they will mark the shop's second anniversary.

One of the UNA's programs, an oratorical contest, will begin tomorrow and end on Dec. 10, Human Rights Day. Many high schools in the Washington area are taking part in the contest, for which the subject is: "What Can We Do to Combat Racism Around the World?"

Some 50 finalists in the contest will receive a free trip to New York.

Other events marking United Nations Week—in accord with proclamations issued by both President Nixon and Mayor Walter Washington—are:

A U.N. Day program at Glen Echo Park, described today in the "Sunday and Monday in Washington" column on Page 3.

A noon luncheon Thursday at Billy Martin's Carriage House, 1238 Wisconsin Ave. NW. Assistant Secretary of State Samuel de Palma will speak on "The 26th U.N. General Assembly: Turning Point in History." For reservations, call 337-5551.

The manager of the store on N Street is Anne Marie Adkison. She hopes to attract visitors not only to buy such expensive trinkets as an Indian necklace, but staples like UNICEF greeting cards and calendars—or simply to look around at the posters and learn about the association's work.

THE NEWS TWISTER

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. REID of New York. Mr. Speaker, a new book entitled "The News Twisters" is receiving a good deal of attention and has been mentioned in the CONGRESSIONAL RECORD. Authored by Miss Edith Efron, the book makes a statistical analysis of network news broadcasts during the period of the 1968 presidential campaign and concludes that all three major networks are systematically biased in their presentation of television news.

As this is a serious charge in the context of a most controversial issue, fairness requires that the pages of the RECORD be balanced.

The conclusions of Miss Efron's book are drawn from her statistical analysis of the word content of network news telecasts. Clearly the validity of these conclusions depends upon the validity of the methodology employed by the author. This methodology has been criticized by some reviewers, was the subject of a recent roundtable discussion on the Public Broadcast System, and has been extensively analyzed by Dr. Charles Winick, professor of sociology at the City University of New York, in a study commissioned by CBS News which CBS pledged to publish regardless of its findings. It is my understanding that Dr. Winick is experienced in making content analyses of the nature undertaken by Miss Efron in her book, and he received a special Peabody Award for his book, "The Young Viewer."

As of possible interest to Members, I am including a copy of Dr. Winick's study in the RECORD:

CRITIQUE OF THE METHODOLOGY OF EDITH EFRON'S "THE NEWS TWISTERS"

(By Charles Winick)

SUMMARY

Content analysis is an established technique for the systematic description of communication content. Although *The News Twisters* uses content analysis, it does not observe a number of the accepted practices in the field.

The News Twisters deals only with 7 p.m. network news during the 1968 pre-election period, which is not representative of the total news programming of the day, nor of news broadcasts at other times of the year.

Even in reference to the 7 p.m. network news, less than one-fourth of the total number of words broadcast was coded and neutral or non-partisan material was not considered.

Key coding categories and concepts are not clearly defined in the book and neither intensity nor degree of opinion was systematically measured. Word count of "pro" and "anti" opinion, the basic quantitative procedure used, is probably less desirable than other measures might have been. The communicator as a contributor to the context of an opinion was not evaluated, nor were the visual and pictorial dimensions of television.

No check for reliability of coding was included and there was no quantitative indicator of intensity of opinion.

The author's interpretation of the findings exclusively in terms of network newsmen's bias can be questioned, especially in view of

some of the circumstances of the 1968 campaign which bear directly on news content and help to explain it.

Content analysis is a powerful tool for the study of the manifest content of a communication. Even though it relies on judgments, content analysis can be scientific, if it is objective, systematic, and quantitative. Its validity may be enhanced by following procedures which have become reasonably established and apply to any study of content, regardless of its subject or political orientation. Such techniques are less important in the exploration of a literary subject than in a study involving public policy, such as Edith Efron's *The News Twisters*.

The following comments on the book will consider some of the principles of content analysis and the manner in which *The News Twisters* observes them. These comments are based primarily on the contents of the book. In a conversation with this author, Miss Efron clarified some aspects of her methodology.

Sampling

A sample of broadcast news chosen for content analysis should be reasonably representative of all broadcast news. By selecting a pre-election period, *The News Twisters* is essentially presenting a study of pre-election coverage, although its conclusions are presented as though they apply to all news broadcasts.

In the pre-election period, there is almost a built-in polarization of views because of the importance of the dimension of Republican-Democratic. Even though such a dimension is reasonable in terms of the two major candidates, it may be far less relevant in terms of the issues studied. Yet, by applying the "pro-anti" dimension to the issues, they are forced into a polarization which is artificial and does not adequately convey the range of material covered.

A much fairer procedure would have been to sample news broadcasts at other times of the year, when there would be a greater spectrum of both content and opinion than is possible before election.

A study seeking to explore network coverage of news should extend its coverage to more than one program, which may be subject to special considerations in terms of content because of its brevity, time of broadcast, differences between time zones, responsiveness to "hard news", and similar factors.

In the case, for example, of the presidential candidates, who often climaxed a day of campaigning by an important evening appearance, the report of such an appearance might be "stale" by the time of the following evening's 7 p.m. news, although it would have been covered in other news programs. Material which might have been extremely important in terms of the candidate's activity is not counted in this study.

Selection of dimensions

The techniques of content analysis may be applied to almost any kind of material. In this study, opinions on 13 "controversial issues" are studied in terms of their presentation by broadcasters on the 7 p.m. news during the seven pre-election weeks of 1968. The "issues" are: the three Presidential candidates, U.S. policy in Viet Nam, U.S. policy on the bombing halt, the Viet Cong, the white middle class, liberals, conservatives, the left, black militants, demonstrators, and violent radicals. The "issues" were chosen because they were controversial and both the "Republican-conservative-right-axis" and the "Democratic-liberal-left-axis" took "strong opposing positions" on them (p. 30).

The study should have been preceded by a preliminary pilot study to identify and tabulate the range of content and "controversial issues" broadcast during this period. The pilot study could clarify whether there were

"controversial issues" other than those chosen and facilitate the selection of categories which are appropriate, exhaustive, and mutually exclusive.

In *The News Twisters*, no "issue" is accorded greater importance than any other. How important was the "Viet Cong", if it elicited a grand total of 81 words, less than one minute of air time? Or "violent radicals", with 281 words?

Assuming the selection of these 13 "issues", an alternate procedure would have been to group some of the ten non-candidate subjects as part of larger ones. Six "issues" lend themselves to such reclassification, as part of the "Viet Nam" and "law and order" areas of concern, which were certainly crucial:

Viet Nam: U.S. policy on the war; U.S. policy on the bombing halt; Viet Cong.

Law and order: black militants; demonstrators; violent radicals.

In terms of "law and order", it is possible that the American public was concerned about some of its less controversial aspects, like personal safety and crime in the streets. The presidential candidates also talked about other "issues" like the cities, integration, and the economy. Even if these "issues" received relatively little coverage, it would seem desirable to know how they were treated on television since they so urgently affect the daily lives of citizens.

Three of the categories coded—"liberals", "conservatives", and "the left"—are less "issues" than political labels. If "the left" is included, why not "the right"? "The white middle class" is a sociological category rather than an issue. These four categories are probably not "issues" in the same sense as the three candidates, Viet Nam, and law and order and questions may be raised about their inclusion.

Definition of terms

A study in content analysis must clearly define its terms, not only so that the coder knows how to classify units of content but also for the benefit of the reader of the report. In a content analysis dealing with emotionally toned concepts, it is particularly urgent that there be clear definitions. Otherwise, the researcher may be responding to a private definition of the concept. In reference to broadcast material, there is again particular need of definition because a newsman or other communicator may use a word which is similar to the title of one of the categories, although the passage may be more accurately categorized in another category.

The only concept which is formally and clearly defined in the book is "opinion". The various "issues" are not explicitly defined, which is to say that the coder's criteria for classifying specific content in one category or another are not spelled out.

The concepts most in need of careful definition are "pro" and "anti", since they represent the most important classifiers in the study. Assessment of "pro" or "anti" attitudes is very difficult without clear definitions.

But even a seemingly simple concept like "white middle class" needs definition, since in network stories so tabulated by the author it includes "the white middle class majority", "white America", "white racist America", "the middle class electorate", "the American electorate" and "the American people" (p. 67).

Classification of content

The basic classifications used for content must be complete, in terms of the goals of the research. In a study of bias, it is important that there be consideration of content which is not clearly "pro" or "anti" but deals with the issues studied.

The analysis in *The News Twisters* is based on a fairly small proportion of all the material during the period studied (p. 102, 247):

Network	Number of words transcribed	Number of words of opinion	Opinion as percent of total words
ABC.....	100,600	32,219	32.07
CBS.....	115,500	19,340	16.74
NBC.....	107,000	25,825	24.14
Total.....	323,100	77,384	23.95

In other words, the number of words of opinion which were coded came to less than one-fourth (23.95%) of the total number of words broadcast. The remaining (76.05%) content was therefore either a) relevant to the 13 coded subjects but not classifiable "pro" or "anti", or b) not relevant to the coded subjects. The exact proportion of uncoded content in each of these two categories is not known.

Had all verbiage on the subjects been coded, it would have been possible to determine how the amount of "pro" and "anti" material on each issue compared with the amount of non-opinion material.

One way of handling the latter is to classify it as "neutral", or a passage which contains both "pro" and "anti" can be placed in a "balanced" category.

Another way of including degree of direction is to assign a numerical value to the direction of an opinion: -3 strongly anti; -2 anti; -1 somewhat anti; 0 neutral; +1 somewhat pro; +2 pro; +3 strongly pro.

Either of these procedures—coding an idea which is "neutral" or "balanced" as such, or assigning it a numerical value on a scale—would provide a fuller and thus more valid content analysis than assigning opinion to "pro" or "anti".

Coding units

In content analysis, the coding unit should be large enough to convey meaning, small enough not to contain too many meanings, and clearly identifiable. Serious questions may be raised about whether the opinion, as defined in *The News Twisters*, meets these criteria.

Since the audience of television news may perceive a section within a broadcast rather than each opinion, a more logical unit of analysis would seem to be the program section dealing with a theme, rather than each statement of the theme. For example, an ABC broadcast on 10/30/68 is classified as carrying seven different pro-Humphrey opinions (p. 260):

Negroes support Humphrey.
Abernathy says Negroes can elect President.
Negroes support Humphrey.
Southern Negroes support Humphrey.
Eighty-five percent of the Negroes support Humphrey.
Charles Evers is getting out the vote.
Negro minister supports Humphrey.

A realistic series of content categories could have categorized these seven opinions as one theme. In addition to this material being tallied as seven opinions, each word is counted toward the total. A word count may be helpful in the determination of attitudes but tabulation of the material by theme is usually more useful and valid. In content analysis, large units of meaning have generally been found to provide as valid indication of direction as small units and an opinion expressed in many words is not necessarily stronger than one in fewer words.

A word count restricted to opinions may not accurately measure the content of a story, in terms of how it will be perceived by a viewer. A long story which implicitly conveys the overall thrust of being on one side of an issue but expresses no explicit opinion for that side, might contain a one sentence opinion which would be tabulated on the other side of the issue. Because the bulk of the story contained no explicit opinion it would have been ignored by Miss Efron, in

favor of the single deviant sentence. A candidate who conducts a cautious campaign, like Mr. Nixon in 1968, may get substantial favorable exposure which would not be counted at all because it contained no opinion content.

Although there is probably a positive correlation between word count, number of opinions expressed, and broadcast exposure days, the use of measures other than word count might modify some of the conclusions of the study. Thus, the word count shows more words "pro" than "anti" "demonstrators," but the "anti" material appears in more opinions and broadcasts. Although "pro" "left" verbiage exceeds "anti," the "anti" opinions are presented on more broadcasts. The word count shows "black militants" receiving almost twice as much favorable as unfavorable coverage, but in the same number of broadcasts. Reliance on word count as the only quantitative measure of opinions has limitations because the count may mask other dimensions which could be important.

Depending on opinion means that significant other kinds of content which could influence audiences will not be counted. In the same paragraph in which Miss Efron criticizes the networks for inadequate coverage of black achievement, she notes that a Negro general was interviewed by NBC on the occasion of his promotion (p. 146). Because the general was not expressing an opinion, this interview was not counted in her study.

The communicator

Ever since psychologists developed the concept of "prestige suggestion" in the 1930's, content analysts have taken into account the status, reputation, and credibility of the communicator. In this study, no systematic efforts are made to consider the impact of the communicator. Miss Efron observes that "it does not matter who is voicing the opinions—it matters only what opinions are being voiced" (p. 131). But it does matter who is doing the talking, because the same remark may be coded either "pro" or "anti," depending on its source. If George Ball says, "Humphrey should get the Negro vote," it would clearly be "pro" Humphrey; the same remark from George Wallace would have to be classified as "anti" Humphrey. The various politicians whose opinions are coded are not identified in terms of political allegiance, although such placement could affect the public's perception of their views.

Another problem with the way in which the sources of the opinion are presented is the ascription of source (public, politicians, candidates, other, reporters). There is no tabulation of opinions in terms of each of these groups, except for the reporter category, which is not broken down in terms of "commentators" and other newsmen. Although reporters account for a considerable part of the total opinion broadcast (48% at ABC, 31% at CBS, 18% at NBC, p. 102), the reader is not told what proportion of it is represented by persons identified as "commentators". In a study of bias, it would seem important to know the amount of opinion which is clearly labeled as such because a "commentator" is expressing it.

The "public" category includes sources as varied as Bud Wilkinson, Walter Lippman, Walter Reuther, Scripps Howard newspaper, and the U.A.W. The political identification of such sources surely affects the public's perception of what they say, but this dimension is not considered systematically.

Three kinds of non-editorial opinion are described: direct quotes, paraphrases, and reports. The opinions presented are not, however, tabulated by these categories. If they were so tabulated, the analysis would have been much more meaningful.

The medium

Content analysis of multidimensional media considers as many of the dimensions

as possible. Network news consists of more than flat voices. It has visual content, which may contribute very substantially to the content of a program and includes film, still photographs, and maps and charts. *The News Twisters'* reliance on sound alone may convey an inadequate impression of what was communicated by the 7 p.m. telecasts.

The voice, phrasing, gestures, and timing of a communicator can substantially contribute to the direction and intensity of what he is saying. Consider a citizen who is asked, "For whom are you voting?" and immediately answers, "Nixon is the one for me." Another citizen, asked the same question, may look deliberate and pensive for a few seconds and then carefully answer, "Nixon". The first exchange would be tallied as 11 pro-Nixon words and the second as only 6, although its impact on audiences might be at least as great as the longer dialogue. A content analysis should consider such aspects of a message but this study does not do so.

Related to the visual nature of television but not included in the study is the matter of relative time placement of a story within the half hour of the program. Such placement is important because we know that not all viewers view the whole program and that they may be influenced by the time placement of specific content. In content analysis of newspapers, an "attention score" or "display index" is often used to assign points for relative position on a page. Similarly, it is possible to assign points for relative position within the half hour time period of the broadcast.

Reliability

In content analysis, the issue of reliability is important: can someone else, or the original researcher on another occasion, achieve the same results using the same techniques on the same material? There are simple techniques for establishing the degree of reliability. One procedure is to give the same instructions and text to different coders and establish the degree of consistency between them. In the split halves procedure, the same coder divides the content into randomized halves, codes both and compares the correlation between them. Another reliability procedure is to have the same coder code the same content at different times. None of these procedures was followed.

Reliability measures are crucial in content studies of controversial and issue-oriented material, where a coder's bias may intrude in spite of himself. *The News Twisters'* non-use of any reliability procedures, in view of the seriousness of its charges, is a barrier to its credibility.

Employment of more than one coder would not only have made possible more confidence in the coding of opinions used in the study, it might have led to the inclusion of material which is not now tallied. For example, opinion content dealing with the Democratic party and President Johnson was not counted, although many viewers surely perceived anti-Democratic and anti-LBJ material as anti-Humphrey.

Content analysts usually assume that some communications will not lend themselves to easy categorization and establish a procedure for having a third person resolve any coding differences. In this study, material which posed coding difficulties is not tallied.

Intensity of opinion

"Pro" and "anti" express the direction of an idea unit but not the vigor and emotion with which it is expressed and the contribution to intensity of various kinds of language: verbs, adverbs, adjectives, etc. A point of view may be expressed mildly or vigorously, actively or passively. Content analysts try to quantify ratings of a communication's intensity, in order to permit precise comparisons.

One technique for assessing intensity of a communication is to give it a numerical

value on a simple scale. Each idea unit can then be given a score, as indicated above (p. 6). It would have been possible to tally the scores assigned to all the "pro" and "anti" material on the same issue and emerge with two scores, which could be compared.

This procedure, including appropriate measures of reliability on the coding of intensity, would permit others to perform an independent check on the measure of intensity. Because Miss Efron estimates comparative intensity qualitatively and does not follow any standard procedure, quantify scores, or use a measure of reliability, her procedure cannot easily be evaluated or duplicated.

Interpretation of data

A content analyst usually considers his findings from different viewpoints and discusses the relative plausibility of each interpretation. All findings in this study, however, are considered only from the single viewpoint of network newsmen's twisting of the news, which in one instance is described as a "pathological phenomenon" (p. 95). Network news output is what it is, says Miss Efron, because "the liberal composition of network staffs renders it impossible for network news departments to be anything but liberal news agencies" (p. 196). Some network newsmen are said to be "out-right liars" (p. 195).

This is one possible conclusion from Miss Efron's findings, but other interpretations are also possible. In any scientific study, the simplest explanation which fits the facts is preferable to more convoluted interpretations. One explanation relates broadcast news content to what is taking place "out there". As Miss Efron notes, news is "something new" that has happened somewhere (p. 6). There can be no coverage of an event that has not occurred.

An evaluation of the broadcast coverage of the two major presidential candidates during the seven week period of the study, requires examination of both the coverage itself and what was actually happening in the campaign.

Theodore H. White in *The Making of the President 1968* points out that Mr. Humphrey's chief tactic was "to goad Nixon into anger or blunder" (p. 399). Humphrey ran a vigorous anti-Nixon campaign, among other reasons, because the Democrats had so little money for the purchase of broadcast time. White notes that from the convention to October 24, not one national radio or television spot had been scheduled (p. 412). The September 30, Salt Lake City speech represented the Democrats' first nationwide telecast.

Mr. Humphrey and other Democrats, because of Humphrey's personal style and the campaign situation, attacked Nixon, quite vigorously and consistently. Their anti-Nixon opinions were duly reported on the 7 p.m. news. Such considerations ought to enter into Miss Efron's interpretation of the seemingly large amount of anti-Nixon verbiage, but they are not mentioned.

Although the "out" party usually attacks the incumbent, historians of the 1968 election uniformly agree that Mr. Nixon began the campaign intending not to divide and embitter the country by attacking the Democrats. His commanding lead in the polls five or six weeks before the election, also made it less necessary for him to take extreme positions. The Republicans' extensive use of friendly "citizens panels" on paid local television broadcasts contributed to their disinclination to attack the Democrats.

Theodore H. White describes Mr. Nixon's approach to the election as "the strategy of caution and safety" (p. 386). Miss Efron herself notes, in explaining why she does not include presidential candidates' opinion on U.S. policy on the Viet Nam war, that "there was virtually no material from Mr. Nixon"

(p. 37). The low key nature of the Nixon campaign certainly is a factor in understanding why there is seemingly little anti-Humphrey opinion, but it is not mentioned. Here as in other issues, the broadcasters' commitment to a "Democratic-liberal-left-axis" is invoked as the reason for the finding.

In the coverage of the campaign, the networks' presentation can certainly be clarified in terms of the nature of each candidate's campaign. "Pro" and "anti" content related to other "issues" can similarly be related to what was occurring at the time.

The News Twisters seems less interested in exploring alternate explanations and implications of its findings than in documenting network bias. It is more like a legal brief, organizing evidence to support a thesis, than a research study which seeks to explore all facets of a situation.

In the introduction to the appendix which summarizes the methodology, the author gives as one of the requirements for undertaking such a study "a thorough mastery of the rules as set forth" (p. 247). However, a comparison of "the rules as set forth" with the established principles of content analysis raises serious questions about the validity of *"The News Twisters."*

THE 10 COMMANDMENTS OF GOOD GOVERNMENT

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. BAKER. Mr. Speaker, each year, Civitan International, sponsors a nationwide essay contest challenging America's young writers to focus upon the meaning of American citizenship. As a member of the Chattanooga, Tenn., Civitan, an organization boasting 107 members, I am proud to note a young lady from my home State, Miss Sharon McRedmond, of Nashville, has won first prize in this year's contest. Miss McRedmond's excellent and inspiring entry is appropriately titled, "Citizenship—A Privilege and a Responsibility."

Like the majority of her contemporaries, Miss McRedmond realizes responsibility must be a constant companion to privilege if America is to remain at the pinnacle of world leadership. It behooves all of us to heed Miss McRedmond's apt warning:

We scan the horizon for enemy ships, but never notice the termites gnawing relentlessly on the timbers.

While exercising vigilance over outside forces which would destroy us, we cannot fail to maintain a strong moral fiber here at home. A survey of history shows the great empires of the world were toppled ultimately not by outside forces, but by internal decadence. Let us profit from their mistakes.

Among the "Ten Commandments of Good Government" offered by Miss McRedmond, perhaps the most important reads, "Thou shalt realize the privilege of living in the U.S."

Sadly, the young authoress is correct in her comment queues before motion picture box offices are often longer than those before the ballot box. When we fail to assume our responsibility for the success of democracy, we leave the job—by default—to others.

I am inserting in the RECORD Miss McRedmond's winning essay as it appears in the October 1971, Civitan magazine:

AWARD WINNING ESSAYS: CITIZENSHIP—A PRIVILEGE AND A RESPONSIBILITY

I've been waiting here at the Loew's Theatre for forty-five minutes, hoping I could get in to see "Love Story." The line stretches a block's length, three people thick. It's a long wait, but there is a diversion: I listen to the conversations around me.

The lady in front of me has a son named Albert, who must plan to run for 18th District Representative. "Well, Betty, you know, I always say we're mighty lucky to live here, with no problems and nothing to bother us. Look, we're the richest country anywhere and nobody would dare hurt us."

She went on, but I stopped there. Her words could not be true, because they sounded too good. She and many other people are unaware that forces like Communism can destroy us, if we sit, and pat ourselves on the back. "No problems. . . ." Then why is her son a candidate? Is it because there is no other job? He obviously realizes the need for improvement, the ever present need. Most of us are citizens who are brainwashed . . . the unsinkable S. S. United States will always ride the high seas. We scan the horizon for enemy ships, but never notice the termites gnawing relentlessly on the timbers.

As a nation, we cannot afford to sit still. We either push ahead or are left behind. This movement depends on the citizens, not the bureaucrats in Washington.

If I were the Moses of America, I would give the Ten Commandments to keep America alive through good citizens.

"Thou shalt love thy country with thy whole heart" and please don't be a word-lover; show it in actions.

"Thou shalt vote in every election." Even if none of them appeals to thee, still vote. For many people this is their only way to take part in government, yet the line at this theatre is longer than the polls, which are open only one day. It is a privilege unequalled in most of the world. Use it wisely.

"Thou shalt tell these representatives what to do." Imagine the helpless feeling of no citizen response, yet plenty of criticism. Tell him exactly what you want. Write a letter, and urge your friends to do so.

"Thou shalt not criticize unless the criticism can be used to improve." Don't gripe. It's useless, and deadens the response to a valid complaint.

"Thou shalt honor thy president and first lady." Respect all leaders. Remember that to respect does not mean to blindly adhere to all he may think or say. Question him, but don't degrade him.

"Thou shalt realize that there is another side to the story." Often it's not possible to tell the reason behind an action. Draw the fine line of difference between this and un-concern. Certainly, everyone has a right to know what goes on, but sometimes it's either impossible or impractical.

"Thou shalt know thy history." Find in it the mistakes which we must avoid. Find in it an inspiration. Think of the bloody tracks in the snow at Valley Forge, the fear of those men that all was in vain, and the hope that gave them strength.

"Thou shalt realize the privilege of living in the United States." There are not words good enough to describe this. It must be experienced. Our Constitution tries. Read it, and its list of rights. We have a right to do almost anything and we have the means with which to do it. We do not have the burden of fear which many nations carry. In all ways, we are truly a privileged people.

"Thou shalt recognize the responsibility of caring for this privilege of citizenship." Only with great care can it be beautiful. Every-

one can participate. They must. My little brother has his own way. Right now he is out with his Boy Scout Troop, picking up litter. My Aunt Ellen teaches her children a bedtime democracy course. Most people can do this by following the other commandments. Don't be one who enjoys the privileges without the responsibility.

They just shut the ticket office. I didn't get in, so I must go home. On the way I will see churches of every kind, companies, shops, recreation centers, schools, and hospitals. I will see people in demonstrations, children in parks, policemen in squad cars. I will see reporters from the Gazette, free to write what they please. Then I will be home, and I will slowly realize the value of my citizenship—that it is a privilege which holds an important responsibility. Then I will live it.

SELF-DETERMINATION FOR NORTHERN IRELAND

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. PEYSER. Mr. Speaker, the ideals of democracy, freedom, liberty, justice, natural law, and nondiscrimination are being threatened by the situation in Northern Ireland. Ireland is artificially partitioned against the wishes of the majority of Irish people, those living in the six-county area of Northern Ireland are discriminated against and are denied basic civil right and equal justice under the law, and violence and bloodshed continue to threaten peace and security, which should be the prime concern of any government for its people.

I am delighted to cosponsor a resolution with the Honorable HUGH L. CAREY calling for peace in Northern Ireland. The resolution requests that the U.S. Government at the highest levels urge the implementation of the following: First, the termination of the policy of internment and the release of all persons detained thereunder; second, full respect for civil rights and the termination of discrimination; third, implementation of the reforms promised by the United Kingdom since 1968 in the fields of law enforcement, housing, employment, and voting rights; fourth, dissolution of the Parliament of Northern Ireland; fifth, withdrawal of all British forces from Northern Ireland and the institution of law enforcement and criminal justice under local control.

Last month I submitted a resolution of my own concerning the conditions in Ireland, House Resolution 631. This resolved "That it is the sense of the House of Representatives of the United States of America that: 'The Irish people ought to be permitted to exercise the right of national self-determination thus returning the disputed six counties to the Irish Republic, unless a clear majority of all the people of Ireland, in a free and open plebiscite, determine to the contrary.'"

On Saturday, October 16, I spoke at a rally in Yonkers, N.Y. At that time I joined with people from all religious and ethnic backgrounds to express my feeling that the situation in Northern Ire-

land was deplorable and that the Irish must be given the right to self-determination. I think that the violence and bloodshed has continued long enough. If the United Kingdom cannot control the situation, we ought to apply as much pressure as we can to urge immediate resolution of the conflict and see that the rights of the Northern Irish are not destroyed.

A prolonged conflict will cause extreme damage to all parties involved, and will threaten peace and the ideals which America cherishes. I believe that this Congress ought to take a firm stand now and make a public statement concerning the contempt of the rights of the people of Northern Ireland by a minority, and the unification of all Ireland.

A COMMISSION ON INTERNATIONAL TRADE AND EXCHANGE

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. CONABLE. Mr. Speaker, on October 20, David Rockefeller delivered a speech at the annual dinner of the British National Committee of the International Chamber of Commerce on problems of world trade and international exchange. Among other things Mr. Rockefeller called for establishment of an international commission to study the need for longer range reform of the world monetary system as well as trade and investment patterns. I wish to second his suggestion, which seems to me far preferable to the convening of a worldwide conference such as that at Bretton Woods in 1944. The consensus for such a conference obviously does not now exist, and it would probably be counterproductive without the groundwork which a commission should first perform.

We must study the analysis and advice of financial leaders like David Rockefeller here in the Congress if we are to prepare ourselves for the decisions that face us in the world today. While not claiming any expertise in this vital area of economics—the international scene which is now in such turmoil—I approve of Mr. Rockefeller's realistic and informed approach. I also share the sense of urgency with which he speaks. The United States cannot be a happy place if uncertainty in international financial circles precipitates a worldwide depression. Time is of essence. I am including Mr. Rockefeller's speech in the RECORD for the consideration of those who may not have seen it:

A NEW DESIGN FOR WORLD MONETARY ORDER

When your program planners invited me to speak, they were gracious enough to give me an unlimited choice of topics. They did suggest, though, that it might be both appropriate and relatively easy for a banker to talk about solutions to world monetary problems!

I find their confidence in me most reassuring, but I wonder whether I have the proper

credentials to live up to their lofty expectations.

The story is told that on that fateful August weekend at Camp David, where the new Nixon economic blueprint was drawn, one of the government officials participating made the suggestion: "Everybody who worked on this program should be awarded a Ph.D. in Economics."

At that point, a former professor who had taken part in the discussions countered: "Yes, and those of us who earned our Ph.D.'s should turn them in!"

While I'm not quite ready to turn mine in, I am tempted to hedge more and more on my forecasts in this incredibly complex area.

The turmoil of the past few months has focused the attention of the average man and woman on matters usually the almost exclusive preserve of international financiers and economists. The financial pages of our daily newspapers have blossomed with a whole new vocabulary made up of such colorful terms as "mini-devaluations," "crawling pegs," "clean" and "dirty floats."

One Wall Street friend confided to me that his children, after watching a television commentator's review of monetary developments, demanded that their weekly allowance be paid in Swiss francs!

Certainly, the critical interlocking role that money plays in the economies of nations has again been conclusively demonstrated. At the recent annual meeting of the International Monetary Fund, which I attended in Washington, the dependence of business prosperity on monetary stability was one of the chief topics of conversation. There was an air of concern about the impact which the monetary crisis was likely to have on jobs, prices and company profits—all of which are heavily influenced by the international exchange rate of a nation's currency.

Among the bankers and government financial specialists present, one could hear dismaying echoes of the widespread complaints and misinterpretations that greeted the American actions of August 15. These actions appear to have been seen by many overseas as a set of beggar-thy-neighbor policies, while at home they have been condemned by some as foreboding a fresh wave of protectionism.

I believe both interpretations are inaccurate.

I believe, too, that there is nothing to be gained by trying to assign blame in a situation as serious and all-encompassing as the one we now face. Discordant voices on both sides of the Atlantic can only delay a solution and must be toned down if we are to end the series of crises that have jeopardized the unity and stability of the world's economy.

Fortunately, even amid the strains which have been produced, traditional friendships have not suddenly been washed away. Partnerships of allies in the monetary field such as your own country and mine remain steadfast. The task ahead, as I see it, is to combine our wisdom and our energies to address the short-term problem of restoring some degree of certainty to international money exchange and trade, and the longer-term problem of remaking the world monetary system.

For a few minutes tonight, I'd like to review the events that brought on the latest crisis since in understanding the cause we may find the key to some remedial action. Then I'd like to propose some ways of bringing about, on a more permanent basis a flexible monetary system.

The upheaval, from which we are still suffering, was precipitated, as you know, by the drastic steps taken by President Nixon to control inflation and improve the U.S. balance of payments. Persistent inflation in the United States—which did not yield to the economic and monetary restraints of the past couple of years—had become a compelling is-

sue and had severely strained the patience and confidence of both consumers and business. Personally, I believe Congressman Wilbur Mills was correct when he said that the economy would have remained stagnant if the President had not launched his new economic program when he did. A dramatic highlight of that program, of course, was cutting the dollar loose from gold and imposing a 10% surcharge on American imports.

While the U.S. decisions of mid-August brought the matter to a head, the crisis in our monetary system had actually been building for a long time—at least since the early 1960's when redemption claims held by foreign central banks against the United States outpaced the nation's gold reserves. The world moved onto a *de facto* paper dollar standard which gave the United States the unique power to use its national currency without limit to cover deficits in its balance of payments.

The Nixon package was designed not only to restore domestic prosperity and price stability, but also to check a deterioration in world financial and trade matters, and move toward a restructuring of such arrangements. Clearly, these goals are vitally important not only to the United States but to the rest of the world.

While it is true that in the short run the U.S. appears to be the prime beneficiary of the measures taken, the extent of the transitional adjustment should not be over-emphasized. The highly controversial figure of a \$13 billion swing in the U.S. balance of payments should be set against such magnitudes as total U.S. trade transactions of \$86 billion and total world trade of almost \$600 billion. The point is that the required adjustments, while difficult for several nations, will not be catastrophic for any.

To understand what is involved, it is helpful to strip away the veil of money and look at what has been going on in real terms. The rest of the world, and notably Japan, has been selling goods and services to the U.S. on credit. More such credit has been provided through the Eurodollar market.

The big change now is that the United States can no longer use automatic credit lines indefinitely to finance its balance-of-payments deficit. She will have to pay international bills by exporting real goods and services. This fact, plus the relative devaluation of the dollar in terms of other major currencies, means that the U.S. must export more real resources to pay for a given amount of imports of goods and services. This is another way of saying that the terms of trade will move against the U.S. For that reason, recent initiatives should not be looked upon as unilaterally favorable to the U.S. To a degree, the contrary is the case.

Nations which upvalue their currencies against the dollar will be the gainers assuming that they maintain full employment. Their imports will cost them less in real terms. This is true of Japan, where the import factor is highly significant. Indeed, the net result of all the prospective changes could be favorable to Japan, in the longer term, in the sense of overall welfare, although it will have an important adverse effect on her export industries.

These relative gains or losses in terms of trade are less important over time than the general viability of the system. All nations will benefit from a system which promotes a continuing growth in world trade.

The major U.S. objective is to assist in restructuring world financial and trade relationships in a manner which will prove a lasting benefit to all concerned. The U.S. cannot accomplish this unilaterally. Nor can it do so overnight. The cooperation of other leading currency nations is essential, and the task must be approached in a series of stages.

The indispensable first stage is to restore

order in the monetary system. It would be in the best interests of all nations for the United States to return to an export surplus. At a time of rising protectionism in America, I know of no more powerful force to turn us back to an open world trade policy.

To some extent, the present situation resembles that faced by Great Britain after the Corn Laws and the Napoleonic Wars. At that time of economic challenge a similar choice had to be made between free trade or protectionism. Choosing the former, Britain led the world toward an open global economy that lasted into the present century.

Today, as you know, a number of key currencies, with certain notable exceptions, are floating in relation to the dollar. In point of fact, though, all countries have imposed restrictions—including central bank intervention in market trading—to hold back increases in the value of their currencies that market realities might otherwise dictate. The United States, too, has restrictions which prevent the full interplay of market forces. These will have to disappear if a stable equilibrium is to be established.

We need an accord on a satisfactory realignment of exchange rates—which might well include a modest change in the relationship between the dollar and gold—coupled with assurances that nations are prepared to discuss seriously a broad restructuring of financial, trade and defense mechanisms. Then the United States should move swiftly to drop the import surcharge and the Buy-American investment credit. Removing these protective restrictions would greatly enhance the international atmosphere and foster a climate in which further agreements might be easier to achieve. Besides, experience shows that the longer a trade restriction stays on, the larger the constituency it attracts and the harder it is to remove.

The essential point is to secure a consensus that a strong U.S. balance-of-trade position is in the best interests of all nations.

When some semblance of order has been restored in the world monetary system, we should strive for accord on fundamental revision of the monetary and financial structure. Perhaps wider bands of fluctuations for temporary periods will be necessary to allow for greater independence of monetary policy or for the adjustment of payments balances in certain cases.

We should also work toward agreement on a set of new reserve arrangements which would strengthen and bring to the fore some variation of the Special Drawing Rights or SDR's, the so-called "paper gold" created by the Monetary Fund and held by central banks. Revision is needed so that SDR's can be used not simply to supplement key currency reserves and gold but in the longer run to supplant them. In this regard, I am sympathetic with the view of your Chancellor of the Exchequer, Anthony Barber, as expressed at the meetings of the World Bank and Monetary Fund.

The longer-term objectives, in my view, should be to devise a system which will make possible an increased scale of aid to the less-developed nations, improve the process of adjustment to international changes through greater use of fiscal policy, and remove barriers to trade and investment. Liberalization of trade arrangements—with uniform international safeguards and rules of the game—could open broader markets for all countries. In this evolution, certain countries, such as Japan, would have an opportunity to revise their own priorities and gradually shift their emphasis from trade surpluses to accommodating the infrastructure needs of a growing domestic economy.

In prescribing the removal of barriers to trade and capital flow, I don't mean to exclude my own country. The United States must show a willingness to negotiate reasonably on trade concessions, and not expect

that all the dropping of barriers will be done by others.

Even with the best of solutions to broad issues of international payments and trade, the inevitable changes will pose difficult transitional problems for individual industries and companies where final arrangements must be credible to labor and sensitive to a variety of other concerns. An agreement on trade adjustment procedures might well be added to the list of overall objectives. The goal should not be to avoid such adjustments, but to provide time to accommodate them. Instead of the awkward mechanism of voluntary quotas, it might be possible to set up rules under which all parties would avoid the sudden flooding of specific markets.

One suggestion for arriving at a longer-range solution which we hear from time to time is that a second worldwide conference, such as that at Bretton Woods in 1944, should be convened to redesign the world financial structure. While this idea may be superficially appealing, I do not believe its time has come. Conditions now are greatly different from those of a quarter-century ago—consider only the shift of the dollar from shortage to surplus. But no solid consensus exists at the moment as to what structural changes would be desirable. In such an environment, a large international conference might become at best a debating contest, and at worst an arena for political bickering.

Instead, while the Group of Ten leading industrial nations are examining the immediate problems, I believe we should seriously consider the establishment of an International Commission to study quietly but intensively the need for longer-range reform of the world monetary system as well as trade and investment patterns. This Commission might address itself to a redefinition of official currency parities in terms of a new international currency unit, perhaps SDR's. There is a basic need for the world to begin moving away from both gold and the dollar standard toward a monetary system that will insure all countries greater security and equilibrium. The proposed International Commission might also consider reforming the role of internationally-created central bank reserve assets. And it should examine more thoroughly the possible advantages of widening, or even narrowing, exchange rate margins.

While it is unrealistic to assume that all our monetary problems can be solved quickly, it is nevertheless essential that we lose no time in moving ahead. Failure to act promptly could lead to the imposition of new barriers against trade and investment which, in turn, would have an adverse effect on the growth of domestic economies. If business slows down and unemployment rises, governments will be increasingly hesitant to inflict painful measures on their economies by making upward adjustments in the value of their currencies. So the sooner we can reach agreement on the preliminary stages, the better it will be.

It seems to me compellingly important that any adjustments in the monetary mechanism, which might be considered by an International Commission such as I propose, should be tempered with a concern for those two-thirds of the world's people continuing to live in poverty. In the evolving world economy, plans for the growth of the richer nations must also take into account the needs and aspirations of the developing societies.

Our longer-term goals must be the free flow of trade and investment, monetary stability and worldwide economic growth leading to a better life for all people. The sound improvement of monetary relationships is a significant step along this road, and one that can be achieved only through a spirit of cooperation and international solidarity.

ILLINOIS QUESTIONNAIRE

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. ERLBORN. Mr. Speaker, to whatever degree a congressional poll indicates people's opinions, the citizens of the 14th Congressional District of Illinois are on record as strongly approving President Nixon's new economic plan.

My office sent a questionnaire to 87,000 homes in 14 communities in our district. The replies numbered 6,352, or slightly more than 7 percent.

In addition to the approval of wage and price controls, the poll shows a preference for President Nixon's way of getting us out of the Vietnam war, a preference for a greater Federal effort to end air and water pollution, distaste for continued Federal deficits, and opposition to giving food stamps to strikers.

By a small proportion, they agreed that strip mines ought not to be outlawed.

Below are the questions and the number of answers to each. Percentages do not equal 100 because the "undecided" vote is now shown.

REPLIES TO QUESTIONNAIRE—AUGUST 20, 1971

I. HOW WELL IS THE UNITED STATES DOING?

Using a scale, A=Excellent, B=Good, C=Average, D=Poor, and E=Falling. How do you rate the President's performance in the first 2½ years of the Nixon Administration?

How do you rate his handling of: The withdrawal from Vietnam?

A, 1,610; 25 percent.

B, 2,111; 33 percent.

C, 1,019; 16 percent.

D, 877; 14 percent.

E, 555; 9 percent.

Domestic unrest (riots, demonstrations)?

A, 902; 14 percent.

B, 1,981; 31 percent.

C, 1,760; 28 percent.

D, 959; 15 percent.

E, 544; 9 percent.

The Economy (inflation, jobs, etc.)?

A, 875; 14 percent.

B, 1,652; 26 percent.

C, 1,486; 23 percent.

D, 1,253; 20 percent.

E, 886; 14 percent.

Foreign Affairs (USSR, Mideast, China, NATO, Latin America)?

A, 1,181; 19 percent.

B, 2,247; 35 percent.

C, 1,691; 27 percent.

D, 641; 10 percent.

E, 347; 5 percent.

Now, put them all together, an overall grade?

A, 789; 12 percent.

B, 2,289; 36 percent.

C, 1,662; 26 percent.

D, 945; 15 percent.

E, 348; 5 percent.

II. A VARIETY OF QUESTIONS

Do you favor federal deficit financing to stimulate the economy?

Yes, 1,532; 24 percent.

No, 4,338; 68 percent.

Should the federal government impose controls on prices and wages in order to control inflation?

Yes, 5,119; 81 percent.

No, 827; 13 percent.

Should food stamps be made available to persons on strike?

Yes, 915; 14 percent.

No, 5,085; 80 percent.

Should the federal government expand efforts to end air and water pollution, even if this costs you more in taxes and prices?

Yes, 4,666; 73 percent.

No, 1,293; 20 percent.

III. GETTING OUT OF THE WAR

(a) It has been suggested that Congress cut off funds for the war by a date certain, provided only that our prisoners of war be returned. 877, 14 percent.

(b) It has been proposed that Congress direct the President to set a date for withdrawal of our forces, that date to be, let us say, 105 days after a cease fire and 90 days after return of our prisoners of war, and that our withdrawal be matched by withdrawal of North Vietnamese troops; the cease fire and withdrawals to be supervised by the United Nations. 1,767, 28 percent.

(c) The Senate has passed an amendment which would bring pressure to bear on the President to set a date (within nine months after enactment) for withdrawal of our forces from Vietnam, provided the North Vietnamese release our prisoners of war as we withdraw our troops. 874, 14 percent.

(d) Some say we are withdrawing our forces at a satisfactory rate, consistent with getting our prisoners of war back, protecting our remaining troops, and giving South Vietnam a reasonable chance to work out its own future. 2,524, 40 percent.

IV. QUESTION ABOUT THE ENVIRONMENT

Strip mines produce about one-third of our coal, but are responsible for only about one-eighth of mining deaths (no cave-ins, no explosions). On the other hand, strip mines leave a scarred landscape and jeopardize the water supply in their neighborhood.

Environmentalists believe that strip mines ought to be outlawed, even at the risk of cold homes or shortages of electricity. Do you agree?

Strip mines should be outlawed:

Yes, 2,179; 34 percent.

Should not be outlawed:

No, 3,739; 59 percent.

Ballots mailed: 87,000.

Answers returned: 6,352.

Mailed/Returned Ratio: 7.3 percent.

Ballots sent to: Glen Ellyn, Hinsdale, Itasca, Lisle, Lombard, Naperville, Roselle, Villa Park, Warrenville, West Chicago, Westmont, Wheaton, Winfield and Wood Dale.

THE PEOPLE'S CHOICE

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. O'KONSKI. Mr. Speaker, a very close friend of mine, Dr. J. T. Salter, has recently authored a book on the subject of big-city politics, which, I feel, may be of interest to my colleagues.

"The People's Choice," depicting the nitty-gritty of political bossism and well oiled party machinery, concerns itself with the growth of a political empire in the city of Philadelphia, at the time when William S. Vare made his bid for the title of undisputed boss of that city. This realistic and unique book uncovers the fundamentals which permitted a man, void of feelings for the social process of which he was a part, to become the most powerful feudal lord the city had known to that time.

Dr. Salter gathered the material for

this book in the early 1930's, when he was granted a fellowship by the Social Service Research Council. At that time, he went to Philadelphia, and talked with the voters, who had placed Vare in office. He talked with the mayor's handmaidens, and he talked with the "tough ringmaster" William S. Vare, himself. After his retirement, in 1968, Dr. Salter compiled and assessed his materials, and authored "The People's Choice."

This is not the only contribution that Dr. Salter has given to his country. For, before his retirement, students at the University of Wisconsin benefited from his teachings of politics for 38 years. Dr. Salter is to be commended for this great effort, and I wish to congratulate him on the occasion of the successful completion of his book.

MISSISSIPPI'S ECONOMY

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. GRIFFIN. Mr. Speaker, the State of Mississippi will have an extremely bright economic future as the positive aspects of the State continue to attract industry.

The indicators show that Mississippi has a strong economic foundation on which to build. This foundation will be utilized by the people of the State of Mississippi who are noted for their sense of pride, energetic optimism, and progress.

I invite the attention of the House to the following appraisal of Mississippi's economy published recently by the Corporate Planning and Research Department of the Deposit Guaranty National Bank, Jackson, Miss.:

THE MISSISSIPPI ECONOMY

PERSONAL INCOME CONTINUES TO ADVANCE

After a brief setback during last year's recession, Mississippi's personal income has resumed an upward path. Personal income advanced from a seasonally adjusted annual rate of \$5.6 billion in the third quarter of 1970 to a record \$6.0 billion in the first quarter of 1971. This increase represented a growth rate of 5.9 per cent during the period, almost double the United States growth rate of 3.0 per cent.

Mississippi's gains in personal income from the fourth quarter of 1970 to the first quarter of 1971 also exceeded those of the United States and the Southeast. While personal income increased by 3.7 per cent during this period, the United States as a whole and the southeast region experienced a growth rate of 2.2 per cent and 2.6 per cent respectively. While preliminary data on second quarter personal income has not yet been released, available information indicates another healthy increase in the State's personal income.

UNEMPLOYMENT REMAINS AT A RELATIVELY HIGH LEVEL

During the second quarter of 1971, the rate of unemployment in Mississippi averaged 5.3 per cent, the highest level in several years. This rate is still, however, lower than the 6 per cent averaged throughout the United States during the same quarter. The State's rising unemployment rate is the result of several factors: (1) an increase in the civilian

labor force during every month of the quarter—as of June the civilian labor force was 856,800, and (2) a decrease in nonagricultural employment—this decline was mainly the result of educational related activities and a drop in construction employment on a seasonally adjusted basis.

Manufacturing employment has remained at a record level, but growth in this sector has proceeded at a slow pace recently. Much of the latest growth in manufacturing employment is centered in the important transportation category with increased shipbuilding activity accounting for much of the gain. Manufacturing payrolls have risen substantially in excess of the United States level this year. The index of manufacturing payrolls stood at 141.6 in Mississippi during the second quarter, which is 41.6 per cent above the monthly average of 1967. In contrast, the index of manufacturing payrolls averaged only 121.2 for the United States during this same period.

RETAIL SALES REBOUND IN THE SECOND QUARTER

Estimated retail sales in Mississippi totaled \$2.61 billion in the first half of 1971, an increase of 11.5 per cent over the first half of 1970. Sales tax collected by the State Tax Commission during the fiscal year ended June 30, 1971, amounted to \$169,354,441, an increase of 8.0 per cent over the total for the previous fiscal year. Sales tax paid in the second quarter of 1971 was \$44,416,825. This total compared with \$40,425,240 collected during the second quarter of 1970 and represented a 9.9 per cent increase. The outlook for retail sales during the second half of the year will be influenced by the strength of consumer spending plans and the effects of private educational costs on many of the State's citizens.

BANK DEPOSITS AND LOANS STRENGTHEN

The banking sector of the Mississippi economy has been unusually strong this year. Both loans and deposits have expanded at a very rapid rate with loan demand well in excess of national trends. The statistics contained in the charts on page four are for member banks in the Sixth Federal Reserve District portion of Mississippi only. It is anticipated that comparable data for the northern half of the State will be forthcoming in 1972. As soon as this occurs, an index for the entire State will be constructed. Nevertheless, available information indicates that loan and deposit expansion has been strong throughout the State.

The index of bank deposits in Mississippi stood at 147 during the second quarter, while bank loans averaged 58 per cent greater than the 1967 base period. The vitality of the State's banking system can be vividly seen by comparing these figures with those of all member banks in the United States. For this same period, the index of bank deposits was 134, while the index of bank loans averaged 137 for all member banks in the U.S. Both of these indexes portray a much lower rate of growth. Preliminary data for July indicate that banking activity continued to expand during the first month of the third quarter. In fact, debits to bank deposits accounts for the southern half of Mississippi totaled \$2,173,094,000 in July, up 9 per cent over the same month in 1970.

THIRD QUARTER OUTLOOK APPEARS FAVORABLE

An examination of second quarter data confirms that last year's recession has bottomed out and that Mississippi is back on the road to economic recovery. The major effect on the State was actually a slow-down in the rate of growth rather than a deep recession, but it appears that most sectors of the economy are again on the upswing. While President Nixon's new economic program is expected to stimulate the local economy, its effects should not be evident until the fourth quarter of 1971.

MISSISSIPPI COMMENTARY

State personal income exceeds national growth rate

Statistics released last month by the U.S. Department of Commerce report that Mississippi's personal income grew 8.8 per cent in 1970, a figure which compares favorably with the 7.1 per cent rate experienced in the nation as a whole. This growth rate was the twelfth highest in the nation and placed our personal income at \$5.7 billion. In terms of per capita personal income, the State's increase was also greater than both the national average and the southeastern states' average. While per capita income grew only 5.8 per cent in the United States and 7.3 per cent in the Southeast, this vital standard of living measure advanced 9.0 per cent in Mississippi.

Agricultural sector contributes largest gain

Although the manufacturing sector of our economy has received the majority of attention recently from economic developers, the primary reason for our above average rate of growth in personal income during 1970 can be traced to the performance of agriculture. An examination of civilian production income by source reveals that during 1970 income received by the State's farmers increased 17.7 per cent as compared to a loss of 3.7 per cent for the nation as a whole. Other sectors of the State's economy which showed rates of growth in excess of the national average in 1970 were manufacturing and mining. It is interesting to note that every sector of the Mississippi economy experienced a respectable growth rate in 1970.

Mississippi's per capita income still lowest in the Nation

Mississippi's gains in personal and per capita income have been quite impressive recently. Nevertheless, the fact remains that our per capita income is the lowest in the nation. This average income level has unfavorable implications for the standard of living of our State's citizens. During 1970 the State's per capita income totaled only 66 per cent of the national average. While this represents an improvement over the 55 per cent averaged in 1960, it is still much lower than any other state in the Southeast.

One disturbing aspect of the State's income growth over the last decade is that although our percentage of the national average has increased, the actual dollar gap between the income of the State's citizens and the citizens of the United States has increased. This can be illustrated by examining the per capita dollar totals during the past decade. While the per capita income of the United States was only \$1,010 higher than that of Mississippi in 1960, by 1970 this disparity had grown to \$1,346.

Although this information appears paradoxical, it can be easily explained. Since the State's per capita income is so low, a relatively small dollar gain results in a fairly large percentage growth rate. Therefore, even though we are making progress in closing this percentage gap, the actual dollar difference has remained a serious problem. It is imperative that if Mississippi is to reach parity with the nation in per capita income, this ever widening dollar gap must be closed.

SPEECH BY ALFRED E. SANTANGELO

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. JAMES V. STANTON. Mr. Speaker, on October 9, Cleveland was honored to have as the principal speaker at its Col-

umbus Day dinner the Honorable Alfred Santangelo, our former colleague and now president of the Americans of Italian Descent. His statement outlining the achievements of Italian Americans remind us that this country was built by men of many different nationalities, and that their accomplishments, as well as their diverse cultures and traditions, are something in which we can all take pride.

In charting the future course of our land, let us hope that we will exhibit some of the same strength, determination, and wisdom that characterize these men of Italian lineage who contributed so much to our country.

I would now like to commend to my colleagues the text of his remarks:

SPEECH BY ALFRED E. SANTANGELO

Mr. Chairman DiMauro, Father Costanzo, Mr. Calandra, Mr. Leanza, Governor Gilligan, Congressman Stanton, Consul General Anziano, Judges Celebrezze, Angelotta Parrino, Gagliardo, LoPresti, Councilman Garafoli, other distinguished guests, Citizens of Ohio and my friends:

Today is a milestone in American History. Today we commemorate the 479th Anniversary of the discovery of America by Christopher Columbus. At long last our federal government has declared Columbus Day a National Legal Holiday. It was a citizen of Ohio, President Benjamin Harrison who first proclaimed by executive order in 1892 that October 12th would be a National Holiday. We Italian-Americans take special pride in the discovery by the Genoese Admiral, but Christopher Columbus belongs to all peoples. He belongs to Italian and to the Spanish, the Irish and the English, the Frenchmen and the Germans, the African and the Asiatic. He belongs to the Protestant and the Catholic.

The great order of the Knights of Columbus has pointed out that we honor Christopher Columbus not only for opening up a new world to the homeless and the tempest tossed but also for planting the cross of Christianity in this country. Prayers may be forbidden in the schools but prayer can never be eradicated from the land which the Christ Bearer discovered.

Despite the image which a bigoted and biased media of communication have created for Italian-Americans, we of Italian-American origin have no apologies to make. We are proud of the contributions which Italy has made to the discovery and exploration of America. We are proud of the sacrifices their descendants have made to preserve the freedom of this land. We are proud of the contributions the Italian-Americans have made toward the development of this nation, the inspiration for its ideals, the growth of its farms and cities, the feeding of its people, the building of its homes and roads, the running of its institutions and its government. We are proud of the contributions to the arts, the sciences and culture. Without the contributions the Italian-Americans have made to the United States and to the world, we could not today enjoy the civilization which blesses our land.

If it is disputed by Yale University that Italians discovered this land, we can show that Italians and Italian-Americans explored the wilderness and helped liberate the American colonies.

Beetrami and Tonti explored the Mississippi River, Francis Vigo, who explored the Midwest helped to finance George Washington in the Revolutionary War. John Paca signed the Declaration of Independence. We thrill when we hear how Phillip Mazzel inspired Thomas Jefferson to pen the stirring words that All Men are Created Equal. He was truly one of the fathers of American Democracy. We find pleasure when we remember that Carlo Mengarini founded Santa Clara Uni-

versity. Father Cataldo founded Gonzaga University. Dr. Peter Samartino developed Fairleigh Dickinson College.

We are proud when hear of the valorous sacrifice of John Basilone of New Jersey. The only two time Congressional medal of honor winner in our history who rejoined his buddies and gave his life at Iwo Jima. We fly on wings of joy when we read about the air victories of a young man from Ohio, Don Gentile the Eagle of the Skies. We beam when we recall the valor of Peter Dalesandro of Watervliet, at the Hurtgen Forest and other medal of honor winners such as Lieutenant Bianchi, Geno Marli, Guy Martini in the Vietnam War. We take justifiable pride when war records disclose that not one out of 1 million 400 thousand American soldiers of Italian origin defected or turned traitor to the United States in World War II. We swell with cultural pride when we gaze at the fresco works of Constantino Brumidi and Luigi Persico whose art beautifies the United States Capitol at Washington, D.C. We are amazed at the scientific contributions by Italians such as Marconi, Meucci, and Galvani. Just as Christopher Columbus opened up a new world, so did Enrico Fermi, who split the atom, open the universe to men of this planet.

The immortal Roman Poet Vergil once asked "What Region on Earth is not Filled with the Fruits of our Labor." Today we ask, in the United States, What part of this nation is not filled with the labor of Italian-Americans.

Over twenty four million Americans of Italian origin play an important role in every walk of life, in every field of endeavor. They serve the needs of American life at every stage between birth and death, many excel, many prosper. They render daily contributions to the growth of this country. They contribute to the development of its economic life. They help preserve and protect the health of its citizens, and they in large measure contribute to the enjoyment of leisure hours. We ask and properly so—when, oh when will the President appoint a Jurist of Italian background to the US Supreme Court?

In the history of the United States, when growers and builders needed money, bankers such as Giannini or his family in the West and Luigi Scala of Rhode Island furnished financial help.

In the buildings of homes, Italian-American laborers put together the brick, plaster, mortar, concrete and tile. Most of the workers in the construction trade are Italian.

Leading the construction industry out of Chicago we find names such as Moreschi and Fosco who lead the International Labor Unions. After homes are built we find Italian men furnishing the fuel and the furniture.

In the educational field outstanding are names like Dr. Leonard Covello, Angelo Patri, Mario Pei.

Italian-Americans have always been famous for their artists and musicians. Like Abou Ben Adam, the names Frank Sinatra and Perry Como lead all the rest.

In the operatic field we remember the immortals Enrico Caruso, Giovanni Martinelli, Renata Tibaldi and Baccoloni. Today we have the Flagello's. Who can ever forget Arturo Toscanini and popular Guy Lombardo?

In the legal field we have the Justinian Society of Judges from Maine to Texas and from N.Y. to California.

These contributions are great, but the greatest contributions to our land are the contributions of the unsung heroes, the Italian-American Mothers. They teach their children and their grandchildren daily the qualities of loyalty, and respect for authority for parent and government. The Italian-American mother teaches her offspring love of family, love of country and love of God.

Our nation and the world are challenged on every side by old evils and new ideologies. Today it has become fashionable in many quarters to substitute personal license for obedience and personal ease for the common good. The simple truth is that it takes the same qualities of self-discipline today to make a responsible human being as it did in 1492, when Christopher Columbus crossed the uncharted seas.

The sons and descendants of Christopher Columbus, the Italian-Americans can change the present drift of events in this nation. We have it within our grasp to found a new world of brotherhood, respect for each other and peace under the cross which the Christ bearer Columbus planted at San Salvatore many years ago.

As we face the uncertain future, let us be inspired by the example which Christopher Columbus left to America. In times of adversity, opposed, or misunderstanding—Let us cry out what he said to his fearful and mutinous crew when they sought to turn back, "Sail on, Sail on."

We, in America, must go forward, upward and onward, we must say avanti, until we reach that day when peace and understanding are accepted with a whole heart, when the immigrant is accepted on the basis of worth and not on the accidental place of birth; when the foreign and native born, black and white are respected and treated with dignity. On that day we can say with justification, "Oh Christopher Columbus, the land you discovered in the name of God is the land of brotherhood among all races and creeds and we, your beneficiaries have kept faith with you."

MAKING SUMMER CAMPS SAFE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. FRASER. Mr. Speaker, in 1969 one of my constituents lost a son when he and a companion were on a canoe trip in the Boundary Waters Canoe Area of Minnesota.

This tragic accident focused my attention on the Youth Camp Safety Act, title 19 of H.R. 7248, sponsored by DOMINICK DANIELS, of New Jersey and PETER PEYSER, of New York.

The protection of children and youth in organized camps of America through sound safety standards is indeed important and a genuine concern of all parents.

I am impressed with the remedial character of title 19 as contrasted to the penal approach for seeking safety in camps. I believe it is important to camping leaders that the law's intent is to upgrade safety practices by encouraging the elimination of safety hazards in consultation with the camp owner and director. The primary focus on "serious violations" is a genuine asset for effective implementation.

At the same time the application of the "general duty" clause for each camp owner will strengthen and support the excellent standards and practices developed by the competent and concerned camp owners and directors over many years of very significant service to youth and families.

I command the Post's editorial of October 23 to my colleagues:

MAKING SUMMER CAMPS SAFE

Most of the nation's estimated eight million youth campers have now returned from happy weeks or months enjoying Nature and the outdoors. Many of the children were at safe, well-run camps where supervision is firm and accident prevention is taken seriously. This is not true for all the children, however; many attended camps where counselors had little or no knowledge of dangerous waters or woods, where safety equipment was not provided, where safety and health inspections were rare or non-existent. The statistical breakdown between safe and unsafe camps is not known. A possible guide is that out of 11,000 camps in the country only about 3,500 are accredited by the American Camping Association. According to Dr. John Kirk, president of the ACA, testifying in the last session of Congress, only "26 states have adequate legislation in the areas of sanitation. About 15 have safety regulations that would be meaningful. About three or four make reference to personnel." Against this background, the House is soon to consider an amendment to the higher education act offered by Representatives Daniels and Peyser.

The amendment, which is essentially the Youth Camp Safety bill, has been endorsed by such groups as the American Camping Association, the YMCA, the Boy Scouts of America, the Salvation Army. A main feature is that HEW sets minimum federal standards for safety in the camps. These standards can then be administered by the states; the latter will receive 80 per cent funding from the government to administer these safety measures. The Daniels-Peyser amendment is an effective approach because it provides incentives to let the states administer their own programs while ensuring that nationwide standards will be met. Thus, a camp in one state will have the same minimum safety standards as a camp a mile across a state line or a camp 2,000 miles across the country. Congress has been debating for years now on how to protect millions of children from poorly run camps, so the endorsement of the camping groups for this amendment can hardly be ignored. ACA President Kirk is on record as saying that the Youth Camp Safety bill "is one of the most outstanding pieces of proposed legislation that I have ever seen."

The need for federal minimum standards is great. Over the years, the list of camp deaths and injuries has grown long, from river drownings because children were not given life jackets to highway crashes of children riding on dangerous flatbed trailer trucks. Safety-minded officials say that large numbers of these tragedies could easily have been avoided.

CAPITAL'S LEGENDARY HOST

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. WALDIE. Mr. Speaker, I was delighted to recently read a newspaper article in the Sacramento Bee about an old and dear friend of mine, Frank Fat, upon his retirement.

I am sure I join all my colleagues from California who have served at one time or another in the State legislature, in wishing Frank well upon his retirement, although I feel that Frank will probably

work more during this "retirement" than before.

Mr. Speaker, Frank Fat's name is synonymous with graciousness and hospitality.

I join with his many friends and his wonderful family in wishing him well.

I would also like to place into the Record the Bee article entitled, "Capital's Legendary Host."

The article follows:

CAPITAL'S LEGENDARY HOST—SURPRISING CHINESE RESTAURATEUR RETIRES—TO NEW VENTURE

(By John V. Hurst)

Since 1939 the gilded door at 806 L St. has opened onto a mealtime Mecca for generations—brief as such generations are—of politicians both voting and votive.

And since 1939 they have been met behind that door by a cerubic, cheerful Chinese named Frank S. Fat, an upbeat antithesis of the stereotyped inscrutable Asian. Glowing with a kind of pleasure that goes beyond professional pretense, he has presided daily, peripatetically over the prandial play and patter of legislators, lobbyists, state workers, businessmen and tourists.

So it may come as something of a surprise to the lunchtime regulars to learn that Fat has retired—especially since they still see him there every noon.

But then, Frank Fat is full of surprises. How many know, for instance, that he once worked as dishwasher in the Sutter Club—and has the scar to prove it? Or that he has plunked some \$50,000 into a tiny food stand on land he doesn't even own?

CUTTING DOWN

As for retirement, his explanation is simple enough:

"I used to put in 14-16 hours a day. But since I retired in July, I'm here only a couple of hours a day. Besides, I want to help build another Frank Fat's on Front Street, in Old Sacramento."

Wing Fat, at 46 the eldest of Fat's six children—there are 11 grandchildren—runs the L Street restaurant now.

"I was born in 1904, in May," Frank replies when asked his age, tactfully leaving it to the questioner to reckon, according to Chinese or Western custom. By whatever reckoning, however, the age is another surprise: Fat's round, unlined face and compact, unbowed frame are those of a man far younger.

He himself follows the old ways in this: "I was just a kid—16 then," he says of his arrival in Sacramento in 1919, 15 years after his birth.

Just in from China, he came up to Sacramento from San Francisco to visit an uncle who ran a restaurant on I Street, near 3rd, "and I happened to pick the right time and the right place."

FIRST JOB

It seems the Sutter Club, then at 327 J St., had just hired a Chinese crew for its kitchen, and his uncle's chief cook was organizing this crew. "My uncle said, 'Why don't you hire that kid?' So I was dishwasher for the Sutter Club for a few months."

This career ended abruptly when he dropped a platter in the kitchen and "I cut my hand trying to clean it up—see? I still have the scar. It was the end of my dishwashing job."

Then came a \$3-a-week job filling bottles of "hair tonic," in a room behind a beauty salon run by two sisters. "One Sunday I came in and one of the sisters put my coat back on me and gave me my cap. I thought they didn't like me and I was being fired. I ran all the way back to Chinatown. I learned the next day they had everything ready to take me on a picnic."

In 1920 Fat followed another relative to

Ohio, working as kitchen help, then busboy, then waiter in a succession of Midwestern cities. "I always worked hard," he says. "I learned my English as a waiter."

In 1923 Fat returned to his native Conton to marry the woman who now presides over the weekly family gatherings in the family's Sacramento home. "I stayed in China until 1926. Wing was born there."

BULLETS FLYING

He returned to Chicago of the gangland '20s where, during the parade honoring Charles Lindbergh, "Capone's gang and another gang were shooting people in the street." When the depression hit, Fat felt the fish. Mercury poisoning is an unforeseen no pay—just food and tips.

His uncle summoned him back to Sacramento in 1930 to manage his remodeled Ho King Lum Cafe. "It was still the depression, so I also waited on table. But many of my good friends I made waiting on table all those years."

He counted on these friends to follow him when he opened Frank Fat's in 1939. They did. "My friends said, 'You're crazy.' There was an Italian restaurant in there then, and they'd never made a go of it. It used to be a speakeasy. L Street was so tough then."

Fat's Lake Tahoe venture, during World War II, followed a visit to the lake during which he was asked to leave a Bijou motel because, as the manager told Fat, "I didn't know you were Chinese."

Commuting between Sacramento and the lake proved too demanding, and after three years Fat and his partner sold the land and restaurant at Crystal Bay for \$300,000. "Last year, the same place sold for \$3½ million."

CHINESE SANDWICH

There have been Frank Fats in Gourmet Land and Carmichael's Food Fair, both now defunct, and one such cafeteria-style operation continues in Arden Fair's Food Circus. But Fat's heart is in his kiosk on the K Street Mall—"the first one of its kind, I think, in the United States. We serve a Chinese sandwich. It's prepared here and cooked there."

"That kiosk is the most expensive building in Sacramento," Fat says. "It's 12-by-12 and it cost \$30,000 to build. The city owns the ground. It cost about \$20,000 more for equipment."

"I did it because I wanted to put something nice on the mall. Besides, the first one is very important. Making money is the next thing."

Through the years the city and its Chinese community have called upon Fat for a number of jobs. He was among the first to agree to assume leadership in developing a Chinese center for Sacramento's downtown redevelopment area. He was an organizer, is now a director, of the Guild Savings and Loan Association.

But he is proudest of his recent initiation into the Grandfathers Club. "They came and asked me to join," Fat says with quiet pride.

Besides Wing, his children include Kenny, a dentist Tony, a Los Angeles tax attorney, and Gerald, at 19 the youngest, a student at the University of California at Berkeley. The two daughters and all the sons save Gerald are married, and all but Tony live in Sacramento.

AN OKLAHOMA INNOVATION RECEIVES HIGH MARKS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. EDMONDSON. Mr. Speaker, you were with me last week when a distin-

guished visitor to Oklahoma said some very nice words about our State. I am referring, of course, to Federal Communications Commissioner H. Rex Lee's address at the dedication of the Oklahoma Higher Education Television Instruction System.

Commissioner Lee praised our State for leadership and innovation in the use of television in educational instruction. I am proud that our State could merit praise for leadership and innovation, and I am especially proud that this leadership is being demonstrated in the field of education.

The facility which we were in Oklahoma to dedicate owes its success to the vision of one of Oklahoma's finest public servants, Dr. E. T. Dunlap, chancellor of higher education, and to the understanding and support Dr. Dunlap received from the regents for higher education and the Oklahoma State Legislature. The result is remarkable, and I know Dr. Dunlap would be pleased to demonstrate it for any of our colleagues.

Mr. Speaker, I would like to have Commissioner Lee's remarks delivered at that dedication appear in the RECORD. Commissioner Lee's remarks follow:

REMARKS BY COMMISSIONER H. REX LEE, FEDERAL COMMUNICATIONS COMMISSION AT THE DEDICATION OF THE OKLAHOMA HIGHER EDUCATION TELEVISION INSTRUCTION SYSTEM

It is indeed an honor to be here this afternoon for the dedication of the Oklahoma Higher Education Television Instruction System. I am especially pleased to be on the platform this afternoon with three old friends whom I have worked with for over twenty years on problems affecting not only the State of Oklahoma but the welfare of the country as a whole, friends who have been very helpful to me as a representative of the Executive Branch—I refer to our Speaker, to Congressman Tom Steed, and to Congressman Ed Edmondson. I am also pleased to be again with an old friend from National Governors' Conference days, Senator Henry Bellmon. The importance of the occasion today is measured by their presence.

Most people agree that television is the most effective means of communication ever devised by man. However, for many years television has remained a poorly utilized national resource in terms of its educational potential.

And, to me, this is tragic.

Ten years ago I was appointed the Governor of American Samoa. As a firm believer in the educational promise of television, I ordered the use of this communications medium as the central core of instruction in all the schools on the islands. At the time, this was considered a radical approach to the disgraceful educational situation which confronted the islanders. There were many doubters as to the efficacy of employing television in solving Samoa's educational problems. As a matter of fact, all of my educational advisers from the mainland were very doubtful of the project.

My major problem was to obtain the necessary finances to fund the project. However, due to the support of many farsighted friends in Congress—including our Speaker Carl Albert, Tom Steed, who was on the Appropriations Committee, and Ed Edmondson, who was on my substantive committee—we were given the opportunity to embark on the project.

Needless to say, the new television system worked exceedingly well—beyond even our fondest expectations. It sparked new interest by educators and administrators at home and

throughout the developing nations in the role of television in the educational process.

While I was still Governor, and later as assistant administrator of our foreign aid program (where the President had asked me to emphasize the use of television in helping developing countries), I had expected that the use of the medium in education would rapidly grow as more and more people began to recognize the powerful potential of television in serving the needs of the world.

Unfortunately, this has not happened to any significant extent.

That is why I was especially interested when Chancellor Dunlap and Dr. Bush came to the Commission with their plans for your system.

The time limit which Chancellor Dunlap laid out for the project looked impossible to meet—or at least so said many of the technicians at the Commission and elsewhere. You did meet the schedule.

Now—more than one year later—this exciting facility is operating and successfully meeting the needs of this great state.

This new instructional system is more than just a means of transmitting television programs from one location to another; it is more than just a method for efficiently and economically utilizing the resources of this state; and it is more than merely a means for improving the quality of higher education in Oklahoma.

True, the system is all of these things.

But it also stands as a shining example of cooperation, innovation, and farsighted planning in the otherwise barren desert of higher educational reform in the United States.

This system signals a new pioneering effort in the frontier of education.

Recently a major report on higher education by a prestigious task force was presented to the Secretary of Health, Education, and Welfare. The report analyzed the problems facing the Nation's system of higher education in the 1970's. Not surprisingly, it found that the problems were many and severe. It recommended that the means be found to create a diverse and responsive system, and that we enlarge our concepts of who can be a student and what is a college.

The report further stressed the fact that the electronic technologies are available for revolutionizing access to higher education, but it concluded, "only the imagination and commitment are as yet lacking in the United States."

I would say that one place where imagination and commitment are not lacking is here in Oklahoma.

It is also here that the seeds of a radically new approach to higher education have now been sown.

The Oklahoma State Legislature, the educators, and the local business and industrial communities are to be congratulated for the spirit of cooperation that moved this project off the drawing boards and into action.

Such cooperation is rare.

But I would hasten to add, that with this example, I am sure many other states and regions will soon follow.

A special debt of gratitude should be given to the Oklahoma Legislature for enacting Senate Bill No. 452 which authorized and directed the establishment of the instructional television system as an integral part of the state system of higher education.

Your pioneering efforts with this system are so very much in keeping with the nickname of the people of your state, "the Sooners." While other states and regions are still talking about and planning for similar systems, the people of Oklahoma have once again jumped the gun.

This television system has opened up new vistas for higher education. It will bring new

and equal educational opportunities to all areas of the state.

One aspect of this which particularly intrigues me is that while your system at present involves only higher education, I am sure it will demonstrate what can be done in the way of educational reform in the secondary, primary, and pre-school areas. These reforms will not only bring improvements, but should also contribute to more reasonable educational costs.

Your new system of instruction will further help to break down the status quo of the four-wall classroom which currently plagues the educational system of the United States.

The American architectural design expert, R. Buckminster Fuller, once remarked that the most important thing about our spaceship earth is that an instruction book didn't come with it.

The public and private leaders of Oklahoma, with your commitment to educational innovation, are writing one of the most important instruction books for the people of the United States and, I might add, for other countries as well.

Many people will be watching your pioneering efforts, and I am sure you will not fail to meet your highest goals.

Congratulations and best wishes for your continued success and development in this exciting venture.

THE CLOSING CIRCLE—II

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. HANNA. Mr. Speaker, on October 15, 1971, I inserted into the RECORD the first part of a two-part article by Mr. Barry Commoner entitled "The Closing Circle."

The second part of that article, which was published in the October 2, 1971, issue of New Yorker, follows:

THE CLOSING CIRCLE—II

There is something seriously wrong with the way human beings have occupied their habitat, the earth. The fault must lie not with nature but with man, for no one has argued, to my knowledge, that the recent advent of pollutants on the earth is the result of some natural change, independent of man. Indeed, the few remaining areas of the world that are relatively untouched by the powerful hand of man are to that degree free of smog, foul water, and deteriorating soil. One explanation that is sometimes offered is that man is a "dirty" animal—that, unlike other animals, man is likely to "foul his own nest." Somehow, according to this view, people lack other animals' tidy nature, and increasingly foul the world as their numbers increase. This explanation is basically faulty, for in a natural ecological cycle no waste can accumulate, because nothing is wasted. Thus, a living thing that is a natural part of an ecosystem cannot by its own biological activities degrade that ecosystem; it is always from without that an ecosystem is subjected to stress. Human beings, as animals, are no less tidy than other living organisms. They pollute the environment only because they have broken out of the closed network of the environmental cycle in which all other living things are held. As long as human beings held their place in the terrestrial ecosystem—consuming food produced by the soil and oxygen released by plants, returning organic wastes to the soil and carbon dioxide to the plants—they could do no serious ecological harm. How-

ever, once removed from this cycle—for example, to a city—so that bodily wastes are not returned to the soil but released into surface water, the human population is separated from the ecosystem of which it was originally a part. Now the wastes become external to the aquatic system on which they intrude, overwhelm the system's self-adjustment, and pollute it.

Certain human activities—for example, agriculture, forestry, and fishing—directly exploit the productivity of a particular ecosystem. In these cases, a constituent of the ecosystem that has economic value—an agricultural crop, timber, or fish—is withdrawn from the ecosystem. This represents an external drain that must be carefully adjusted to natural and man-made inputs to the ecosystem if collapse is to be avoided. A heavy drain may drive the system out of balance toward collapse. Examples include the destructive erosion of agricultural or forest lands following overintense exploitation, and the incipient extinction of whales. Environmental stress may also arise if the amount of a particular component of the ecosystem is deliberately augmented from without, whether by the disposal of human waste, as in the dumping of sewage into surface waters, or in an effort to accelerate the system's rate of turnover and thereby increase the yield of an extractable good, as in the use of nitrogen fertilizer in agriculture. Finally, since human beings are uniquely capable of producing materials not found in nature, environmental degradation may be due to the intrusion into an ecosystem of a substance wholly foreign to it. Perhaps the simplest example is a synthetic such as plastic, which, unlike natural materials, is not degradable by biological decay, and therefore persists as rubbish or is burned—in either case causing pollution. In the same way, a toxic substance such as DDT or lead, which does not play any natural role in the chemistry of life and interferes with the actions of substances that do, is bound to cause ecological damage wherever it is sufficiently concentrated. In general, any productive activity that introduces substances foreign to the natural environment runs a considerable risk of polluting it. It becomes necessary, then, to discover why human activities generate environmental impacts—that is, external intrusions into the ecosystems which tend to diminish its natural capacity for self-adjustment.

As a first step, we might look at the history of the pollution problem in a highly industrialized country like the United States. Unfortunately, despite the national proclivity for collecting and storing in the memories of the ubiquitous computers all sorts of statistics, from an individual's tax returns to the record of his attendance at political rallies, historical data on pollution levels are very spotty. However, a rather striking picture emerges from the data that are available: most pollution problems made their first appearance, or became very much worse, in the years following the Second World War.

A good example of this trend is provided by phosphate, an important pollutant of surface waters. In the thirty-year period from 1910 to 1940, the annual phosphate output from municipal sewage more than doubled, from about seventeen million pounds (calculated as phosphorus) to about forty million pounds. However, in the next thirty-year period, from 1940 to 1970, it increased more than sevenfold, to about three hundred million pounds a year. Since 1946, there have been these other significant increases in annual pollutant outputs: nitrogen oxides (which are released from automobile exhaust, and which trigger the formation of smog), 630 per cent; tetraethyl lead (from gasoline), 415 per cent; mercury (from chlorine-alkali factories), 2,100 per cent; synthetic pesticides (between 1950 and 1967 only), 270 per cent; inorganic nitrogen fertilizer (some of which leaches into surface

water), 789 per cent; non-returnable beer bottles, 595 per cent. Many pollutants were totally absent before the Second World War, having made their environmental debuts during or just following the war years: photochemical smog first became a matter of public concern in Los Angeles in 1942 and 1943; man-made radioactive elements were first produced in significant quantity in the wartime atomic-bomb project; DDT was widely used for the first time in 1944; synthetic detergents began to displace soap in the nineteen-forties; plastics became a contributor to the rubbish problem only after the war.

These striking changes in the pace of environmental deterioration provide an important clue to the origin of the pollution problem. The last fifty years have seen a sweeping revolution in science, which has generated powerful changes in technology and in the application of technology to industry, agriculture, transportation, and communication. The Second World War marked the turning point. The twenty-five years preceding the war were the main period of the modern scientific revolution in basic science, especially in physics and chemistry, upon which so much of the new productive technology is based. In the period of the war itself, under the pressure of military demands, much of the new scientific knowledge was rapidly converted into new technologies and productive enterprises. Since the war, the new technologies have rapidly transformed the nature of industrial and agricultural production.

The development of postwar technology had its origins in the basic nature of the prewar scientific revolution. In the nineteen-twenties, physics broke away from the ideas that had dominated the field since Newton's time. Spurred by discoveries about the properties of atoms, a wholly new conception of the nature of matter was formulated. Experiment and theory advanced until physicists gained a remarkably effective understanding of the properties of subatomic particles and of the ways in which they interact to generate the properties of the atom. This new knowledge produced powerful techniques for smashing the theretofore indestructible atom, driving out of its nucleus extremely energetic particles. Artificial radioactivity was discovered. By the late nineteen-thirties, it had become clear, on theoretical grounds, that vast quantities of energy could be released from the atomic nucleus. During the Second World War, this theory was converted into practice, giving rise to nuclear weapons and nuclear reactors—and to the hazards of artificial radioactivity, including the potential for catastrophic war. The new physical theories also helped to explain the behavior of electrons, especially in solids—knowledge that led, in the postwar years, to the invention of the transistor and the proliferation of solid-state electronic components. This provided the technological base for the modern computer, not to speak of the transistor radio.

Chemistry, too, had made remarkable progress in the prewar period. Particularly significant for later alterations in the environment were advances in the chemistry of organic compounds. These substances were first discovered by eighteenth-century chemists in the juices of living things. Gradually, chemists learned the molecular composition of some of the simpler varieties of these natural organic substances and developed a powerful desire to imitate nature—to synthesize organic substances in the laboratory. The first man-made organic substance, urea, was synthesized in 1828. From this simple beginning (urea contains only one carbon atom), chemists learned how to make laboratory replicas of increasingly complex natural products. Once techniques for putting organic molecules together were worked out, an enormous variety of substances could be

made. For example, although the molecules classed as sugars contain only three types of atoms—carbon, oxygen, and hydrogen—and these three can be related to each other in only a few different ways, there are sixteen different molecular arrangements for just those sugars which contain six carbon atoms. (One of these arrangements produces the familiar glucose.) The number of different kinds of organic molecules that can, in theory, exist is so large as to have no meaningful limit. Around 1900, chemists learned practical ways of creating many of the theoretically possible molecular arrangement. The knowledge that the variety of possible organic compounds is essentially limitless and that ways of achieving at least some of the possible combinations were at hand proved irresistible. The result represents, in terms of the number of new man-made objects, probably the most rapid burst of creativity in human history. Acceleration was built into the process, for each newly created molecule became the starting point for building many other new ones. Consequently, there accumulated on the chemists' shelves a huge array of new substances, similar to the natural materials of life in that they were based on the chemistry of carbon, but absent from the realm of living things. Some of the chemicals were taken off the shelf—either because of a resemblance to some natural substance or at random—and tried out in practical uses. This is how it was found in 1935 that sulfanilamide, which a dyestuff chemist had synthesized in 1908, could kill bacteria, and how it was found in 1939 that DDT, which had sat on a shelf in a chemical laboratory since 1874, could kill insects. During this period, a good deal was learned about the chemical basis of important molecular properties—the kind of molecular structure that governs a substance's color, elasticity, fibrous strength, and ability to kill bacteria, insects, or weeds. It then became possible to design new molecules for a particular purpose rather than search the chemical storeroom for likely candidates.

Thus, the prewar scientific revolution produced, in modern physics and chemistry, sciences capable of manipulating nature—of creating, for the first time on earth, wholly new forms of matter. But until the Second World War the practical consequences were slight, compared to the size and richness of the accumulated store of knowledge. What the physicists had learned about atomic structure appeared outside the laboratory only in a few kinds of electrical equipment, such as certain lamps and X-ray apparatus. In industry, the technological use of physical phenomena was still largely restricted to mechanical motion, electricity, heat, and light. In the same way, the chemical industry was based largely on familiar substances—minerals and other inorganic chemicals. But the new tools, unprecedented in their power, were there, awaiting only the urgency of wartime needs and the stimulus of postwar reconstruction to be put to work. Not until later was the potentially fatal flaw in the scientific foundation of the new technology discovered. This technology was like a two-legged stool: well founded in physics and chemistry but missing its essential third leg—the biology of the environment.

In addition to the great outburst of technological innovation, there have been significant social and economic changes in the United States since the Second World War. Are these, too, related to the pollution problem? Pollution is often blamed, for example, on a rising population and a rising level of affluence. It is easy to demonstrate that the changes in pollution levels in the United States since the Second World War cannot be accounted for simply by the increased population, which in that period rose by forty-odd per cent. Of course, this is a simplistic response to a simplistic proposal. It is conceivable that even a forty- or fifty-per-cent

increase in population might be the cause of a much larger increase in pollution intensities—which can be shown to lie in the range of from two hundred to two thousand per cent. It might be that providing food, clothing, and shelter necessary for the increased population would require intensified production by inefficient facilities. (For example, obsolete factories might need to be pressed into use.) In this case, a disproportionate case, a disproportionate increase in pollution would result from the operation of the inefficient production facilities, and, furthermore, the production facilities would need to expand much more than forty or fifty per cent to meet the needs of the increased population. This would imply a reduction in productivity (that is, the value produced per unit of labor expended). In actuality, matters are just the other way around; there have been sharp increases in productivity since 1946. Moreover, the chemical industries, which are particularly heavy polluters, have shown especially large increases in productivity; between 1958 and 1968, productivity in the chemical industries increased by seventy-three per cent, compared to a thirty-nine-per-cent increase for all manufacturing. So there is no evidence of a decrease in productive efficiency that might account for the discrepancy between recent increases in pollution levels and the growth of the population.

Another popular idea is that the increase in population has led to the rapid growth of cities, where internal crowding and deteriorating social conditions cause a worsening of the pollution problem. This notion, too, fails to account for the actual intensity of the environmental crisis. For one thing, a number of serious pollution problems, such as those created by radioactive fallout, fertilizer, pesticides, and mercury, are not of urban origin. It is true, however, that the size and population density of a city will have a disproportionately large effect on pollution levels, because of the "edge" effect; that is, as a city becomes larger, the length of its circumference relative to its area becomes smaller, and since wastes must be removed at the city's boundaries, waste levels can be expected to rise in terms of the effort to remove them per unit area. This effect may explain differences that exist among cities of different sizes in the incidence of diseases related to air pollution. Thus, the per-capita incidence of lung cancer in the largest cities—cities with a population of one million or more—is about thirty-seven per cent higher than that in cities with a population ranging from two hundred and fifty thousand to one million population. The distribution of population clearly does have a serious effect on environmental pollution resulting from automotive transport. Consider, for example, the consequences of the population shifts that are typical of United States cities, namely, the rising population of blacks and other minority groups in urban ghettos, and the migration of more affluent social groups to the suburbs. These processes separate the homes and the places of work of both ghetto dwellers and suburbanites. The relatively affluent who work in the city but are unwilling to live there need to commute; ghetto dwellers who have found work in outlying industries but are unable to live in the suburbs must commute in reverse. Partly as a result, the per-capita figure for automobile vehicle-miles travelled within metropolitan areas increased from 1,050 in 1946 to 1,790 in 1966. The significant point, however, is that the intensification of environmental problems associated with urbanization is due not so much to the increasing size of the population as to the maldistribution of the living and working places in metropolitan areas.

Indeed, there appears to be no way to account for the rapid growth in pollution levels in the United States since 1946 by the concurrent growth in the over-all population.

Neither simple increase in numbers nor the multiplicative effects of urban crowding nor a supposed decrease in productive efficiency can explain the sharp increases in pollution that are the mark of the environmental crisis. For the fact is that the ratio between the amount of pollution generated in the United States and the size of the population has increased greatly since 1946. This relationship can be converted to the mathematically equivalent—but highly misleading—statement: There has been a sharp increase per person in the amount of pollution produced. Since the biological wastes produced per person have certainly not increased, this statement might lead one to conclude that each of us has become more affluent and therefore responsible for the use of more goods and for the production of more wastes. A statistic that is sometimes introduced to bolster this conclusion is that the United States contains about six percent of the world's population but uses from forty to fifty percent of the world's goods, and that this kind of affluent society is in the nature of things also an "effluent society."

Again, it is useful to look at the facts about "affluence" in the United States. We can think of affluence in terms of the average amount of goods devoted, per person, to individual welfare. As a very rough measure—as we shall see, it is vastly inflated—we might use the gross national product available per person. In the twenty-year period from 1946 to 1966, the G.N.P. per capita (expressed in 1958 dollars, to correct for inflation) went up from \$2,222 to \$3,354. This represents an increase of about fifty percent, which by itself is insufficient to account for the observed increases in pollution per capita.

Since the G.N.P. is a crude over-all estimate of the goods and services produced in the country, it is more informative to break it down into specific items, and especially to distinguish between those essential to life—food, clothing, and shelter—and such amenities as personal automobiles, television sets, and electric corn poppers. With respect to food, the over-all picture for the 1946-66 period is quite clear: No significant changes took place in the per-capita availability of the major food categories, such as total calories and total protein, in the United States. The total calories available actually declined somewhat, from about 3,320 per person per day in 1946 to about 3,170 per person per day in 1966. The total protein available dropped slightly in the late forties, remained constant at about ninety-five grams per person per day until 1963, and then began to rise slightly, reaching the value of ninety-seven grams per person per day in 1966. These figures are reflected in overall agricultural-production data for the United States. In the postwar period, total production per capita of grain and meat have not varied from year to year by more than a few per cent. In the same period, per-capita consumption of certain important diet components—calcium, vitamins A and C, and thiamine—declined between six and twenty per cent. This situation may reflect a temporary improvement in nutritional balance effected by war-time food programs and an unfortunate decline in the quality of the United States diet when these programs were abandoned. Over all, it is clear that, in total quantity per capita, food consumption in the United States remained essentially unchanged from 1946 to 1966, although there was some decline in certain aspects of diet quality. There is no sign of increasing affluence with respect to food consumption.

When it comes to clothing, the situation is quite similar. There was essentially no change in per-capita production. For example, the annual production of shoes per person in the United States remained constant, at about three pairs, between 1946 and 1966.

The per-capita domestic production of all types of hosiery in that period was more

variable, but there was no significant overall change between 1946 and 1966. While rapidly changing styles in those twenty years caused large variations in the proportion of different types of clothing used per capita (for example, the production of men's and women's suits declined considerably, and the production of separate skirts, blouses, trousers, and sports shirts increased), the over-all per-capita production of clothing remained essentially the same. The total fibre used per capita in 1950 was forty-five pounds, and in 1968 it was forty-nine pounds—an increase of only nine per cent. Again we must conclude that, at least in the crude terms of the amount of clothing produced per capita, there is no sign of increasing affluence in the United States in the period following the war.

With respect to shelter, housing units occupied in 1946 were .272 per capita, and in 1966 they were .295 per capita. These figures do not take into account the quality of housing, but, in any case, they do not indicate any marked increase in affluence with respect to housing. This situation is also reflected in the production figures for housing materials, which show little change per capita in the period following 1946.

In sum, the per-capita production of goods to meet major human needs—food, clothing, and shelter—did not increase significantly in the period between 1946 and 1966, and has actually declined in some respects. There was an increase in the per-capita utilization of electric power, fuels, and paper products, but these changes cannot fully account for the striking rise in pollution levels. If affluence is measured in terms of household amenities such as television sets, radios, and electric can openers and corn poppers and in terms of leisure items such as snowmobiles and boats, then there have been striking increases. But, again, these items are simply too small a part of the nation's over-all production to account for the observed increase in pollution levels. What these figures tell us is that, in the most general terms, United States production—apart from certain items mentioned above—has about kept pace with United States population growth in the period between 1946 and 1966. This means that the overall production of basic items, such as food, steel, and fabrics, has by and large increased in proportion to the rise in population. This over-all increase in total United States production falls far short of the concurrent rise in pollution levels. It seems clear, then, that despite the frequent assertions that the cause of the environmental crisis is overpopulation or affluence, or both, we must seek elsewhere for an explanation.

Exploitation of the ecosystem is what generates economic growth, but the rate of the exploitation cannot increase indefinitely without overdriving the system and pushing it to the point of collapse. To be sure, this does not mean that any increase in economic activity automatically produces more pollution. What happens to the environment depends on how the growth is achieved. During the nineteenth century, the nation's economic growth was sustained in part by rapacious lumbering, which denuded whole hillsides and eroded the soil. On the other hand, the economic growth that began to lift the United States out of the economic depression in the nineteen-thirties was enhanced by an ecologically sound measure, the soil-conservation program. This program contributed to economic growth by helping to restore the fertility of the depleted soil. Such ecologically sound economic growth not only avoids environmental deterioration but can actually reverse it. For example, improved conservation of pasturelands, which has been economically beneficial in the western part of the Missouri River drainage basin, seems to have reduced the level of nitrate pollution in that stretch of the river. By contrast, farther downstream, in Nebraska,

agricultural growth has been achieved by an intensification of the use of fertilizer, which leads to serious problems of nitrate pollution. In other words, the fact that the economy has grown—that the G.N.P. has increased—tells us very little about the possible environmental consequences. For that, we need to know *how* the economy has grown.

The growth of the United States economy is recorded in elaborate detail in a variety of government statistics—huge volumes that tabulate the amounts of various goods produced annually, the expenditures involved, the value of the goods sold, and so forth. Although these endless columns of figures are rather intimidating, they can be useful in comparing one kind of economic activity with another. Not long ago, with two colleagues, I went through the statistical tables and selected from them the data for several hundred items that together are both a major and a representative part of this country's over-all agricultural and industrial production. We then committed the numbers to an appropriately programmed computer. For each item, the average annual percentage of change in production or in consumption was computed for the years since 1946, or since the earliest date after that for which the statistics were available. Then we computed the over-all change for the entire twenty-five-year period—a twenty-five-year growth rate. This list, arranged in decreasing order of growth rate, presents a striking picture of how the American economy has grown since the Second World War.

The winner of this economic sweepstakes, with the highest postwar growth rate, is the production of non-returnable soda bottles, which has increased about 53,000 per cent in the past twenty-five years. The runners-up are an interesting but seemingly mixed bag. In second place is the production of synthetic fibres, up 5,980 per cent, and in third place is mercury used for chlorine production, up 3,930 per cent.

Succeeding places are held as follows: mercury used in mildew-resistant paint, up 3,120 per cent; air-conditioner compressor units, up 2,850 per cent; plastics and resins, up 1,960 per cent; nitrogen fertilizer, up 1,050 per cent; electric housewares (such as can openers and corn poppers), up 1,040 per cent; synthetic organic chemical commodities, up 950 per cent; aluminum, up 680 per cent; chlorine gas, up 600 per cent; electric power, up 530 per cent; pesticides, up 390 per cent; wood pulp, up 313 per cent; truck freight, up 222 per cent; consumer electronics (TV sets, tape recorders, and the like), up 217 per cent; motor-fuel consumption, up 190 per cent; cement, up 150 per cent. Then comes a group of productive activities that, as I indicated earlier, have grown, at about the pace of the population: food production; the total production of textiles and clothes; household utilities; and steel, copper, and other basic metals. Finally, there are the losers—economic activities that have increased more slowly than the population, or have actually shrunk. These start off with railroad freight, up only 17 per cent; and continue with lumber, down 1 per cent; cotton fibre, down 7 per cent; returnable beer bottles, down 36 per cent; wool, down 42 per cent; and soap, down 76 per cent. At the end of the line comes the horse—work-animal horsepower is down 87 per cent.

What emerges from all these data is striking evidence that while over-all production for most basic needs—food, clothing, housing—has kept up with the increase in population (that is, production per capita has been essentially constant), the kinds of goods produced to meet these needs have changed drastically. Of course, part of the economic growth in the United States since 1946 has been based on newly introduced goods—television sets, tape recorders, and snowmobiles, for example—which have increased absolutely, without displacing older products.

But, in general, what has happened is that old production technologies have been displaced by new ones. Soap has been displaced by synthetic detergents; natural fibres—cotton and wool—have been displaced by synthetic ones; steel and lumber have been displaced by aluminum, plastics, and concrete; railroad freight has been displaced by truck freight; returnable bottles have been displaced by non-returnable ones. On the road the low-powered automobile engines of the twenties and thirties have been displaced by high-powered ones. On the farm, where per-capita production has remained about constant, the amount of harvested acreage has decreased; in effect, fertilizer has displaced land. Older methods of insect control have been displaced by synthetic insecticides, such as DDT; for controlling weeds, the cultivator has been displaced by the herbicide spray. Range feeding of livestock has been displaced by feedlots. In each of these cases, what has changed drastically is the technology of production rather than over-all output of the economic goods.

That statistical fiction "the average American" now consumes each year about as much protein and other foods, for about as many calories (but with somewhat less vitamin content), uses about the same amount of clothes and cleaning agents, occupies about the same amount of housing, requires about as much freight, and drinks about the same amount of beer (twenty-six and a half gallons per capita) as he did in 1946. However, his food is now grown on less land with much more fertilizer and pesticides than before; his clothes are more likely to be made of synthetic fibres than of cotton or wool; he washes with synthetic detergents rather than soap; he lives and works in buildings that depend more heavily on aluminum, concrete, and plastic than on steel and lumber; the goods he uses are increasingly shipped by truck rather than by rail; he drinks beer out of nonreturnable bottles or cans rather than out of returnable bottles or at the tavern bar. He is more likely to live and work in air-conditioned surroundings than before. He also drives about twice as much as he did in 1946, in a heavier car, on synthetic rather than natural rubber tires, using more gasoline per mile, containing more tetraethyl lead, fed into an engine of increased horsepower and compression ratio.

All this reminds us of something we have already been told by advertising (which, incidentally, has also grown, with the use of newsprint for advertising growing faster than its use for news)—that we are blessed with an economy based on very modern technologies. Something the advertisements do not tell us—as we are urged to buy detergents, synthetic shirts, aluminum furniture, and Detroit's latest creation—is that all this "progress" has greatly increased man's impact on his environment.

To most people, the "new technology" connotes computers; automation, nuclear power, and space exploration; these technologies are often blamed for the discordant problems of our technological age. In comparison, the farm, closer to nature, seems a place of innocence and simplicity. Yet some of the most serious environmental failures can be traced to technological developments on the American farm. Before it was transformed by modern technology, the farm was no more than a place where, to serve the convenience of man, several natural biological activities were localized: the growth of plants in the soil and the nurture of animals on the crops. Plants and animals were nourished, grew, and reproduced by means long established in nature. Their interrelationships were equally natural: the crops withdrew nutrients, like inorganic nitrogen, from the soil; the nutrients were derived by gradual bacterial action from the store of organic matter in the soil; the organic store was maintained by the return

of plant debris and animal wastes to the soil and by the fixation of nitrogen from the air into useful organic forms. When these circumstances prevail, the ecological cycles are nearly in balance, and with a little care the natural fertility of soil can be maintained for centuries—as it has been, for example, in European countries and in many parts of the Orient. Particularly important is the retention of animal manure in the soil and the similar utilization of vegetable matter—including the garbage generated in the cities by the food produced on the farm. Almost every knowledgeable European observer who has visited the United States has been shocked by our carefree attitude toward soil husbandry. Not surprisingly, the American farmer has been engaged in a constant struggle to survive economically. In the great Depression of the nineteen-thirties, some of the severest hardships were endured by farmers, as the soil was first degraded by poor husbandry and then literally lost to the winds and rivers through the resultant erosion. In the postwar period, new agricultural technology came to the rescue. This new technology has been so successful—measured in the hard currency of the farmer's economic return—that it has become enshrined in a kind of farm management that is so far removed from the ancient plan of farming as to merit a wholly new name: "agribusiness."

Agribusiness is founded on several technological developments, chiefly in farm machinery, genetically controlled plant varieties, feedlots, inorganic fertilizers (especially nitrogen), and synthetic pesticides. But much of the new technology has been an ecological disaster; agribusiness is a main contributor to the environmental crisis. For example, consider feedlots—where cattle, removed from pasture, are crowded together to be fattened for market. Since the animals are confined, their wastes are heavily deposited in one small area. The natural rate of conversion of organic waste to humus is limited, so in a feedlot most of the nitrogenous waste is converted to soluble forms (ammonia and nitrate). This material is rapidly evaporated or leached into ground water beneath the soil, or may run directly into surface waters during rainstorms. This is responsible, in part, for the appearance of high nitrate levels in some rural wells supplied by ground water, and for serious pollution problems resulting from the runaway growth of algae in a number of streams in the Midwest. Where untreated feedlot manure is allowed to reach surface water, it imposes a heavy oxygen demand on streams that may be already overloaded with municipal wastes. A livestock animal produces much more waste than a human being, and much of this waste is now confined to feedlots. For example, in 1966 more than ten million cattle were maintained in feedlots before slaughter—an increase of sixty-six per cent over the preceding eight years. Feedlots now produce more organic waste than the total sewage from all our municipalities. Thus, our sewage-disposal problem is more than twice its usually estimated size. The physical separation of livestock from the soil is related to an even more complex chain of events, which again leads to severe ecological problems. Animals confined in feedlots are supplied with grain rather than pasturage. When the soil is used for intensive grain production rather than pasturage—as it has been in much of the Midwest—the humus content is depleted; farmers then resort to increasingly heavy applications of inorganic fertilizer, especially of nitrogen, setting off an ecological sequence that is drastically disruptive.

At this point, fertilizer salesmen—and some agronomists—might counter with the argument that feedlots and the intensive use of fertilizer have been essential in increasing food production to keep pace with the rising population of the United States and the

world. The actual statistics on this matter are worth some attention. Between 1949 and 1969, total agricultural production in the United States increased by about forty-five per cent. Since the United States population grew by thirty-four per cent in that period, the over-all increase in production was just about enough to keep pace with the population growth; crop production per capita increased by only six per cent. In the same period, the annual use of nitrogen fertilizer increased by six hundred and forty-eight per cent—an increase far greater than the increase in crop production. One reason for this disparity also turns up in the agricultural statistics: between 1949 and 1968, harvested acreage declined by sixteen per cent. Clearly, more crop was being produced on less land; in fact, the yield per acre increased by seventy-seven per cent. Intensive use of nitrogen fertilizer is the most important means of achieving this improvement in yield per acre. Thus, the intensive use of nitrogen fertilizer allowed agribusiness to meet the growing population's need for food while reducing the acreage used for that purpose.

These same statistics also help explain why our water has been polluted more and more. In 1949, an average of about eleven thousand tons of nitrogen fertilizer was used for each unit of crop production (defined by the United States Department of Agriculture), while in 1968 about fifty-seven thousand tons of nitrogen was used for the same unit of crop production. This means that the efficiency with which nitrogen contributed to the growth of the crop declined fivefold. Obviously, a good deal of the nitrogen fertilizer did not enter the crop and must have ended up elsewhere in the ecosystem. Indeed, in order to achieve very high yields the farmer must use more nitrogen than the plants can take up. Though much of the leftover nitrogen leaches from the soil and pollutes the river, the farmer, given his present economic situation, has reason to believe that he cannot survive unless he pollutes. To get that last twenty bushels of corn out of an acre which means the difference between profit and loss, the farmer must use nitrogen fertilizer in amounts so great as to be inefficiently taken up by the crop. Since the cost of fertilizer, relative to the resultant gain in crop sales, is lower than that of any other economic "input," the new technology pays him well. The cost in environmental degradation is borne by his neighbors in town who find their water polluted. The new technology is an economic success, but only because it is an ecological failure.

The pesticide story is quite similar: increased annual use at reduced efficiency, leading to an excessive environmental impact. By killing off natural insect predators of the target pest while the pest tends to develop resistance to the substance, the new insecticides become increasingly inefficient. As a result, increasing amounts must be used simply to maintain crop yield. Thus, following the introduction of the new synthetic insecticides, such as DDT, the amount of pesticide used in the United States per unit of agricultural production increased by a hundred and sixty-eight per cent between 1950 and 1967. In Arizona, the use of insecticide on cotton tripled between 1965 and 1967, while yields declined slightly—an agricultural treadmill that forces farmers to move ever faster to stay in the same place. And, again, the decreasing efficiency means an increasing release of insecticide into the environment—where it becomes an increasing threat to wildlife and man.

I have sometimes thought that the nitrogen-fertilizer industry must surely be one of the cleverest business operations of all time. Nitrogen-fixing bacteria to maintain the fertilizer, the farmer had to rely heavily on nitrogen-fixing bacteria to maintain the fertility of the soil. These bacteria naturally in-

habit the soil either in or around the roots of plants, and can make up for the nitrogen inevitably lost when food is shipped off the farm for sale, or lost by natural processes. The bacteria are a free economic good, available at no cost other than the effort involved in crop rotation and other forms of husbandry of the soil. Now comes the fertilizer salesman with impressive—and quite valid—evidence that crop yields can be increased sharply by the application of inorganic nitrogen in amounts that much more than make up the soil deficit. And not only does the new, salable product replace what nature freely provided; it also helps to kill off the competition.

For there is considerable laboratory evidence that in the presence of inorganic nitrogen bacterial nitrogen fixation declines and eventually stops. Under the impact of a heavy use of inorganic nitrogen fertilizer, the nitrogen-fixing bacteria originally living in the soil may not survive, or, if they do, may mutate into non-fixing forms. It is probable, I believe, that wherever inorganic nitrogen fertilizers have been in continuous and intensive use, the natural population of nitrogen-fixing bacteria has been sharply reduced. And as this main source of natural nitrogen fertility is lost, it will become increasingly difficult to give up the intensive use of nitrogen fertilizer. To the salesman, nitrogen fertilizer is the perfect product—it wipes out the competition as it is used. The new insecticides are equally good business propositions, for by killing off the beneficial insects that previously helped to keep insect pests in check they deprive us of their freely available natural competitors. Like an addictive drug, nitrogen fertilizer and synthetic pesticides create increased demand as they are used: the buyer becomes hooked on the product.

In marketing terms, detergents are certainly among the most successful of the various technological innovations that have transformed the U.S. economy. In a scant twenty-five years, this new product has captured more than two-thirds of the cleaning-agent market from one of man's oldest, best-established, and most useful inventions—soap. That technological displacement of a natural organic product by an unnatural synthetic one is typical of many that have occurred since the Second World War. Soap is produced by causing a natural product, fat, to react with alkali. A typical fat used in soap-making is coconut oil. This is produced by the palm tree from the raw materials water and carbon dioxide by means of energy from sunlight. These are all freely available, renewable resources. The synthesis of the coconut-oil molecule has no adverse impact on the environment. Of course, with inadequate husbandry a copra plantation can deplete the soil, and fuel is burned in the extraction of the oil from the coconut, thus contributing to air pollution.

The manufacture of soap from oil and alkali also consumes fuel and produces wastes. But soap, once it has been used and sent down the drain, is broken down by the bacteria of decay, for natural fat is readily attacked by bacterial enzymes. This bacterial action usually takes place in a sewage-treatment plant. Since fat contains only carbon, hydrogen, and oxygen atoms, what is then emitted to surface waters is only carbon dioxide and water. In its production and use, soap has a relatively light impact on the environment.

Detergents are synthesized from organic raw materials originally present in petroleum along with a number of other substances. To obtain the raw materials, the petroleum is subjected to distillation and other energy-consuming process, with the burned fuel polluting the air. Once purified, the raw materials are used in a series of chemical reactions involving chlorine and high temperatures, which finally yield the active cleaning agent. This is then mixed with a variety

of additives, designed to soften hard water, bleach stains, "brighten" wash (this effect is produced by an additive that strongly reflects light, and achieves a simulated whiteness by dazzling the eye), and otherwise gladden the heart of the advertising copywriter. Suitably boxed, this mixture is the detergent. The total energy used to produce the active cleaning agent alone is probably three times that needed to produce oil for soap manufacture, and the resultant air pollution is also tripled. To produce the needed chlorine, mercury is used, and it, too, is released to the environment as a pollutant. In its substitution of man-made chemical processes for natural ones, detergent manufacture inevitably produces greater environmental stress than the manufacture of soap does.

Once detergents have been used, they become serious sources of additional pollution. Here the contrast with soap is striking. Soap has been used for thousands of years—everywhere in the world, in a wide variety of ecological, economic, and cultural settings—without any record, to my knowledge, of pollution problems. But in only twenty-five years detergents have established a notoriously bad environmental record wherever they have been used. The first detergents marketed were synthesized from petroleum derivatives composed of branched molecules. Since the enzymes of the decay bacteria cannot attack such molecules, they passed through sewage-treatment plants unchanged. The industry became aware of the problem only when mounds of foam appeared in streams and, in some places, water drawn from the tap foamed like beer. In 1965, under the threat of legislation, "biodegradable" detergents were introduced in this country; these had unbranched molecules, which decay bacteria could attack. However, the benzene unit at one end of the degradable molecule now became a hazard; in aquatic systems, benzene can be converted to phenol (carbolic acid), a toxic material. In fact, the new degradable synthetic detergents seem more likely to kill fish than the old ones, although they do not produce the nuisance of foam.

Another pollution problem arises from the phosphate content of detergents, whether degradable or not, for phosphate can stimulate excessive growth of algae, which on their death overburden the aquatic ecosystem with organic matter. Phosphate is added to detergents for two purposes: to combat hard water (it helps to tie up materials, such as calcium, that cause dirt particles so that they can be readily rinsed away. Soap itself accomplishes the second of these functions. In hard water, soap is rather ineffective; it can be improved by the addition of a water-softening agent such as phosphate. However, there are other ways to solve the hard-water problem. For one thing, the water in some places is soft and no phosphate is needed, whether soap or detergent is used. Where the water is hard, it can be treated by a household water-softener—a device that could also be built into washing machines. In other words, successful washing can be accomplished without resort to phosphate, which upon being added to detergents worsens their already serious environmental effects. The actual need to replace soap is slight. As a recent chemical-engineering textbook states, "There is absolutely no reason why old-fashioned soap cannot be used for most household and commercial cleaning." The obvious answer to the present confusion over the relative environmental hazards of phosphate and other detergent constituents—such as the caustics and other hazardous materials present in phosphate-free detergents—is to return to soap.

It might be argued, of course, that the mere fact that detergents have driven soap from the market must mean that users find them more desirable than soap, and that detergents are therefore a worthwhile economic good. This argument loses most of its force when advertising is taken into account.

A study in England shows that the sales of different brands of detergents are directly proportional to their advertising expenditures. Nor is this a matter of merely acquainting the buyer with the virtues of the product, in the expectation that these virtues will sustain further purchases. For when advertising it cut back, sales fall off. In 1949, Unilever spent sixty per cent of the total sum devoted to the advertising of detergents in England and enjoyed sixty per cent of the total sales; by 1951, its advertising budget had been reduced to twenty per cent of the total and its sales had fallen off to ten per cent. The lesson was learned, and by 1955 the 1951 low in advertising expenditures—and sales—had tripled. It would appear that the most important determinant of detergent sales is advertising, rather than the product's virtues.

In 1946, every ton of cleaner (counting the active cleaning agent in detergent as equivalent to an equal weight of soap) sold in the United States contained about seven pounds of phosphate phosphorus—which eventually entered waterways, where it contributed to the problem of excessive growths of algae. In 1968, a hundred and thirty-seven pounds of phosphate phosphorus was emitted into environmental systems per ton of cleaner used. The technological displacement of soap by detergents has caused a twentyfold intensification of the impact of phosphate from cleaners on the environment, and has done so at no basic gain to the consumer. The displacement of soap by detergents has made us no cleaner than we were, but it has made our environment more foul.

Textile production reflects another important displacement of natural organic materials by unnatural synthetic ones. Some relevant statistics: In 1950 in the United States, about forty-five pounds of fibre was used per capita by fabric mills. Of this total, cotton and wool accounted for about thirty-five pounds, modified cellulosic fibres (such as rayon) for about nine pounds, and wholly man-made synthetic fibres (such as nylon) for about one pound. In 1968, total fibre consumption was forty-nine pounds per capita, of which cotton and wool accounted for twenty-two pounds, modified cellulosic fibres for nine pounds, and synthetic fibres for eighteen pounds. "Affluence," at least as it can be measured by the per-capita use of fibre, was essentially unchanged, but natural materials had been considerably displaced by synthetic ones. This technological displacement has intensified the stress on the environment.

To produce fibre, whether natural or synthetic, both raw materials and a source of energy are required. The molecules that make up a fibre are polymers—chains of repeated smaller units. In cotton, the polymer is cellulose—long, threadlike molecules composed of hundreds of glucose units linked end to end. Energy is needed to assemble such an elaborate structure—both to form the necessary glucose units and to join them into the molecular thread. The energy required to form the cotton fibre is derived by the cotton plant from a free, renewable resource—sunlight. The energy needed to form wool, which is made up of the protein polymer called keratin, is derived from the sheep's food, which, in turn, is derived from sunlight. The crucial link between an energy process and the environment is the temperature at which the process operates. Living things do their energy business without heating up the air or polluting it with noxious combustion products. Whether in the cotton plant or in the sheep, the chemical reactions that put the natural polymers together operate at rather low temperatures, and the energy is transferred efficiently. Nothing is wasted, nothing noxious is produced.

Part of the energy required for the manufacture of a synthetic fibre, like nylon, is

contained in the raw materials; since these are usually derived from petroleum or natural gas, their energy represents solar energy previously trapped by fossil plants and animals. This is a non-renewable source of energy. Another part of the energy used in nylon synthesis is that needed to separate the various raw materials from the petroleum or natural gas and to drive the various chemical reactions. Nylon, for example, is produced by a series of from six to ten chemical reactions, operating at temperatures ranging from 200° F. (near the boiling point of water) to 700° F. (above the melting point of lead). This means a considerable combustion of fuel—and resulting air pollution. In addition, such chemical reactions may release waste chemicals into the air or water, again producing an environmental impact not incurred in the production of a natural fibre.

Of course, the production of cotton or wool can also violate ecological principles, and as it is currently carried on it does. In the United States, cotton is now grown with intensive applications of nitrogen fertilizer, insecticides, and herbicides, all of which have serious environmental impacts that are avoided in the manufacture of synthetic fibres. In addition, the gasoline burned by tractors engaged in cotton production produces air pollution. Some of these effects could be reduced considerably; for example, more reliance could be placed on natural control of insect pests. Similarly, nylon production could be improved, ecologically, by reducing waste-chemical emissions. However, the fundamental point here is that even if all possible ecological improvements were made in the two processes, the natural one would still be more advantageous ecologically, because it can use a freely available, non-polluting source of energy—sunlight—for the basic chemical synthesis, whereas the energy for the chemical synthesis of a fibre must be derived from a non-renewable resource, and through high-temperature operations, which even with the best possible controls will pollute the environment with waste heat.

Once a synthetic fibre has been produced, it inevitably generates a greater impact on the environment than a natural fibre. Because the synthetic fibre is man-made, it cannot be disposed of without putting a stress on the environment, whereas cellulose and keratin, the natural polymers in cotton and wool, participate in the soil ecosystem and therefore cannot accumulate as wastes if they are returned to the soil. The ecological fate of cellulose, whether in a leaf, a cotton shirt, or a bit of paper, is well known. If it falls on the ground and becomes covered with soil, it enters into a series of complex biological processes. The cellulose structure is first invaded by molds; their cellulose-digesting enzymes release the constituent sugars into the soil. These stimulate the growth of bacteria. At the same time, the degradation of cellulose allows enzymatic attacks on other polymeric components in a leaf, releasing soluble nitrogenous constituents into the soil. These, too, stimulate bacterial growth. The result is the development of fresh microbial organic matter, which becomes converted to humus—a substance essential to the natural fertility of the soil. Because cellulose is an essential cog in the soil's ecological machinery, it cannot accumulate as a "waste." The keratin of wool behaves similarly in the soil eco-system. All this results from the crucial fact that for every polymer that is produced in nature by living things there exist enzymes that have the specific ability to degrade it. The contrast with synthetic fibres is striking. The structure of nylon and similar synthetic polymers is a human invention and does not occur in natural living things. Unlike natural polymers, synthetic ones have no counterpart in the armamentarium of degradative enzymes in nature. Ecologically, synthetic

polymers are indestructible. Hence, every bit of synthetic fibre or polymer that has been produced on the earth either is destroyed by burning—and thereby pollutes the air—or accumulates as rubbish.

This is apparent to anyone who has wandered along a beach in recent years and marvelled at the array of plastic objects cast ashore. A closer look at such objects—bits of nylon cordage, discarded beer-can packs and plastic bottles—is even more revealing. Like other objects on the beach—bits of glass, for example—the plastic objects are worn by wave action. Ecologically, it is useful to ask about any given material in the environment, "Where does it go?" Where, then, does the material abraded from plastic objects go in the marine environment? The answer has been made apparent by a recent report. Nets that have been used to collect microscopic organisms from the sea now accumulate a new material: tiny fragments of plastic fibres, often red, blue, or orange. In recent years, natural fibres such as hemp and jute have been almost totally replaced by synthetic fibres in fishing lines and fish nets. While the natural fibres are subject to microbial decay, the synthetic ones are not, and therefore accumulate. And the chief reason that synthetic cordage has replaced natural materials in fishing operations is that the synthetic fibres have the advantage of resisting degradation by molds, which, as we have seen, readily attack cellulosic materials such as hemp or jute. Thus, the property that makes the synthetic fibre more valuable economically than the natural one—its resistance to biological degradation—is precisely the property that increases its environmental impact.

Not long ago, I saw a poignant photograph of a wild duck, its neck garlanded with a plastic beer-can pack. Consider this event. A particular plastic pack is formed in a factory, shipped to a brewery, fitted around six cans of beer, further transported until it reaches human hands that separate plastic from beer can. Then, tossed aside, it persists until it comes to float on some woodland lake, where a wild duck, innocent of modern technology, plunges its head into the plastic noose. Such events, bringing into improbable, wildly incongruous, but often fatal conjunction some plastic object and some unwitting creature of the earth, can only become increasingly frequent as plastic factories continue to emit their stream of indestructible objects, each destined, by its triumphant escape from the limited life of natural materials, to become waste.

The vast development of modern synthetic organic materials has produced other stresses on the environment. Some of these materials, unlike plastics, are not inert but biochemically active, and in some cases this activity is intentional—to kill insects or weeds, or to defoliate forests and crops in Vietnam. However, living things share a number of similar biochemical systems, so that an unnatural substance that is intended to affect a specific organism is likely to affect others, in different ways, as well. DDT, which attacks biochemical processes in the insect nervous system, also influences the behavior of enzymes in the livers of birds in such a way as to inhibit the formation of egg-shells, which readily break after the eggs are laid. The weed killer, 2,4,5-T, sprayed in huge amounts on the forests and croplands of Vietnam, distorts the biochemistry of the plants and denudes them of leaves; it has also been found to induce birth defects in laboratory animals, and may be the cause of increased birth defects among recently born Vietnamese babies. These substances are, in effect, drugs, and ought to be dispensed with appropriate foresight and control, but such control is impossible when tons of the ecological drugs are sprayed across the countryside from the air.

To provide raw materials for the synthesis

of the new materials—fibres, plastics, detergents, pesticides, and drugs—there has been a huge concurrent increase in the production of organic chemicals generally (up 746 per cent since 1946). This change, too, has put an increased stress on the environment. For example, the poisoning of fish with mercury is one of the costs that we are paying for synthetic detergents. Manufacturing the detergents now in common use requires large amounts of chlorine, which is usually produced by passing an electric current through a solution of common salt (sodium chloride). Mercury is a valuable adjunct to this process, for it serves not only to conduct electricity but also to trap another product of the reaction, sodium, as an amalgam. The use of mercury for chlorine production in the United States has therefore increased immensely. After the electrolytic process, the sodium-laden mercury is made to react with water; this converts the sodium to the alkali sodium hydroxide, regenerating pure mercury for further use. In this process, large amounts of mercury and water are mixed and circulated, and inevitably some of the mercury is "lost," ending up eventually in the waste-drainage system. The lost mercury is carried to the bottom of rivers and lakes, where bacteria convert the metallic mercury to a soluble form, methyl mercury. This poisons lucky to be working as a Chicago waiter for feature of the "plastic age."

When the automobile and the internal-combustion engine were first developed, no one could have realized that some seventy years later they would become the greatest single source of urban environmental pollution. It is often assumed that automotive pollution is an inescapable result of the huge numbers of vehicles that choke the highways. There is no doubt that the number of cars is part of the problem; in the years from 1947 to 1968, the total number of vehicles on United States roads increased by 166 per cent, and the total vehicle-miles travelled went up by 174 per cent. However, at least two major automotive pollutants, lead and photochemical smog, increased much faster than even the proliferating cars and use of cars. For example, studies of the amounts of lead deposited yearly in polar glaciers show that between 1940 and 1965 the annual entry of lead—which comes almost entirely from gasoline additives—into the environment increased by about 300 per cent, or about twice as fast as the increase in the total consumption of gasoline in that time. The smog situation shows an even greater disparity. Photochemical smog made its debut in Los Angeles in the early forties. Since then, it has appeared in most of the nation's large cities and has become vastly more intense in Los Angeles itself. A reasonable estimate of the over-all increase in smog levels in United States cities since the Second World War would be tenfold or so, or in the range of 1,000 per cent—again an increase much greater than the concurrent rise in automobile travel. Clearly, something besides the number of cars and the mileage travelled has changed.

What has changed is the automobile. Cynics are sometimes prone to dismiss the annual changes in Detroit car models as superficial ones, but beneath the recurrent transformation of the automobile's gaudy and increasingly fragile skin technological changes, especially in the engine, have converted it into a highly efficient smog generator. In the internal-combustion engine, gasoline is mixed with air in the cylinders, and the mixture is ignited, at a suitable moment, by means of an electric spark. Just before the fuel-air mixture is ignited, it is compressed by the cylinder piston. The cylinder pressure has a great deal to do with the amount of power that the engine can deliver; generally, the greater the pressure the higher the power output. For reasons that have not yet been fully explained, the

automobile industry long ago became committed to increasing the engine's power. In 1925, when the first figures became available, the average American passenger-car engine delivered fifty-five horsepower. By 1946, the average was a hundred horsepower. Between 1946 and 1958, the average horsepower was raised to two hundred and thirty. In response to foreign competition, United States manufacturers introduced the "compact" car, with a smaller engine. As a result, between 1958 and 1961 the average horsepower dropped from two hundred and thirty to a hundred and seventy-five. Then a curious phenomenon occurred: the "compact" cars gradually grew in size and in engine power, so that between 1961 and 1968 the average horsepower climbed back to reach two hundred and fifty. To increase the horsepower, it was necessary to increase engine compression; the relevant measure, known as the compression ratio, rose from 5.9 in 1946 to 9.8 in 1958. It then dipped briefly, along with horsepower, but, recovering from that aberration, climbed upward again, reaching an average of 9.4 in 1968. Thus, between 1946 and 1968 the low-powered, low-compression engine was displaced. This technological displacement, like many others in that period, has strongly intensified the impact of automobile travel on the environment.

Because high-powered engines use fuels less efficiently than low-powered ones do—especially when the engines are run at low speeds, as they are in car-choked city streets—there has been an increase in the amount of gasoline burned per mile. In 1946, passenger cars averaged about fifteen miles per gallon; by 1968, the average was about fourteen miles per gallon. This meant more fuel combustion—and therefore more air pollution from gasoline-combustion products—per vehicle-mile travelled. A second, more acute pollution problem arises from the special engineering needs of the high-compression engine. At high cylinder pressures, the explosive combustion is apt to be uneven, causing a jarring "knock," which decreases engine power. To suppress engine knock, it was found necessary to add tetraethyl lead to the gasoline. Almost all of this lead—which is a toxic material—is emitted into the air from the engine exhaust. As the average compression ratio rose, so did the lead content of the gasoline. In 1946, the gasoline used in the United States emitted about fifty thousand tons of lead into the environment. By 1968, the lead emitted had increased to two hundred and sixty thousand tons. In those twenty-two years, the amount of lead used rose from two hundred and eighty pounds per million vehicle-miles to five hundred pounds. In other words, the increase in engine power and compression ratio means that for the same amount of actual use cars now pollute the environment with nearly twice as much lead as they did just after the war.

Then, there is the matter of photochemical smog, which results from the emission of nitrogen oxides—in urban areas, largely from automotive vehicles—into the air. The natural levels of nitrogen oxides in the air are ordinarily very low, but when air is heated—for example, during fuel combustion in the cylinder—nitrogen and oxygen react, and nitrogen oxides are emitted from the engine exhaust. Activated by sunlight, nitrogen oxides combine with waste hydrocarbons from automobile exhaust to produce the noxious final product of photochemical smog, peroxyacetyl nitrate, often referred to as PAN. This can take the form of a whitish haze, tinged with brown, that causes the eyes to smart. Now, as compression ratio increased, so did the engine's operating temperature, and this, in turn, sharply increased the amount of nitrogen oxides emitted per unit of engine use. The emission of nitrogen oxides is also affected by a number of other

engine characteristics. When these are taken into account, it can be estimated that whereas the emission of nitrogen oxides in the exhaust of the average 1946 passenger car came to about five hundred parts per million, the emission of the average 1968 automobile was twelve hundred parts per million. Thus, the emission of nitrogen oxides for each unit of vehicle use more than doubled over this period. When the increased mileage and increased gasoline consumption in the period are also taken into account, total emission of nitrogen oxides is found to have increased about sevenfold—a rise that begins to account for the sharp increase in smog levels.

In the fall of 1965, exhaust-control devices appeared on new 1966-model cars in California, and the emission of waste hydrocarbons began a downward trend in Los Angeles. Between 1965 and 1968, emission of waste hydrocarbons from motor vehicles was reduced from 1,938 tons per day to 1,720. (Without controls, emission would have risen to 2,400 tons per day by 1968.) Eye irritation was also reduced. At the same time, the level of another important pollutant emitted by motor vehicles, carbon monoxide, was also reduced by the new devices. It might appear, then, that by 1968 Los Angeles would have been ready to celebrate the end of a long and frustrating search for a solution to the smog problem. But at that point the situation took a new and ominous turn: the improvements in exhaust emissions brought on a new problem. For, coincident with the twelve-per-cent drop in hydrocarbon emissions between 1965 and 1968, the burden of nitrogen oxides in the Los Angeles air increased by twenty-eight per cent. The nitrogen oxides in automobile exhausts include both nitric oxide and nitrogen dioxide. While nitric oxide is relatively innocuous (except as an ingredient of the smog-forming reaction), nitrogen dioxide is highly poisonous, with a long history as a serious industrial hazard. The gas destroys the cells of the lungs, tends to enlarge lung blood vessels, and, at a sufficiently high concentration, causes an accumulation of fluid in the lungs, which may lead to death. Nitrogen dioxide, a colored gas, tinges the air a kind of whiskey brown, and as the concentration has increased in the Los Angeles air serious visibility problems have arisen—in the air lanes and along the high-speed freeways. In addition, nitrogen dioxide is toxic to plants; at levels of less than one part per million, the growth of tomato plants is reduced about thirty per cent. In 1965, nitrogen dioxide in Los Angeles had exceeded what had been designated the "adverse" level on a hundred days. In 1968, three years after the introduction to exhaust-control devices, that level was exceeded on a hundred and thirty-two days.

There are two reasons for the increase in the level of nitrogen dioxide. One is the simple ecological rule that "everything must go somewhere." If hydrocarbon emissions are reduced, the nitrogen oxides that might have combined with hydrocarbons to form smog necessarily accumulate in the air. The other reason for the rise in nitrogen oxides is that in devising the present pollution controls the automobile manufacturers considered only the demand for reduced emissions of hydrocarbons and carbon monoxide. This demand led them to make engine modifications designed to increase the thoroughness of fuel combustion in the cylinders by increasing the engine's air intake. But increased fuel combustion also increases the combustion of the major constituent of the air, nitrogen, generating nitrogen oxides. Thus, the engine modifications introduced for the purpose of reducing the emission of hydrocarbons tended to increase the emission of nitrogen oxides, and in enforcing the new automobile-engine modifications Los Angeles had simply traded one pollution problem for another. Catalytic exhaust devices have been developed for the purpose of converting engine-generated

nitrogen oxides into innocuous products. However, it appears that the catalysts are poisoned by the lead used as a gasoline additive, and here the smog problem reaches to the heart of the automotive-pollution problem—the modern high-powered, high-compression gasoline engine, which operates effectively only on high-octane fuels. Such fuels have usually been produced by the addition of tetraethyl lead, and the elimination of lead requires a large-scale change in the petroleum-refining industry—or else a change in the design of automotive engines. There is also a serious question about how effective the increasingly complex exhaust devices are under actual conditions of use. For example, California tests show that the exhaust devices on 1966 models lost their effectiveness for controlling hydrocarbon and carbonmonoxide emissions and, on the average, exceeded the California emission standards after five to ten thousand miles of use.

In part, the increase in automobile travel during the last twenty-five years is a consequence of changes in the distribution of residences and places of work. Traffic studies show that about ninety per cent of all automobile trips are ten miles or less in length; this class of trips represents about thirty per cent of total automobile mileage travelled. The mean work-residence travel distance in U.S. metropolitan areas is about five miles for central-city dwellers and about six miles for those living in suburban areas. This is statistical evidence of what millions of people know from their own daily frustration: that in most urban areas the roads are clogged twice a day with people driving to and from work—a consequence of the separation between place of work and residence and the absence of adequate means of mass transportation. A related problem that has developed as a result of the American growth pattern since 1946 is the displacement of railroad freight haulage by trucks. The ecological cost of this displacement is evident in the following figures: the energy required to move a ton of freight one mile by rail now averages about 624 B.T.U. (British thermal units), and by truck, about 3,460 B.T.U. This means that for the same amount of freight haulage, trucks burn nearly six times as much fuel as trains—and emit about six times as much environmental pollution. Moreover, the amount of power required to produce the cement and steel for a mile of four-lane highway—essentially for truck traffic—is 3.6 times the power required to produce a mile of steel track for comparable rail traffic. Finally, the highway takes up a four-hundred-foot right-of-way, while the railroad takes only a hundred feet. In all these respects, the displacement of railroads by automotive vehicles for freight—and also for passenger travel—has intensified the environmental impact of transportation.

The electric-power industry, which has expanded rapidly in the postwar period, is still another source of major pollution problems. These include sulphur dioxide, nitrogen oxides, and dust emitted by power plants that burn fossil fuels; radioactive emissions, and the threat—small but with enormously catastrophic potential—of an accident, from the operation of nuclear power plants; and the emission of waste heat to the air and nearby surface waters by both types of plants. The growth in the use of electric power has been attributed, with justification, to the modernity of our economy and with much less justification, to our supposed affluence. The statistics appear stragglingly forward. In the United States, power consumption by the economically active population in 1968 was about 20,500 K.W.H. (kilowatt-hours) per capita, as opposed to about 2,900 for Chile, 260 for India, and 230 for Thailand. (The United States produces thirty-four per cent of the world's electric-power output.) However, electric power is not in itself capable of satisfying any known human need, and its contribution to human welfare needs

to be measured in terms of the economic goods that it can produce. Here we discover another serious falling—in terms of human welfare—of postwar technology: the new productive technologies are far more costly in the consumption of electric power and other forms of fuel-generated energy than the technologies they have displaced. For example, aluminum, which has increasingly displaced steel and lumber as a construction material, requires for its production about fifteen times as much fuel energy per pound as steel and about a hundred and fifty times as much fuel energy as lumber. Even when the fact is taken into account that the weight of aluminum needed for a given purpose is less than that of steel, the power discrepancy remains. For example, the energy required to produce the metal for an aluminum beer can is 6.3 times that needed to produce the metal for a steel beer can. Thus, the expansion of power production in the United States has been greatly inflated by the growing tendency to displace power-thrifty goods with power-consuming ones. The cost of this inefficiency is heavily borne by the environment.

Once again it is clear that the chief reason for the environmental crisis that has engulfed the United States in recent years is not the increase in our population and not a rise in our affluence but the sweeping transformation of productive technology. The economy has grown only enough to give the people of the United States about the same amount of basic goods per capita that it gave them in 1946. However, productive technologies with intense impacts on the environment have displaced less destructive ones. These technologies are ecologically faulty because they are designed to solve single, separate problems, and fail to take into account the "side effects" that are inevitable because on earth no form of matter or energy is isolated from the whole ecological fabric. The fragmented design of technology reflects its scientific foundation, for science is divided into disciplines that are governed largely by the notion that complex systems can be understood only if they are first broken down into their components. This reductionist bias has also tended to shield basic science from a concern with real-life problems, like environmental degradation.

Confronted by decisions on nuclear power, radiation, nitrate levels, photochemical smog, bacterial warfare, and all the other technicalities of environmental problems, one is tempted to call in the scientific expert. Scientists can, of course, evaluate the relevant benefits; how many kilowatt-hours of electricity a nuclear-power plant can deliver, and at what price; the yield of corn to be expected from the use of nitrogen fertilizer. They can also evaluate the related risks: the radiation dose to people in the vicinity of the power plant; the hazard to infants from nitrate levels exacerbated by fertilizers. Those evaluations can be derived from appropriate scientific theories, principles, and data. However, no scientific principle can guide the choice between some number of kilowatt-hours of electric power and some number of cases of thyroid cancer, or between some number of bushels of corn and some number of cases of infant methemoglobinemia. These are matters of morality, of social and political judgment; they are determined not by scientific principle but by the relative value we place on economic advantage and human life.

Indeed, there are powerful links between the environmental crisis and the economic system we live under. Conventional economic science conceives of the production and distribution of wealth as a vastly elaborated development of the ancient marketplace. Goods are produced and services performed so that they may be exchanged for other goods and services; values are determined, at least as a first approximation, by the inter-

play of supply and demand. The term "externality" has been introduced into economic theory to describe what once appeared to be a rather rare departure from this basic exchange process. In its simple form, an exchange is both mutually beneficial and voluntary; it takes place because both parties hope to gain from it. An externality, by contrast, may be neither beneficial nor voluntary for all parties in the transaction: Mercury benefits the chlorine-alkali producer but harms the commercial fisherman; it is used voluntarily by one party but is involuntarily inflicted upon the other. This is an example of a negative externality. In theory, but less commonly in practice, an externality may be economically positive—as in the case of a householder who happens to live next to a well-kept golf course. Now that very large negative externalities have begun to emerge in the form of environmental degradation, economists have begun to devote considerable attention to this once minor facet of economic theory. They face some difficult questions: How can the social costs of environmental deterioration be evaluated and met by the operation of the economic system? Are the basic operational requirements of the major economic systems—capitalism and socialism—compatible with the ecological imperatives we face?

The conventional solution proposed for a country like the United States is to "internalize the externalities," by taxing pollution or raising the prices of products to cover its costs. However, even if these measures are adopted, many serious difficulties will remain. In the private-enterprise system, one of the chief motivating forces is private profit. What is the connection between pollution and profit in a private-enterprise economic system like that of the United States? Many of the large-scale technological displacements in industry and agriculture that have occurred since 1946 are much more prone to pollute than the older ones they have displaced, and the new technology has clearly played an important role in the profitability of postwar business enterprise. A good example is the massive displacement of soap by synthetic detergents. In 1947, when the cleaning-product industry produced essentially no detergents, its profit amounted to about thirty per cent of sales. In 1967, when the industry produced about one-third soap and two-thirds detergents, the profit was about forty-two per cent of sales. From the data for intervening years, it can be computed that the profit on pure-detergent sales is about fifty-two per cent, considerably higher than the profit on pure-soap sales. This may help to explain why soap, despite its continued usefulness for most cleaning purposes, has been driven off the market by detergents. Another important example is provided in the displacement of small, low-powered automobiles by large, high-powered ones. An article in *Fortune* has noted, "As the size and selling price of a car are reduced, then, the profit margin tends to drop even faster. A standard U.S. sedan with a basic price of \$3,000 for example, yields something like \$250 to \$300 in profit to its manufacturer. But when the price falls by a third, to \$2,000, the factory profit drops by about half. Below \$2,000, the decline grows even more precipitous." The introduction of a car of reduced environmental impact, which would necessarily have a relatively low-powered, low-compression engine and a low over-all weight, would sell at a relatively low price, and it would therefore yield a smaller profit than the standard heavy, high-powered, high-polluting vehicle.

This may explain the recent remark by Henry Ford II that "minicars make miniprofits." Steel and lumber have been increasingly displaced as construction materials by aluminum, cement (in the form of concrete), and plastics. In 1967, the profits (in relation to total sales) from steel pro-

duction by blast furnaces and lumber production were 12.5 per cent and 15.4 per cent, respectively. The products that have displaced steel and lumber yielded significantly higher profits: aluminum, 25.7 per cent; cement, 37.4 per cent; plastics and resins, 21.4 per cent. Again the displacement of technologies with relatively weak environmental impacts by technologies with stronger impacts has been accompanied by significant increases in profitability.

The costs of environmental degradation, it appears, are borne chiefly by society as a whole, in the form of externalities, rather than by the producer. A business enterprise that pollutes the environment is therefore being subsidized by society, and to this extent the enterprise, though free, is not wholly private. When a manufacturing process borrows from the ecosystem and incurs what might be called "a debt to nature" in the form of pollution, there is an immediate saving for the producer. At the same time, pollution often adds to the living costs of the population as a whole, most of which consists of wage earners rather than entrepreneurs. Thus, when the workers in the vicinity of a power plant find their cleaning costs increased because of soot emitted by its stacks, their wages are reduced by the amount of that increase. In essence, the workers' extra cleaning costs subsidize part of the cost of operating the power plant. Of course, it may have taken fifteen or twenty years of environmental pollution from industrial plants along the shore of Lake Erie, say, before the burden of waste reduced the water's oxygen content to zero, halted the self-purification process, and fouled the beaches so badly that in order to enjoy a swim the plants' workers had to add to their cost of living the price of admission to a swimming pool. Similarly, chronic low-level exposure to radiation, mercury, or DDT may shorten a wage earner's life without reducing his income or even causing him to incur extra medical costs during his lifetime. In this case, the cost of pollution is not met for a long time; the bill is finally paid by the wage earner's premature death, which—apart from the feelings of his family and friends—can be reckoned in terms of a certain number of years of lost income.

The economic theory of the private-enterprise system is based very substantially on the advantages of growth. And yet the total rate by which men exploit the earth's ecosystem has some upper limit; if this rate is exceeded, the system will eventually be driven to collapse. Hence, all productive systems must eventually reach a no-growth condition—at least with respect to the accumulation of capital goods designed to exploit the ecosystem, and the products that these yield. In a private-enterprise system, a no-growth condition means no further accumulation of capital. If the accumulation of capital, through profit, is a basic driving force of this system, as it seems to be, it is difficult to see how the system can continue to operate under conditions of no growth. Moreover, different ecological cycles vary considerably in their intrinsic rates—rates that cannot be exceeded if breakdown is to be avoided. For example, the natural turnover rate of a soil system is considerably lower than that of an aquatic system—a fish farm, let us say. It follows that if the private-enterprise system is to exploit these different ecosystems concurrently without inducing ecological breakdown, there will be different rates of economic return. But when one enterprise yields a lower return than another, investment funds will tend to be transferred to the latter. Of course, many marginal enterprises that yield profits significantly below those available elsewhere in the economic system have important social value. It will perhaps be possible to keep them going by means of subsidies, but very often the subsidies will need to be so large as to amount to nationalization—a contradiction of private enterprise.

Finally, since the "debt to nature" represented by environmental pollution is essentially a saving in production costs on the part of the entrepreneur, it provides a cushion against the effects of internal problems in the economic system—such as the conflict between entrepreneur and employee over wages. Now we know that the debt must be paid, and in this sense the emergence of an ecological crisis must be regarded as the signal of an emerging crisis in our economic system.

What little I have been able to learn from available reports indicates that the problems of environmental pollution in industrialized socialist nations are not basically different from those typical of industrialized private-enterprise nations like the United States. The pollutants in surface waters in the Soviet Union are similar in both type and origin to the ones that trouble the United States and other developed countries. They include wastes from municipalities, food-processing plants, and pulp and paper plants, industrial chemicals and metals, oil spills, and drainage of fertilizer. There is no evidence that the new postwar technologies introduced in the Soviet Union differ much from those which dominate American production, and the evidence that environmental pollution in Russia is following about the same course it has taken in capitalist countries suggests that the drive for "plan fulfillment" takes its toll of the ecosystem just as the drive for profits does. However, the socialist system does have in theory, several advantages over the private-enterprise system in dealing with ecological problems. One of these is the relative ease of national planning, which is essential for an ecologically rational system of production. Another advantage relates specifically to the problem of growth. Though it is true that the Soviet Union and other socialist states have emphasized economic growth just as heavily as capitalist states have, the theory of socialist economics does not appear to require that the growth should continue indefinitely. Moreover, it should be comparatively easy for a socialist system to enforce varying rates of return from productive activities in different sectors of the ecosystem.

In any case, both socialist and capitalist economic theories have apparently developed without taking into account the limited biological capital represented by the ecosystem. As a result, neither of the systems is now well prepared to confront the environmental crisis, and both will be severely tested by it. For if any civilization is to survive, industry, agriculture, and transportation must meet the inescapable demands of the ecosystem. This will require the development of major new technologies, including methods of returning sewage and garbage directly to the soil; the replacement of many synthetic materials by natural ones; the reversal of the present tendency to retire soil from agriculture and to elevate the yield per acre; the replacement of synthetic organic agents by biological means of controlling insects and other pests; the discouragement of power-consuming industries; the development of land transport that operates with maximum fuel efficiency at low combustion temperatures and with minimum land use; essentially complete containment and reclamation of wastes from combustion processes, smelting, and chemical operations; essentially complete recycling of all reusable metal, ceramic, and paper products, and ecologically sound planning of land use, especially in urban areas. In effect, all major elements of the new productive enterprises constructed on the basis of ecologically faulty technology have to be rebuilt along ecologically sound lines. Obviously, these changes must be worldwide; for example, if industrialized countries were to give up the large-scale use of synthetic materials, tropical countries would need to take up the slack and manufacture such products as soap, tires, and fabrics from natural materials for world commerce. Like the ecosystem itself,

the peoples of the world are linked by their separate but interconnected needs to a common fate. The world will survive the environmental crisis as a whole or not at all.

We live in a time that is dominated by enormous technical power and extreme human need. The power is self-evident in the megawattage of power plants and the megatonnage of nuclear bombs. The human need is painfully evident in the sheer numbers of people now and soon to be living, in the deterioration of their habitat, the earth, and in the tragic worldwide epidemic of hunger and want. The gap between brute power and human need continues to grow, for the power fattens on the same faulty technology that intensifies the need. Everywhere in the world, there is evidence of a deep-seated failure to use the competence, the wealth, the power at human disposal for the maximum good of human beings. The environmental crisis is a major example of this failure. It has come about because the means by which we use the ecosystem to produce wealth threaten the ecosystem itself. The present system of production is self-destructive.

My own judgment, based on the evidence now at hand, is that the present course of environmental degradation, at least in industrialized countries, represents such a serious challenge to essential ecological systems that if it is continued it will destroy the ability of the environment to support a reasonably civilized human society. Some number of human beings might well survive such a catastrophe, for the collapse of civilization would reduce the pace of environmental degradation. What would then remain would be a kind of neo-barbarism, with a highly uncertain future.

Deep pessimism is perhaps a natural aftermath of the shock of recognizing that the caunted "progress" of modern civilization is only a thin cloak for global catastrophe. No scientist, economist, or politician—no committee of experts—could possibly come up with a specific plan for resolving the environmental crisis. To pretend otherwise is only to evade the real meaning of the environmental crisis: that the world is being carried to the brink of ecological disaster not by a single fault, which some clever scheme could correct, but by a phalanx of powerful economic, technological, and social forces. What is required is nothing less than a change in the course of history. I am convinced, however, that once we pass beyond mere awareness of impending disaster and begin to understand how we have reached our present predicament and where the alternative paths ahead can lead, there is reason to hope. After all, the environmental crisis is not the product of man's biological capabilities, which could not change in time to save us, but of his social actions, which are subject to much more rapid change. If the environmental crisis is the result of social mismanagement of the world's resources, then it can be resolved and man can survive in a humane condition by consciously bringing his social organization into harmony with the ecosystem.

Here we can learn a basic lesson from nature: that nothing can survive on the planet unless it is a cooperative part of a larger whole. Life itself learned that lesson on the primitive earth—for the first living things, like modern man, consumed their nutritive base as they grew, converting the geochemical store of organic matter into wastes that could no longer serve their needs. Life as it first appeared on the earth was embarked on a linear, self-destructive course. What prevented extinction was the appearance, in the course of evolution, of a new life form, which reconverted the waste of the primitive organisms into fresh organic matter. The first photosynthetic organisms transformed the rapacious linear course of life into the earth's first great ecological cycle. By closing the circle, they achieved what no living organism alone can accomplish—sur-

vival. Human beings have broken out of the circle of life, driven not by biological need but by the social organizations that they have devised to "conquer" nature. Once more, in order to survive, we must close the circle. We must learn how to restore to nature the wealth we borrow from it.

CONGRESSMAN WILBUR D. MILLS ADDRESSES THE ANNUAL MEETING OF THE NATIONAL SOCIETY OF STATE LEGISLATORS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. EILBERG. Mr. Speaker, The National Society of State Legislators held its annual meeting this year in Philadelphia from Wednesday, October 20, 1971, through Friday, October 22, 1971. Among the many special activities conducted were panels on the Attica State prison, drug addiction, juvenile justice, court reform and prison reform. All activities were well attended with delegates from around the country. The news media covered this annual meeting with great interest.

One of the sparkling features of this meeting was an address by our colleague, the Honorable WILBUR D. MILLS, chairman of the House Ways and Means Committee. He spoke about criminal justice, general revenue sharing, national health insurance, and other matters before his committee.

While all Members of the House will not agree with all the views Chairman MILLS expresses, it safe to say that every Member in the House thinks the world of him as a man and as a colleague.

The remarks of Congressman WILBUR D. MILLS, delivered October 22, 1971, at the Holiday Inn, Penn Center, Philadelphia, Pa., follows:

REMARKS OF CONGRESSMAN WILBUR D. MILLS

It is a real pleasure and privilege for me to join with my fellow legislators in this annual meeting of your excellent organization. We have many problems of mutual concern, and I appreciate your invitation to discuss them with you.

I am sincerely quite impressed with the bipartisan makeup of your organization, the professional purposes for which it was organized, and your goal of building a high level of professionalism among state legislators by providing the information and tools they need to do their job.

I was pleased to learn that my good friend, Cal Ledbetter, of Little Rock has recently become a member of your Board of Governors. I know he will make the same type of high contribution to your organization that he has always made as a representative in our legislature back home.

I am also pleased to see so many other friends from back home and from around the country taking a real interest in the work of your organization.

Today I would like to discuss with you my views on important pieces of legislation which are presently under consideration or have recently been considered by the Ways and Means Committee. Certainly, these proposals, including the President's revenue sharing proposal, are of as much interest and concern to you as state legislators as they are to us in Congress. We share the same

objectives—better government and better results at all levels.

But before I go into these matters, I would like to say a few words about the important subjects with which you are immediately concerned in this annual meeting. I have been advised that the principal themes of this year's conference are *criminal justice* and *modernization* of State governments. You could not have chosen more timely or appropriate topics.

With the general public, I have a deep concern about the present state of our criminal justice system. I am concerned because of its failure to exercise power already in existence to stem the outrageous violence of a minority in our society, namely, the criminal minority, which attempts to suppress the rights of the majority. This unfortunately has led many citizens into believing that they are unprotected in their rights to liberty and indeed to life itself.

Whether this failure in our criminal justice system can be attributed primarily to a failure in the courts or the correction system, or the police force or society in general is the subject of continuing and heated debate in government bodies at all levels. It is also a current subject of editorial comment in the national and local press and, indeed, a matter for discussion in practically every gathering of two or more persons.

Whatever our individual views, one thing is certain—one of the major, if not the major, domestic issues is crime, crime in all its aspects. Another thing certain is that this is a problem which must be solved by government—Federal, State and local. While I have always firmly believed that most of our nation's problems can be solved by non-governmental means, I think we must agree that government agencies established for that purpose are clearly the only appropriate means for preventing crime and enforcing the law.

At the national level, I am convinced that we did take a proper step in the direction of better control of crime with the passage of the Omnibus Crime Control and Safe Streets Act of 1968, by funding programs for police, courts, corrections, and for control of organized crime and other crime-related problems. However, while we at the national level can help, the basic responsibility for solving these problems still remains at the local level, and it is here that you as State legislators can do so much. We in the Congress are most eager to give you our complete cooperation, but, as you well know, it is at the local and State levels that the challenge of crime in our free society must be met. Together, we can and must solve this problem.

With respect to the second of the two emphases of this annual meeting—modernization of State legislative machinery—recognition should be given the great strides you as leaders of state legislatures have made and are making in the modernization of your organizations. The movement to modernize state legislatures, encouraged by your society and others with common interests, has been especially effective in the past decade.

This is manifested in your successful efforts in many legislatures in bringing about more efficient scheduling of legislative activities, adequate legislative compensation, adoption of sound committee systems, updating of equipment and the hiring of professional staffs. Modernization of legislative machinery is a necessary first step in solving the many and complex social and environmental problems that beset us today.

Basic to these problems is one with which I am very familiar. I am speaking of the very real and pressing financial difficulties of some of our State and local governments. We on the Ways and Means Committee are keenly aware that if our Federal system of government is to endure and function properly, State and local governments, as well as the Federal Government, must function on a sound financial basis.

With this in mind, the Committee in good faith has devoted a considerable amount of time in this session to the subject of general revenue sharing—a full month of public hearings and another month of executive sessions. It was to have been the continuing subject for the Committee's consideration until August 15 when it was displaced by the President's legislative recommendations under his "new economic policy" message. His recommendations in that message, as you will recall, included one that the effective date of any revenue sharing proposal be deferred until next year.

The Committee's examination of the so-called no-strings-attached revenue sharing proposal in public hearings and in its subsequent executive sessions, revealed and confirmed a number of glaring inequities, inadequacies and fallacies in the President's proposal. Very few proposals have enjoyed the dubious distinction of being publicly opposed at the same time by the National Association of Manufacturers, the AFL-CIO, the Chamber of Commerce of the United States and the American Farm Bureau Federation.

Despite all the ballyhoo and high pressure advertising devoted to this proposal by the Administration, careful study of the extensive evidence that has been presented to us has confirmed the initial reaction on the part of a substantial majority of the Committee that the Administration's revenue sharing plan is not the answer to the financial problems of the State and local governments. We must look elsewhere for the solution.

As I have said on many occasions, the President's general revenue sharing proposal has just too many basic deficiencies both as to principle and as to application. In my opinion, it cannot reach the financial root of the State and local government problems. It would not apply Federal funds where they are most needed and will do the most good. Money would be parceled out indiscriminately to all State and local governments, regardless of need, and without making the proper effort to encourage State governments to face up to their own problems—particularly, by improving their own tax systems. I am more than ever convinced that this program would be a truly inefficient and wasteful form of Federal aid.

Our study of the problem has established that there is diversity in the financial position and problems of the various State and local governments. It is only when individual local governments are examined that problems become apparent. We have found that their problems are not the same and, therefore, the benefits need not be the same.

Moreover, it is clear that among the various States, there are very substantial variations in tax effort. In 1969, if all the States and localities had made the same tax effort that was made by the average of the 10 States with the highest tax effort, State and local governments would have raised an additional \$18.6 billion—an amount which is close to four times the amount of aid proposed by the Administration in its revenue sharing proposal.

In making these statements, I am not taking a negative attitude. However, in view of the limited resources available to the Federal Government, particularly Federal unified budget deficits during the fiscal year 1971 of \$23 billion and the conservatively estimated deficit for 1972 of \$28 billion, I know you must agree that we in the Federal Government must be quite selective in whatever aid is provided.

I need not remind you that the Federal Government has already given substantial aid to the State and local governments in the form of Federal grants-in-aid—for example, an estimated \$30.3 billion in fiscal year 1971. Then, too, there is the exemption from income taxes of interest on State and local bonds which cost the Federal Government about \$2 billion in 1969, as well as the in-

come tax deduction for State and local taxes whereby the Federal Government is absorbing part of the State and local tax burden.

In addition, although the Administration has now recommended deferral of the effective date of H.R. 1, the "Social Security Amendments of 1971," we should not forget that this legislation, which has already passed the House, would relieve State and local governments of annual public welfare costs through the Federal assumption of the basic provisions for needy families with children and for aged, blind and disabled persons. The beneficial financial results to the States of federalization of public welfare are quite substantial, aggregating some \$1.6 billion of State savings in the first year of operation. The President has recently asked that the effective date of this measure be deferred one year. I hope inaction in the Senate on it will not further delay the enactment and implementation of this much needed program.

Another subject of the Committee's agenda in which the States have a very considerable financial interest is the matter of national health insurance on which the Committee commenced public hearings on Tuesday. In our consideration of this subject, we shall be searching for means to provide significant savings to the States through a revision of the Medicaid program. For example, under the Administration's proposal, which is only one among the many that have been introduced, the savings to the States are estimated at \$1.8 billion. At this stage, it is impossible to predict the final form of the bill or the provisions it will contain, but certainly one of the Committee's prime considerations will be the opportunity this proposed legislation affords for very considerable cost savings to the States.

There are other possible means of assistance to the States under study by the Committee staff, including the so-called "piggyback" arrangement. This would make available to the States the Federal Government's relatively efficient income tax collection machinery, save them administrative costs, encourage more reliance on the State income tax and simplify filing requirements for taxpayers.

But the single most productive and helpful act the Federal Government could do for the States at this juncture is to get this country back on the path of stable economic growth. The current economic situation, in which the nation suffers simultaneously from inadequate productivity and high unemployment on the one hand and inflation on the other, has been very costly to States and localities. For example, State and local governments could have collected about \$3.5 billion more in additional revenues in calendar year 1970 had the economy been at the full employment level. And in recent years, price rises due to inflation have been the single most important factor responsible for the almost crushing cost increases of State and local governments.

I, therefore, was one of those who genuinely welcomed the President's new economic measures of August 15, which thankfully transform inaction into action. On the day following his message, I announced public hearings in the Committee on Ways and Means on the legislative elements of the President's message relating to taxes. We concluded those public hearings in the span of just one week, a record period of time for a program of such magnitude and dimensions.

On September 29, the Committee filed its report on the bill, H.R. 10947, and on October 6, it was passed by the House. Most of you are familiar with its principal provisions restoring the investment credit, repealing the excise taxes on automobiles and light trucks, accelerating individual tax cuts, and providing tax incentives for exports.

I hope the Senate will follow the House's

example and that the bill will be on the President's desk for approval at an early date. I am convinced it is a necessary step in putting our lagging economy back on the path to adequate and stable growth. The restoration of our economy to a proper growth rate would in and of itself vastly improve the financial position of State and local governments.

I am hopeful that the State and local governments will use the period between now and the time the Committee returns to the subject of revenue sharing to work out programs which will materially assist themselves. There are few things which could be more helpful in arriving at a satisfactory solution to this problem than a realistic and constructive approach by the State and local governments.

I know that an organization such as yours is dedicated to these realistic approaches, and I look forward to working with you. Again, I thank you for your kind invitation to be with you today.

UNITED PRESBYTERIAN CHURCH OPPOSES PRAYER AMENDMENT

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. CELLER. Mr. Speaker, I urge every Member of the House to read the communication sent to me on October 19, 1971, by the United Presbyterian Church. I agree that House Joint Resolution 191 would, in fact, make of government an administrator of religious practice and a judge of theology. The text of the letter follows:

THE UNITED PRESBYTERIAN CHURCH,

Philadelphia, Pa., October 19, 1971.

The Honorable EMANUEL CELLER,
House Office Building,
Washington, D.C.

DEAR MR. CELLER: We write to urge your opposition to H.J. Res. 191—the so-called "Prayer Amendment."

The first General Assembly of our church in 1789, commenting on the affirmation in our historic Westminster Confession that "God alone is Lord of the conscience and hath left it free from the doctrines and commandments of men . . ." said we "consider the rights of private judgment, in all matters that respect religion, as universal and unalienable: (we) do not even wish to see any religious constitution aided by the civil power. . . ."

In 1962-63, our denomination undertook a study in-depth of church-state relations. One of the questions studied at the local congregational and regional (presbytery) levels was the issue of prayer and Bible reading in the public schools. One hundred and thirty-one presbyteries reported their findings, and two-thirds of them approved opposition to that practice. Nine hundred and eighty-nine sessions of local churches and congregational groups reported their findings and two-thirds of them took the same position.

These findings were ratified by the 175th General Assembly (1963) in adopting the Report on Relations between Church and State that:

Religious observances never be held in a public school or introduced into the public school as 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.

The issue today is the same.

H.J. Res. 191 would make the first change in our history to our cherished Bill of Rights. It would, in fact, make of government an administrator of religious practice and a judge of theology.

There is no prohibition today against our children praying in school as *the spirit moves them*. Nor is there any prohibition against teachers teaching objectively about our country's religious heritage. Nor is there any prohibition against use of the Bible in connection with the study of world history, literature, etc. We would oppose such prohibition if attempted.

But we equally oppose nondenominational prayers authored, in effect, by those who are agents of the state.

We urge the defeat of H.J. Res. 191.

Sincerely yours,

LOIS H. STAIR,

Moderator of the 183rd General Assembly (1971).

ALASKA RURAL ELECTRIFICATION

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. BEGICH. Mr. Speaker, this morning I had the opportunity to appear before the Subcommittee on Farm Credit and Rural Electrification of the Senate Agriculture Committee.

This subcommittee meeting was very important because those who testified at the subcommittee hearings pointed to the great need for increasing rural electrification projects throughout the United States. I was especially pleased to offer testimony because Alaska has a special interest in rural electrical programs. For this reason I entered testimony that showed what has been done in Alaska to date, in regard to rural electrification needs, as well as demonstrate what needs to be done in light of Alaska's rapid growth and development.

The testimony which I offered before Senator McGOVERN's subcommittee details some of the longstanding electrical problems facing the people of my State. At this time, if there is no objection, Mr. Speaker, I wish to insert the text of my testimony so that my colleagues in the Congress can be aware of some of the difficulties facing Alaska today:

TESTIMONY OF CONGRESSMAN NICK BEGICH

Mr. Chairman, it is indeed a pleasure for me to offer testimony today before the Subcommittee on Farm Credit and Rural Electrification. This subcommittee has an outstanding record of being able to gather and evaluate relevant information and then codify these facts into meaningful and progressive legislation.

Alaska is a state of many contrasts. It is important that I come before this subcommittee because the people of Alaska have a special interest in rural electrification programs. We are the potentially richest supplier of energy in the United States but also we are the most underdeveloped power rich state in the Union.

My testimony will include an analysis of the programs already in progress within

Alaska as well as a description of the needs and problems of the state regarding rural electrification. I would be remiss in my responsibility as a witness if I did not compare the present programs and present needs with the future growth of my state. Our potential is almost unlimited and I'm certain that you will find that the present programs are in need of revision in light of our great untapped potential.

Examining the present program we see that the Rural Electrification Administration has been in existence for more than 35 years. During this relatively short period of time, we have witnessed unprecedented changes in our world. During our own lifetime, we have witnessed more technological progress than all the combined generations of mankind before us. This is a startling reality, and its significance in terms of economic and social effects is difficult to fully grasp.

The mission of the Rural Electrification Administration has been to bring about change in rural America. While the R.E.A. has illuminated thousands of rural homes and many rural homes enjoy the benefits of modern telephone service, there is still much work to be done. Without question, the R.E.A. cooperatives in Alaska have played a key role in transforming rural Alaska and the aspirations and lives of thousands of people.

This is progress, but we cannot stop here, we must continue to update our R.E.A. systems to keep in pace with changing times.

Rural Electrification Administration loans to rural electric systems in Alaska provide service to an estimated 52,602 rural consumers over some 5,255 miles of service line. Loans made thus far to the 13 R.E.A. electric borrowers in the State including 11 cooperatives total \$170,334,196.

Alaska's need for electrical power is more severe than any other state. The long period of sub-zero weather requires, efficient and inexpensive service.

Alaska has all the natural resources to produce power at low cost. Generally costs for power from hydro, coal, natural gas and oil sources can be low in some locations if sizeable plants and coordinated power systems can be built. What is needed now more than anything else is a complete and accurate study to determine all of the problems regarding rural Alaska electrification programs and all the ramifications for potential growth.

Since 1965, non-utility generating plants have increased to such a rate that they now serve 19% of Alaska's population. Public utilities increased their capacity to a total of 406,596 kilowatts, and this trend is projected to continue.

About 90% of Alaska's people have reliable electric service. However, I have visited many isolated villages that have no central station power and power is both inadequate and costly. In 1969, Alaskans were paying 3.13 cents per kilowatt hour. This is a vast improvement from the cost of electric power in 1960 at 4.32 cents per kilowatt hour. While there has been a sharp decrease in the cost of electrical power, the extended winters make the use of electrical power very costly. I might add, too, that Alaska's power cost is still higher than the average rates in all other states.

The delivery of power in Alaska is handled by several means. The Rural Electrification Administration has made several loans to borrowers in Alaska. The first R.E.A.-financed line emerged January 15, 1942 by the Matanuska Electric Association Inc. at Palmer.

Consumers served by R.E.A. borrowers in the State are using increasing amounts of electricity on their farms, in their rural homes and business. In 1960, the average monthly consumption per consumer was 580 kilowatt hours. By 1970, the average had

risen to 1,348 kilowatts. As you can see, in a short period of 10 years, the consumer consumption more than doubled.

As of July of this year, the R.E.A. had advanced \$170,334,196 to borrowers in Alaska. The funds have been invested by the borrower in their local electric facilities. By June 30, 1970 borrowers had energized 4,346 miles of line serving 44,351 farm and other rural consumers. Of the 310 farms in our state, 97% are receiving electric service.

By July 1, 1971, R.E.A. borrowers in Alaska had made a total of \$35,636,203 in payments on their Government loans. The payments included \$16,722,663 repaid on principal as due, \$1,048,966 of principal paid ahead of schedule and interest payments of \$17,864,574. These data clearly indicate that rural people of Alaska are using increasing amounts of electricity and are paying for it.

Over the past several years the Rural Electrification Administration has been working with State and Federal agencies to develop a feasible plan for providing electric service in 59 widely scattered villages. The Alaska Electric Cooperative at Anchorage was organized for the purpose of carrying out the plan developed through the efforts of R.E.A., the Office of Economic Opportunity, the Bureau of Indian Affairs, the U.S. Department of Labor and the State of Alaska.

The Rural Electrification Administration made a loan allocation of \$5,205,000 to the Alaska Village Electric Cooperative, Inc., about three years ago to finance the necessary construction and facilities.

Funds for staffing and other central administrative purposes were originally provided the cooperative by the Office of Economic Opportunity, under its Community Action Research and Pilot Project Program. The Department of Labor provided funds to train people from the villages to handle routine operation and maintenance of the systems in each of the villages.

To date, about \$3.9 million have been advanced by R.E.A. to finance the program of the Alaska Village Electric Cooperative. Real progress has been made, 33 villages have already been electrified. But, of course, we must continue.

It should be noted too, that the people in the villages receiving the electric service will own and operate the cooperative.

While much progress has been made by R.E.A. to provide central station electrical service to rural people, the job is not nearly finished. During the past decade we have noted that the average consumption of electricity per consumer more than doubled. Estimates indicate that it will double again during the next ten years. This means that facilities will need to be improved and expanded to continue to meet the growing needs for electrical power. Financing will continue to be a problem. Even though an important step has been taken to provide a supplemental source of financing for the R.E.A. cooperatives, through the organization of an independent financing institution, owned and controlled by the borrowers, known as the National Rural Utilities Cooperative Finance Corporation, for the immediate future, at least, R.E.A. will have to continue to be the major source of financing for rural electrification.

Looking further into the future, the Alaska Power Administration estimated that by 1985 the annual investment for both utility and non-utility investors will reach as high as \$70 million annually so that overall capital needs by 1985 may amount to as much as \$750 million, bringing the total electric power investment in Alaska to over \$1 billion.

Alaska has an underdeveloped water power potential of about 172.5 billion kilowatt hours average annual energy, or 36% of the nation's total underdeveloped water power. Without doubt, Alaska has enough power potential to satisfy its needs within the

State as well as supplying power for other states. The oil, gas and coal reserves continue to increase at an enormous rate. We are not exaggerating when we say that Alaska is the nation's richest energy state.

In the past few minutes I have attempted to explain to you Mr. Chairman, the present program of rural electrification in Alaska, some of our problems and needs as well as provide a glimpse into the future.

While much more needs to be done, rural electrification is a program for which all Americans should be both proud and thankful. It has worked to change the face of rural America, from dark and dismal to bright, cheerful, and with hope for the future. Rural electric cooperatives have made valuable contributions to America's growth and have, on the basis of their past performance, earned a permanent place in the present and future of rural America.

POLITICS OF THE MILK PRICE SUPPORTS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. FRASER. Mr. Speaker, Frank Wright, Minneapolis Tribune staff correspondent here in Washington, has done a superb job over the past 7 months in reporting on the political contributions of dairy farmers' organizations.

Wright has performed a major service by digging out and reporting the facts. Our political finance reform duties lie before us. This newspaper series is a case study in the issues we face. The weaknesses of the existing laws are mercilessly highlighted for all to see.

Mr. Speaker, we are all products of the existing system. We are thoroughly acquainted with the problems of financing political campaigns. We know both the strengths and the weaknesses of our present system. But certainly none of us ought to ignore Frank Wright's evidence. We ought not cynically label \$255,000 in contributions to political organizations by groups benefiting from a 27-cent-per-hundredweight increase in milk price supports a "coincidence" and leave it at that, especially in view of the timing involved.

And though in this case Frank Wright was able to pierce the veil of dummy committees concealing the ultimate beneficiary of these particular political contributions, we all know that disclosure of political money sources and recipients is hindered, not aided, by existing legislation.

Alexander Heard, author of "The Costs of Democracy," a major scholarly book on political money, has written that one cannot be certain whether some are against publicizing political financial operations because they fear the public would understand or because they would not understand what was disclosed. Mr. Speaker, I believe the vast majority of the American people understand that it takes money to campaign for public office. We shall not suffer from a timely and candid disclosure of the sources of our funds. We must enact legislation to insure this disclosure.

The articles referred to follow:

[From the Minneapolis Tribune, Mar. 26, 1971]

DAIRY-INTEREST PRESSURE FORCES RISE IN MILK SUPPORTS (By Frank Wright)

WASHINGTON, D.C.—The Nixon administration, yielding to pressure from dairy interests, reversed itself Thursday and announced a 27-cent-per-hundredweight increase in milk price supports.

The increase, to \$4.93 per hundredweight for manufacturing-grade milk, effective for the new marketing year beginning next Thursday, was announced by Agriculture Secretary Clifford Hardin.

His action came almost two weeks after he announced March 12 that the federally guaranteed price of \$4.66 would be continued during the coming year.

Between the two announcements milk producers pressured Congress and the administration for an increase.

They contended that a raise to close to \$5.00 was needed to maintain support at about 85 percent of parity. The 85-percent level had been reached last year with the increase to \$4.66, a raise of 38 cents over 1969. But, because of rising production costs, the \$4.66 is now only about 80 percent of parity, the dairymen claimed.

In his original announcement of March 12, Hardin took note of the arguments for an increase but said that another raise could lead to overproduction, lower prices and increased government buying of surplus milk.

Hardin said that production during 1970 had risen to a level adequate for the nation's needs and that the average free market price of \$4.72 was higher than the guaranteed support level. He said a further increase in the subsidy rate would not be in the long-term interests of producers.

"They know from past experience that they do not benefit when dairy production substantially exceeds demand and excessive surpluses pile up in government warehouses. We must avoid this," the secretary said on March 12.

In yesterday's announcement, Hardin did not refer to his earlier rationale for holding the line.

He said only that the department is constantly analyzing milk production and has found that "farmer costs have escalated sharply, particularly in concentrate feed, which has gone up \$10 to \$20 per ton. Farmers have no way to cut other costs to compensate for those which have risen."

[From the Minneapolis Tribune, Mar. 28, 1971]

DAIRY INDUSTRY'S POLITICAL WAR CHEST BRINGS PAYOFF (By Frank Wright)

WASHINGTON, D.C.—For the past two years many of America's dairy farmers, including thousands from Minnesota, have been giving part of their income to a political war chest.

Last week those contributions—totaling more than \$1 million—paid off.

The payoff came in the form of an abrupt reversal by the Nixon administration on the question of milk-price supports for the 1971 marketing year, which begins Thursday.

On March 12 Secretary of Agriculture Clifford Hardin had announced that the government-guaranteed price would not be increased and would remain at the \$4.66 per hundredweight in effect for 1970.

The price applies to manufacturing milk, which is used to make butter, cheese and nonfat dry milk.

Hardin said in his announcement that production is adequate to meet the nation's needs and that most milk is being sold by producers in the free market at prices higher than the support level. He said he saw no need for an increase.

Last Thursday, just 13 days later, the secretary announced that he had changed his

mind. He said the support level will be raised after all, to \$4.93, an increase of 27 cents.

The dairy industry, with few exceptions, was ecstatic at the news, declaring it a great break for the milk-producing farmer.

There were, however, some experts who saw trouble ahead. If farmers respond by sharply increasing production, prices paid to them in the free market are likely to drop accordingly, it was said, and the administration's action could cost the taxpayers up to \$300 million in increased subsidies.

So, in view of that financial risk, how did Hardin's about face come about?

Needless to say, it did not just happen.

It was the result of an intensive lobbying campaign mounted by the nation's biggest milk-producer cooperatives with the eager—and perhaps crucial—assistance of dozens of members of Congress, including many whose recent election campaigns were financed partially by the dairy industry's political war chest.

Among these congressional allies were some of the most powerful and well-known men on Capitol Hill, such as House Speaker Carl Albert, D-Okla.; Rep. W. R. Poage, D-Texas, chairman of the House Agriculture Committee; Rep. Page Belcher, R-Okla., senior minority member of the committee; Sen. Hubert Humphrey, D-Minn., a member of Senate Agriculture Committee; Sen. Edmund Muskie, D-Maine, currently the leading contender for the 1972 Democratic presidential nomination; Sen. Harold Hughes, D-Iowa, a darkhorse prospect for that nomination; Sen. William Proxmire, D-Wis., a ranking member of the Senate Agriculture Appropriations Subcommittee, and Sen. Gale McGee, D-Wyo., chairman of that subcommittee.

Most of them helped the lobbying campaign by cosponsoring legislation that, if passed, would have forced Hardin to raise the support price. Others, such as Belcher, did not put their names on the legislation but pressured the administration personally.

During the past two years, according to records filed with Congress, Poage received \$5,000 from the dairy industry political financiers—even though he had no opposition for reelection in 1970. The record says that an additional \$11,500 was spent on an appreciation dinner for Poage and \$2,000 on a similar dinner for Albert, who also had no opposition last year.

Belcher received contributions totaling \$5,000, Humphrey \$10,625, Muskie \$7,132, Proxmire \$8,160 and McGee \$2,000, according to the records.

Hughes was listed as receiving \$5,000—even though he was not up for reelection last year. According to the records, his money was in the form of an "honorarium," the customary label applied in Washington to the fee for a speaking engagement.

The money was funneled through four organizations.

The biggest is the Trust for Agricultural Political Education (TAPE), political arm of American Milk Producers, Inc. (AMPI). Both organizations are headquartered in San Antonio, Texas, but draw support from approximately 32,000 member farms in 20 states ranging from the Canadian border to the Gulf of Mexico. Approximately 7,000 members are located in Minnesota, according to an AMPI spokesman. AMPI markets slightly more than 10 percent of the nation's milk.

The members, according to AMPI President John Butterbrodt, a Burnett, Wis., dairyman, voluntarily contribute one-third of 1 percent of their milk checks to TAPE, up to a maximum of \$100 per year.

The maximum is set at that level, he said, to protect the anonymity of the givers. Persons who give more than \$100 must be listed by name in the reports filed with Congress, as required by law.

Since the spring of 1969, when TAPE went into business, it has reported receipts of

\$1,053,571 and expenditures—mostly in the form of campaign contributions to congressional candidates—of \$447,291.

A second organization, the Trust for Special Political Agricultural Community Education (SPACE), has reported receipts of \$181,472 and expenditures of \$126,170.

SPACE is the political arm of Dairymen, Inc., a large milk cooperative group in the southeastern United States. Its headquarters are in Louisville, Ky.

The remaining two milk industry political organizations are smaller.

One is the Agricultural and Dairy Educational Political Trust (ADEPT) of Mid-American Dairymen, Inc., Springfield, Mo. Mid-America includes the old Twin City Milk Producers Association—which had about 3,000 members—and provides most of the fluid milk for the Minneapolis-St. Paul metropolitan area.

ADEPT has reported receipts of \$13,803 and expenditures of \$9,851, mostly to Humphrey and Muskie.

The other organization is the Agricultural Cooperative Trust (ACT) of the National Milk Producers Federation, located here in Washington.

The federation is an umbrella group representing about 80 super cooperatives or groups of cooperatives. It claims to speak for producers of virtually all the cooperatively marketed milk in the country, about 75 percent of all of the nation's milk.

ACT has reported raising \$10,871 and spending \$6,700.

The legislation promoted by these groups would have required the secretary to set the minimum price support at 85 percent of parity, close to \$5. The dairy groups argued that this would only keep pace with rising production costs. The \$4.66, they said, had been 85 percent a year ago but had since dwindled to about 80 percent.

Main sponsor in the House was Rep. Neal Smith, D-Iowa. About 70 others signed up, with Democrats outnumbering Republicans almost 5 to 1. More than 30 of the sponsors had received funds from the industry during 1969 and 1970 in amounts ranging from a few hundred dollars to several thousand. Several recipients, in addition to Poage, had no election opposition.

House sponsors from the Upper Midwest included Reps. John Zwach, R-Minn., who received \$1,000 for his campaign, according to the reports; William Steiger, R-Wis., \$1,000; David Obey, D-Wis., \$3,500; Robert Kastner, D-Wis., \$50, and Alvin O'Konski, \$100.

Among the sponsors who received no contributions, according to the records, were Democratic Reps. Donald Fraser and Robert Bergland of Minnesota, James Abourezk and Frank Denholm of South Dakota and Clement Zablocki of Wisconsin.

Main Senate sponsor was Democrat Gaylord Nelson of Wisconsin, a leading dairy state. Of the 22 other sponsors, 12 were up for election last year. Eight of them received contributions from the milk people.

Upper Midwest sponsors, in addition to Nelson, Proxmire and Humphrey, included Democrats Walter Mondale of Minnesota, George McGovern of South Dakota and Quentin Burdick of North Dakota. The record indicates that Humphrey and Proxmire are the only ones to receive money. Except for Burdick, none of the others was up for election last year.

The legislation was introduced within a week after Hardin's first announcement.

AMPI, apparently the spearhead in the move to pressure the administration, provided the lawmakers with considerable help. In Nelson's case, for example, an aide said AMPI lobbyists, operating from a three-room headquarters in a Madison, Wis., hotel, delivered the text of the bill to the senator's office—and he introduced it the same day.

In addition, according to the aide, AMPI provided at least some of the research mate-

rial that Nelson used in a statement for the Congressional Record, inserted in conjunction with the bill. The aide said AMPI calculated the claim in the statement that Hardin's March 12 refusal to raise the support price would cost dairy farmers \$500 million nationally this year and \$90 million in Wisconsin.

(An AMPI spokesman told the Minneapolis Tribune that the cost to Minnesota Producers would be about \$50 million, based on the assumption that market prices would drop about 50 cents per hundred weight.)

AMPI and the rest of the dairy industry had other weapons, too, in addition to the legislation sponsored by the approximately 100 members of Congress—legislation that Poage, the House committee chairman, said could be passed if the administration refused to act on its own.

Letters from AMPI members deluged numerous lawmakers, most of them Republicans who were sympathetic to the dairymen but who did not wish to break publicly with the GOP administration by signing up as sponsors of the bills. It was claimed that more than 50,000 came from AMPI's northern region, headquartered in New Ulm, Minn.

Many of the recipients, including Reps. Ancher Nelsen and Albert H. Quie from the heavy dairy regions of southern Minnesota, responded by privately urging the administration to alter its course. Both Nelsen and Quie are Republicans.

Pressure also was applied directly to the Agriculture Department and to the White House.

George Mehren, as assistant secretary of agriculture under Minnesota's Orville Freeman in the 1960s, was added to the AMPI staff and began making the rounds in the Agriculture Department.

And, as frosting on the cake, the dairymen won an audience with President Nixon himself. Tuesday morning 16 industry spokesmen, including nine from AMPI, spent an hour talking to Mr. Nixon, Hardin and representatives of the Office of Management and Budget.

Several members of the milk delegation were from the Upper Midwest. They included Paul Affeldt, Sparta, Wis., president of Pure Milk Products Cooperative, which is merging with AMPI; Melvin Besemer, New Ulm, Minn., president of AMPI's northern region; Butterbrodt, AMPI national president; Bill Eckles, Fond Du Lac, Wis., general manager of Pure Milk Products, and Carlyle Hansen, New Ulm, AMPI northern region manager.

Not everybody gets to spend an hour with the President pleading their case; but, if, as the dairy audience indicates, they have spent more than \$1 million on politics, it is easier to get in the door. This is especially true if they speak for a segment of society that recently has expressed itself at the polls as being unhappy with administration policies generally, as did many farmers in the 1970 elections.

With the threat of further farm revolt hanging over its head, the administration caved in.

Hardin's new announcement, raising the support price, came two days after the White House meeting.

The shift in position represented, to some degree, a defeat for a well-known Minnesota dairy cooperative, Land O'Lakes, Inc.

Land O'Lakes officials, prior to Hardin's first announcement, had circulated among administration farm officials a position paper opposing a price-support increase.

It said, in summary, that higher supports would increase production, cause sales of dairy products to decline, cause consumers to use substitutes for whole fluid milk and result in higher government costs. An increase would hurt the producer in the long run, it said.

That argument initially won out in the administration and was the basis for the

March 12 announcement that there would be no increase.

The Land O'Lakes paper also claimed that AMPI had been engaging early this year in "apparent" market manipulations designed to drive the market price paid to producers up to unrealistically high levels, about \$5.10 for manufacturing milk. This ploy, it was said, laid the groundwork for the AMPI argument that support prices could be raised to almost that level for 1971 without boosting government costs—because the free market price would always be higher than the support.

Unexpectedly high prices paid by AMPI for cheese in Wisconsin were cited by Land O'Lakes as evidence of manipulation.

One AMPI spokesman, Jim Hill of the northern regional staff, acknowledged in an interview with the Minneapolis Tribune last week that the organization "may have overpaid producers a little bit to prove our point—to get the market price up around \$5."

But, he claimed, the prices were not unrealistically high, as claimed by Land O'Lakes, because the "consumers were not complaining. They wouldn't have revolted."

So far, nobody in Congress or in the Department of Agriculture has been moved to look further into the charges of market manipulation. Unless somebody does, the entire price-support incident appears closed.

Looking back on it, Quie had this comment: At first the department decided that Land O'Lakes made economic sense. And then it decided that AMPI made political sense.

Patrick Healey, head of the Milk Producers Federation, had this to say: "AMPI has found its political operation very useful to them."

Plenty of people here would second both comments.

[From the Minneapolis Tribune, May 30, 1971]

NFO ANTITRUST SUIT CLAIMS CO-OPS FORCED FARMERS TO AID POLITICAL "FUND"

(By Frank Wright)

WASHINGTON, D.C.—The political fund-raising efforts of two large milk cooperatives, to which thousands of Upper Midwest dairy farmers contributed last year, are under fire in court.

It is alleged that the cooperatives, Associated Milk Producers, Inc. (AMPI) and Mid-America Dairymen, Inc. (MAD), "compelled" members to give to these "slush funds" and then "utilized these contributions to advance their monopolistic interests."

The allegations are contained in an antitrust suit filed May 14 in Federal District Court in Kansas City, Mo., by the National Farmers Organization (NFO) against AMPI and MAD.

The NFO action is in the form of an answer and counterclaim to an antitrust suit brought a day earlier in the same court by MAD.

The NFO suit does not spell out how the farmer members of the two co-ops were forced to make political contributions nor does it detail how the money supposedly was used to further a monopoly.

The funds first attracted the attention of the public a month ago when the Minneapolis Tribune reported that dozens of members of Congress who had received hundreds of thousands of dollars in 1970 election campaign aid from the co-ops later helped them in their successful fight for higher milk price supports.

The fight started March 12 when Secretary of Agriculture Clifford Hardin announced that the 1970 government-guaranteed milk price of \$4.66 per hundredweight would not be increased for 1971.

More than 40 lawmakers who had benefited from the co-ops' campaign fund almost im-

mediately introduced legislation that would have forced an increase to about \$5. The legislation was drafted by the co-ops.

Other congressmen privately urged the secretary to change his position on his own.

The pressure was too great and on March 25 Hardin capitulated, announcing an increase to \$4.93.

According to reports filed with Congress, as required by law, the AMPI fund raised \$1,053,571 and gave out \$447,291. AMPI officials said at the time that members contributed voluntarily from their milk sale proceeds. The MAD fund was much smaller, reporting receipts of \$13,803 and expenditures of \$9,851.

The recipients included several Upper Midwest congressional candidates. Sen. Hubert Humphrey, D-Minn., got \$10,625, according to the records; Sen. William Proxmire, D-Wis., \$8,160, Rep. John Zwach, R-Minn., \$1,000; Rep. David Obey, D-Wis., \$3,500; and Rep. William Steiger, R-Wis., \$1,000. All but Steiger are on committees that handle agricultural legislation.

Others included such key people as Rep. Robert Poage, D-Texas, chairman of the House Agriculture Committee, and Sen. Gale McGee, D-Wyo., chairman of the Senate Agriculture Appropriations Subcommittee.

The suit does not indicate whether the price-support episode will be brought into the court battle, but so far it is the only public indication of the impact that the so-called "slush funds" have had.

The funds are only a part of a much broader dispute between the NFO and MAD for dominance in the milk market of the Midwest, including Minnesota and Wisconsin.

Each farmer group claims the other has conspired to restrain trade and has in fact restrained trade throughout the area.

Plaintiffs in the MAD suit include 32 individual farmers, among them 10 from Minnesota or Wisconsin.

The Minnesotans are Robert Alexander, Northfield; Arthur Anderson, Fergus Falls; Warren Krause, Buffalo; Donald Lohmann, Zumbrota; Lloyd Schaefer, Hutchinson, and Kenneth Varner, Montrose. Those from Wisconsin are Richard Kruschke, New Richmond; Laverne Ludwigson, Bloomer; Richard Peterson, Baldwin, and Gerald Sipple, Menomonie. All are members of MAD.

MAD claims the NFO effort to control trade in raw milk goes back to 1960 and includes NFO holding actions of 1967 and since, in which members refused to sell their milk in an attempt to drive up the price. The NFO is accused in the suit of using violence to intimidate MAD members and coerce them into joining the holding actions.

MAD asks that the NFO activities be declared unlawful, that the NFO "conspiracy" to restrain trade be enjoined and that MAD be paid triple damages for injury to its members' business. No amount of damage is specified, the determination being left to the court.

The NFO denies the charges and says that even if they were true, the four-year statute of limitations has expired.

The organization asks dismissal of the suit and accuses MAD and AMPI of themselves conspiring to monopolize the milk trade.

The NFO claims that the co-ops' growth by merger with other dairy organizations, including several in Minnesota and Wisconsin, is improper and that they have otherwise acted illegally by trying to fix prices, trying to exclude NFO from the market and using "threats, boycotts and coercion" to discourage potential buyers of NFO-produced milk.

The NFO asks that MAD and AMPI be dissolved and required to pay triple damages of \$125 million. The figure is based on \$11.9 million in lost membership dues and \$29.8 million in other losses.

No trial date has been set.

[From the Minneapolis Tribune, June 20, 1971]

MILK PRICE, LOBBY'S GIFTS ROSE TOGETHER (By Frank Wright)

WASHINGTON, D.C.—President Nixon's decision three months ago to raise milk-price supports was accompanied by at least \$85,000 in 1972 campaign contributions from grateful lobbyists for the nation's dairy farmers.

The contributions are disclosed in new reports of political financing filed with the clerk of the House of Representatives by the lobbyists themselves, as required by the 1925 Federal Corrupt Practices Act.

The reports cover the months of March, April and May.

They show that the money was given to a variety of Republican political committees by at least three different co-operative organizations of milk producers just before and just after the Nixon administration's announcement on March 25 that this year's government-guaranteed price would be increased 27 cents to \$4.93 per hundredweight.

The announcement successfully climaxed an intensive campaign by the dairymen's lobby to reverse an administration decision 13 days earlier that the support price would not be increased and would instead remain at the 1970 level of \$4.66.

According to the financial reports in the House clerk's office, most of the contributions—\$45,000—came from an organization that represents most of the suppliers of fluid milk for consumers in the Minneapolis-St. Paul metropolitan area.

This was the chronology:

March 12, Secretary of Agriculture Clifford Hardin announced that there would be no increase in milk price supports for 1971. Production, he said, was adequate to meet the country's needs, and most milk was being sold by producers in the free market at prices higher than the existing support level. An increase was unnecessary, he said.

March 22, The Trust for Agricultural Political Education (TAPE) gave \$10,000 to the GOP—\$3,000 each to the Republican Campaign Committee and the Dinner Committee and \$2,000 each to the Republican Victory Committee and the Committee for a Republican Congress.

TAPE is the political arm of American Milk Producers, Inc. (AMPI). AMPI, headquartered in San Antonio, Texas, has 32,000 member farms in 20 states ranging from the Canadian border to the Gulf of Mexico. Approximately 7,000 members are from Minnesota, and the national president—dairy farmer John Butterbrodt—is from Burnett, Wis.

March 23, Sixteen leaders of the dairy farmers' lobby met with Mr. Nixon for one hour at the White House to plead their case for higher price supports. The leaders included Butterbrodt and officials of Dairymen, Inc., headquartered in Louisville, Ky., and Mid-America Dairymen, Inc., headquartered in Springfield, Mo. Hardin sat in with the President.

March 24, The Trust for Special Political Agricultural Community Education (SPACE) gave \$25,000 to five GOP committees—\$5,000 each to the Republican National Finance Operations Committee, the Republican National Candidates Conference, the Republican National Committee, the Republican National Finance Committee and the Republican National Associates.

SPACE is the political arm of Dairymen, Inc.

March 25, Hardin announced the price-support increase. He said "continuing research" had turned up new information on farmers' rising costs that had to be offset by a higher guaranteed price for their milk.

April 1, The 1971 marketing year began, and the new support went into effect.

April 5, The Agricultural and Dairy Edu-

cational Political Trust (ADEPT) gave \$45,000 to nine GOP committees—\$5,000 each to the Kickoff '72 Republican Dinner Committee, the Republican National Committee, the Republican National Finance Committee, the Republican National Finance Operations Committee, the Republican National Associates, the Republican Victory Committee, the Republican Campaign Committee, the Committee for a Republican Congress and the Republican Congressional Candidates Conference.

ADEPT is the political arm of Mid-America Dairymen. Mid-America includes the old Twin City Milk Producers Association, whose members number about 3,000. They provide most of the milk for the Twin Cities and their suburbs.

May 7, Space gave another \$5,000, this time to the Kickoff '72 Committee.

The March, April and May contributions are the continuation of a milk-fed flow of political money that began in 1969.

The dairy groups collected more than \$1 million that year and the next from their farmer members and gave more than \$600,000 to friendly candidates in the 1970 congressional elections.

Dozens of those who got elected last fall came to the dairy farmers' aid this spring, helping in the campaign to pressure the administration into changing its mind on price supports.

Their ranks included such high-powered congressmen as House Speaker Carl Albert, D-Okla., Rep. W. R. Poage, D-Texas, chairman of the House Agriculture Committee; Rep. Page Belcher, R-Okla., senior minority member of the committee; Sen. Hubert Humphrey, D-Minn., the 1968 Democratic candidate for president, and Sen. Edmund Muskie, D-Maine, a leading contender for the 1972 Democratic nomination.

The rest of the list was similarly bipartisan.

But this year, with a presidential election just over the horizon, it appears that the dairy farmers already have rather firmly decided that Mr. Nixon, their Republican benefactor, is their man.

That conclusion is based on the fact that while they were giving his party \$85,000, they were giving the Democratic Party \$16,000.

Undoubtedly, there is more to come. Collections received by the dairy groups so far this year, according to the reports on file, total more than half a million dollars.

[From the Minneapolis Tribune, June 23, 1971]

DAIRY CO-OP OFFICIALS DENY KNOWLEDGE OF GIFTS TO GOP

(By Frank Wright)

WASHINGTON, D.C.—Officials of three large dairy cooperatives said Tuesday that they know nothing about \$85,000 in contributions made by their members to the Republican Party during a campaign for higher milk price supports.

John Butterbrodt, of Burnett, Wis., president of American Milk Producers, Inc. (AMPI), said "Gee, that's news to me. I really couldn't explain it."

John Moser, of Louisville, Ky., president of Dairymen, Inc., said "As to time and amount, I don't have that direct information."

William Delano, of Springfield, Mo., executive vice president for finance and treasurer of Mid-America Dairymen, Inc., said, "I'm not in a very good position to help with that. I can talk only on supposition."

The contributions came to light last week in political-financing reports filed with the clerk of the House of Representatives as required by the 1925 Corrupt Practices Act.

The reports were filed by trust funds set up in connection with the three cooperatives, beginning a little over two years ago. Since then the funds have reported raising

almost \$2 million. Almost all, if not all, of the contributors are farmer members of the co-ops. About half the money has been given to members of Congress friendly to dairy interests.

Recently, according to the latest reports, the bulk of the money has been going to national GOP committees.

The fund related to AMPI, which has about 7,000 members in Minnesota, gave \$10,000 on March 22, the day before 16 dairy farmer leaders, including Butterbrodt and Moser, met with President Nixon and Secretary of Agriculture Clifford Hardin at the White House and urged them to increase the support price.

The fund related to Dairymen, Inc., which operates mainly in the southeastern United States, gave \$25,000 on March 24, the day after the meeting and the day before Hardin announced that the guaranteed price would be raised from \$4.66 per hundredweight to \$4.93.

The fund related to Mid-America, which supplies most of the fluid milk in the Minneapolis-St. Paul vicinity, gave \$45,000 on April 5. The dairymen-connected fund gave \$5,000 more on May 7.

When asked by the Minneapolis Tribune yesterday to comment on the timing of the contributions, Butterbrodt, Moser and Delano all said that they could not do so.

Butterbrodt said that although links exist between AMPI and the trust fund—the same man is comptroller of AMPI and trustee of the fund, for example, and members of AMPI serve on the committee that controls the fund—it is a separate legal entity, and he is not personally involved in its operations. "I have no knowledge of what the trust is doing," he said.

He suggested that questions be directed to Robert Isham, of San Antonio, Texas, AMPI comptroller and fund trustee. Isham's secretary said that he was out of town yesterday and would be all week.

Arthur Moczygemba, AMPI director of information, said, "We don't disown the trust fund, but we have no say in it. The only way you can connect us is through the back door."

Moser said that he is chairman of the committee that oversees the fund related to dairymen. He said that the committee functions largely in a review capacity, "looking things over after they happen."

The decisions on which politicians are to receive funds are left largely to three dairymen executives, he said. He identified them as J. E. Mueller, trustee of the fund; Paul Alagia, executive director and general counsel of Dairymen, Inc.; and Joe Westwater, economist and reserve milk supply manager.

Moser referred inquiries to Mueller, but efforts to contact him twice by telephone yesterday were unsuccessful. His secretary, said that he was "in sort of a meeting."

Delano said that he was not a member of the committee that handles the Mid-America trust. "I just follow their orders," he said. He refused to identify the committee members, other than to say that they were members of the co-op, but did say that he would "see you get some answer from somebody regarding the timing and size of the contributions."

[From the Minneapolis Tribune, June 24, 1971]

GOP WON'T TALK ABOUT GIFTS FROM DAIRY LOBBY

(By Frank Wright)

WASHINGTON, D.C.—The White House declined Wednesday to comment on \$85,000 in contributions made to the Republican Party by the dairymen's lobby while the Nixon administration was raising milk price supports.

The national chairman of the Republican Party also had little to say about the contributions.

Gerald Warren, President Nixon's deputy press secretary, told a regular afternoon press briefing at the White House that the administration would not discuss the matter "pending a check on the accuracy" of a newspaper article disclosing the contributions. The article, published Sunday in the Minneapolis Tribune, was based on reports filed by the lobby groups themselves with the clerk of the House of Representatives.

The White House had been asked by the Tribune before the briefing yesterday to comment on whether the contributions were discussed at an hour-long meeting between Mr. Nixon and dairy lobby leaders on March 23 and to comment on the propriety of the gifts.

Asked for similar comments, Sen. Robert Dole of Kansas, national chairman of the GOP, issued a brief statement saying that he was not aware of any such contributions. He also said that to the "best of my recollection these people have contributed to both parties" and "some of the leading members of these co-ops are Democrats."

The March 23 meeting with the President came during a series of contributions made by political funds associated with three large cooperatives—American Milk Producers, Inc., Dairymen, Inc., and Mid-America Dairymen, Inc. Their officials dominated the delegation to the White House.

Most of the contributions were made between March 22, the day before the White House meeting, and April 5, 11 days after the support increase was announced.

[From the Minneapolis Tribune, June 27, 1971]

DAIRY FARMERS LESS VOCAL NOW IN LOBBYING EFFORTS (By Frank Wright)

WASHINGTON, D.C.—For a while there it appeared as if the dairy farmers' lobby was going to be different.

Its leaders and spokesmen not only were proud of the way in which they had started to use money to help their friends stay in office and happy about the manner in which those friends had come to their aid in their time of need. They also—and this is what made the dairymen unique—were eager to tell the world about it.

But now all that is changing.

They are finding that publicity is not always desirable—and they are starting to clam up in a manner similar to the many more experienced special-interest organizations that always have felt that the less the public knows about their political funds and their lobbying campaigns the better.

Apparently feeling that their declining numbers by themselves were no longer an adequate political force, the dairy farmers decided late in 1968 to try to see if their money could give them a bigger voice in Washington.

Three of the biggest dairy cooperatives set up political trust funds to handle money contributed by co-op members and a few other people. The three are Dairymen, Inc., of Louisville, Ky.; American Milk Producers, Inc., of San Antonio, Texas; and Mid-America Dairymen, of Springfield, Mo. The last two have thousands of members in the Upper Midwest.

Since then they have raised close to \$2 million, according to reports they have filed with the clerk of the House as required by federal law.

The funds' activities did not really attract public attention, however, until last March when the coops began an intense campaign for higher milk-price supports. The campaign went into high gear after the Nixon administration announced on March 12 that it saw no need to raise supports for 1971.

The co-ops enlisted dozens of allies on both sides of the aisle in Congress to pressure the administration privately and to in-

troduce legislation that would require an increase in the support level.

Reporters inquiring into the campaign discovered from reports filed earlier in the House clerk's office that many of the congressmen who were aiding the co-ops had also received substantial campaign contributions from the trust funds during 1970. The contributions totaled about \$600,000.

At that time co-op officials were more than willing to talk. John Butterbrodt, of Burnett, Wis., president of American Milk Producers, freely described how members could have their political contributions deducted from their co-op milk checks and turned over to the trust fund.

For another example, after the administration reversed itself on March 25 and announced that milk supports would go up from \$4.66 per hundredweight to \$4.93, Arthur Moczygemba, director of information for American Milk, asked a reporter how to obtain 30 extra copies of the reporter's article detailing the connection between the campaign contributions and the congressional pressure for the price increase.

"We want to send them to all of our national and regional directors to show them how effective this has been," he said. Then came the change.

Reports filed by the trust funds earlier this month covering contributions made during March, April and May showed that \$85,000 had been given to President Nixon's party—the Republicans—at the time he was discussing price supports with the co-op leaders and making the decision to raise them.

Nobody denied that the contributions had been made, but neither was anybody in authority willing to discuss why they had been made at that particular time and in such a generous amount—an amount which, according to the records, made them the largest from any single source during the spring reporting period.

Co-op officials, in general, pleaded ignorance. Butterbrodt said that it was all news to him. Moczygemba said that the trusts weren't really closely connected to the co-ops at all, and that the co-ops really had nothing to say about what they did.

Officials of the trusts, all of whom happen to be co-op employees, either were unavailable for comment or refused to discuss the matter.

The White House said Mr. Nixon would have no comment. The GOP said Sen. Robert Dole of Kansas, national party chairman, was unaware of the contributions.

About the only persons who have said anything substantive since the \$85,000 in gifts came to light are W. R. (Preach) Griffith and Lyn Nofziger.

Griffith is a farmer in Newcastle, Okla., and chairman of American Milk's Government Relations Committee. He said that while the co-ops weren't trying to buy anybody, "You've been around long enough to know you don't get nothing you don't pay for."

Nofziger is communications director for the GOP and a veteran political practitioner who once was press secretary to Gov. Ronald Reagan of California. With what sounded like a chuckle, he said that the whole thing looked like "coincidence."

[From the Minneapolis Tribune, Sept. 3, 1971]

DAIRY FARMERS' EXTRAVAGANZA TO "STAR" NIXON

(By Frank Wright)

CHICAGO, Ill.—The nation's biggest dairy cooperative is about to flex its newfound political muscle with a two-day extravaganza starring President Nixon, 21 congressmen and a crowd of almost 40,000.

The occasion is the second annual meeting of Associated Milk Producers Inc. (AMPI),

the organization that contributed hundreds of thousands of dollars to farm-state congressmen in the 1970 election and then enlisted their aid last spring in forcing the Nixon administration to raise milk price supports.

Mr. Nixon will speak at tonight's opening session in McCormick Place auditorium on his way back to Washington, D.C., from the Western White House in San Clemente, Calif.

The congressmen, including two from Minnesota and several of the most influential leaders on Capitol Hill, will speak Saturday morning at a series of breakfasts in downtown Chicago hotels.

The two Minnesotans are Sen. Walter Mondale, a Democrat, and Rep. John Zwach, a Republican.

Others from Congress include House Republican Leader Gerald Ford of Michigan; his assistant leader, Leslie Arends of Illinois; and House Democratic Whip Thomas O'Neill of Massachusetts.

Others include Rep. W. R. Poage, D-Texas, chairman of the House Agriculture Committee; Rep. Page Belcher, R-Okla., ranking minority member of the committee; Sen. Herman Talmadge, D-Ga., chairman of the Senate Agriculture Committee; Sen. Jack Miller, R-Iowa, the committee's ranking minority member; and Sen. John Stennis, D-Miss., chairman of the Senate Armed Services Committee and a senior member of the Senate agriculture subcommittee.

Tonight's speech by the President will be his first to a major group since his about-face on the milk-support issue in March.

The administration initially announced that it would not raise the government-guaranteed price this year. Then, in the face of the lobbying effort led by AMPI, it reversed itself less than two weeks later and boosted the 1971 level to \$4.93 per hundredweight, an increase of 27 cents.

Rounding up dozens of farm-state congressmen to pressure the White House was only one technique employed by AMPI in persuading Mr. Nixon to change his mind. In addition, AMPI and other dairy farmer co-ops contributed at least \$85,000 to various national committees of Mr. Nixon's Republican Party at the time the price increase was being announced.

Tonight's appearance by the President and Saturday's by the congressmen thus amount to a recognition of and a tribute to the well-financed political power of this young organization.

It has approximately 43,000 individual members in 22 states stretching across the middle of the country from Minnesota and Wisconsin on the north to Texas on the south. Its political funds come from the members, who contribute up to \$100 annually from their milk checks on what, according to AMPI officials, is a voluntary basis.

Mr. Nixon and most of the congressional speakers will be coming here with an eye not only on the past but also on the future—the 1972 election. Mr. Nixon will be up for reelection then, as will all of the 10 House members and six of the senators, including Mondale. They will not be adverse to securing AMPI support.

At least some of the congressmen will receive fees for their appearances here, but AMPI spokesmen refused to say which ones will be paid or how much.

Last year, according to public reports made by members of Congress under the rules of the Senate and the House, AMPI paid individual fees of up to \$5,000 to eight speakers.

Mondale is among those who will receive no fee. His office said that he was offered one but rejected it. No amount was discussed, his office said. He will receive expense money for travel and hotel costs for himself and one staff member, his office said.

[From the Minneapolis Tribune, Sept. 4, 1971]

NIXON SEES NEW U.S. PROSPERITY

(By Frank Wright)

CHICAGO, Ill.—President Nixon spent 30 minutes Friday night praising an audience of politically potent dairy farmers and telling them that his new economic policy holds the promise of unprecedented prosperity for agriculture.

The 40,000 milk producers and their families, attending the opening session of the annual meeting of Associated Milk Producers, Inc. (AMPI), appeared to love it, interrupting Mr. Nixon almost 20 times with applause.

Mr. Nixon, whose relationship with dairy farmers has been often tense, made a special trip to Chicago for this appearance, doubling back from a stop earlier yesterday in Dayton, Ohio, on his way home to Washington, D.C., from the Western White House in San Clemente, Calif.

His decision to accept the AMPI invitation was a recognition of the importance of AMPI and the newly revitalized dairy-industry lobby that it leads.

Last spring, after Mr. Nixon had announced that he would not increase dairy-price supports this year, AMPI marshalled dozens of its friends in Congress, many of whom had shared in more than \$400,000 in campaign contributions made by the milk-marketing cooperative last fall, and pressured the administration until it changed its mind.

The pressure campaign was sweetened somewhat by contributions totaling \$85,000 from AMPI to Mr. Nixon's Republican Party.

The administration reversed itself and decided to raise the support price after all, boosting it 27 cents to \$4.93 per hundredweight.

Complimenting the dairy industry for leading agriculture in increased productivity, Mr. Nixon described AMPI as "one of the strongest forces in blazing new economic trails. As America's largest dairy cooperative you have moved effectively to help improve the quality, expand the variety and increase the volume of American dairy products."

"You have," he said, "pioneered in developing a total marketing concept which many other producers would do well to consider. And all of this you have done on your own, neither whimpering helplessly about uncontrollable economic forces or waiting passively for government to bail you out."

He said his new economic policy, particularly his international monetary maneuvers and his freeze on prices, offer farmers relief from the inflation that has been "crushing our farm families and farm communities for many years now like a great invisible vice."

Farmers, Mr. Nixon said, "have a great deal to gain from the 'New Prosperity' to which our new economic policies are dedicated."

As he has done before other audiences since expounding his new policies, Mr. Nixon urged his listeners to help in developing the "new American spirit" that will be necessary for the policies to succeed.

"Your contribution can be decisive," the President said, urging that farmers help the country to recognize "the dignity of work," the need to make sacrifices during the 90-day freeze on wages and prices and to "never resign ourselves to being second best."

Mr. Nixon briefly became a super salesman for milk, recalling how a glass of good, fresh milk was what he really wanted most when he returned from 14 months of duty with the Navy in the Pacific in World War II and from a 70-day trip to Asia during the 1950s while he was vice-president.

His listeners cheered when he said: "We in America should be thankful we can get a glass of good, fresh milk whenever we want it."

Mr. Nixon shared the platform last night with Gov. Richard Ogilvie of Illinois and Mayor Richard Daley of Chicago. It was the President's second trip to this pivotal state in less than a month, and he has said that he will return here frequently prior to the 1972 election.

The President carried Illinois by a narrow margin in 1968, and his aides have said it will be crucial to his chances for reelection next year.

The MPI meeting will conclude today with a series of morning breakfasts addressed by 21 congressmen in downtown hotels, to be followed by a business session.

[From the Minneapolis Tribune, Sept. 5, 1971]

MILK PRODUCERS VOTE TO SEEK HIGHER MILK-PRICE SUPPORTS FROM UNITED STATES

(By Frank Wright)

CHICAGO, Ill.—The nation's largest dairy farmer cooperative, encouraged by the success of its first all-out lobbying campaign for higher milk price supports, is going to push for a further increase.

Delegates attending the final session of the second annual meeting of Associated Milk Producers, Inc., (AMPI) voted unanimously Saturday to urge Secretary of Agriculture Clifford Hardin to raise the government-guaranteed price level to 90 percent of parity, the limit permitted by law.

This would be \$5.30 to \$5.35 per hundredweight for manufacturing milk, which is used to produce butter, cheese and nonfat powdered milk. The present support price is \$4.93.

When set by Hardin in March, the support price was 85 percent of parity—parity being a ratio used in federal farm laws to describe a supposedly fair price to the producer of agricultural products in relation to his costs.

Since then, because of inflation, the \$4.93 has declined to about 83 percent of parity.

The current support price was established as the result of an intensive dairy industry push led by AMPI after the Nixon administration initially announced that it was going to continue the 1970 price of \$4.66 through this year.

Within a matter of days, AMPI and several smaller milk producer cooperatives marshaled a bipartisan force of dozens of sympathetic congressmen to pressure the White House for an increase. The congressmen had received 1970 election campaign contributions totaling almost \$500,000 from the farmers and were returning the favor.

At the same time, the dairy farmer organizations made contributions totaling at least \$85,000 to the national Republican Party. In less than two weeks, the administration granted the increase. That victory has been referred to frequently at this meeting of AMPI, which includes thousands of farmers from Minnesota and whose national membership has grown from 29,000 to 44,000 in the past year.

In yesterday's resolution AMPI said another increase in the support price is necessary to "guarantee consumers a continuing adequate supply of domestically produced milk and milk products at a reasonable price and to allow dairy farmers to receive equitable economic benefits for their labor and investment."

The AMPI action came less than 24 hours after Mr. Nixon, in a speech to the convention, urged dairy farmers and others in the agricultural community to help develop the national spirit of cooperation necessary for the success of his new anti-inflation policies, including the 90-day freeze now in effect on wages and prices.

Although the resolution might appear to some to disregard Mr. Nixon's plea, the AMPI

argued that, technically speaking at least, it does not.

Prices on raw agricultural products—such as milk being sold to processors by the farmer—are exempt from the freeze, it was noted.

And, in any event, it was said, a new increase in government supports—should the administration be willing to grant one—would not come until after the 90 days expire. The support price is set annually under the farm law for a marketing year that begins April 1. The freeze is due to expire in mid-November.

[From the Minneapolis Tribune, Sept. 12, 1971]

DAIRYMEN GO UNDERGROUND TO DELIVER MONEY TO GOP

(By Frank Wright)

WASHINGTON, D.C.—The nation's dairy farmers have gone underground with at least one of their big new political funds.

Instead of giving money directly and openly to clearly-identified candidates for Congress and to long-established national committees of the Republican and Democratic Parties as it has done in the past, the fund operated by Mid-America Dairymen, Inc., has started to channel its contributions into a network of obscurely-named Washington organizations created primarily to support President Nixon's 1972 reelection campaign without attracting public attention.

Such organizations often are used to get around federal election campaign laws limiting contributions and requiring a public accounting.

The change in tactics was disclosed last week in the latest report filed by Mid-America, an extensive milk-marketing cooperative that includes members of the old Twin Cities Milk Producers Association, suppliers of most of the dairy products consumed in the Minneapolis-St. Paul metropolitan area.

The periodic report, required under the 1925 Corrupt Practices Act, was made to the House clerk's office in the name of the Agricultural and Dairy Educational Political Trust (ADEPT), Mid-America's political arm.

The report showed that during June, July and August ADEPT made \$2,500 contributions to each of six organizations—a total of \$15,000.

The six organizations are the Organization of Involved Americans, Americans United for Political Awareness, Americans United for Political Involvement, Americans Participating, Americans United for Decent Government and Americans United for an Informed Electorate.

The names give no hint of party or candidate affiliation.

But, by tracing the addresses listed for the organizations in the ADEPT report and by interviewing several individuals who live or work at those locations, the Minneapolis Tribune pieced together a trail that led to Robert Bennett, son of Republican Sen. Wallace Bennett of Utah and former director of Congressional relations for the Department of Transportation.

One of the organizations was listed to the residence of Robert Bennett's sister. Another was listed to the residence of an attorney who turned out to be a friend of Bennett's in the local Mormon church. Another was listed to the attorney's Washington office. Another was listed to the home of a secretary who works in the attorney's suburban Virginia office. Another was listed to the old Washington office address of Bennett's present employer, Robert R. Mullen & Co., a public relations firm which often has worked in national GOP campaigns.

Interviewed at week's end in the firm's new office a block from the White House, Bennett acknowledged that he was responsible for setting up the six organizations used by

ADEPT and for creating several other similar ones as well.

Bennett, who said he has been supporting Mr. Nixon since his 1960 campaign against John F. Kennedy, described the organizations as "a little quiet something I can do."

He said they were set up recently after he and "several friends" decided there was a need for additional "funnels" to handle money intended for Republicans—especially Mr. Nixon—in the coming campaign.

He did not say who the friends are.

Bennett said that his series of committees will allow big contributors to "stay within" the law, which imposes a \$5,000 limit on the amount any one contributor may give to any one recipient.

(Election law reform advocates, such as Common Cause, take a different view of this technique, frequently known as the dummy committee. Reformers argue that its use allows big contributors to avoid the intent of the law and give as much as they wish, sometimes enough to acquire undue influence over the recipient if he is elected.)

Bennett said it is possible that some of his committees may eventually make public reports of what they do with the money they raise this year and next, but he indicated that that is not likely.

He noted that all of them are using a Washington bank as a depository and that the law requires no reports as long as they send no money across state lines. Crossing state lines is easily avoided because most candidates for President and Congress have offices in Washington.

He said he did not know how ADEPT, headquartered at Mid-America's home base in Springfield, Mo., learned of his string of organizations. But, he added, news of their existence is being spread to potential Republican contributors "by word of mouth."

He said he did not know exactly how much money the committees have received so far.

ADEPT officials in Missouri also said they did not know Bennett's committees happened to be selected as the recipients for their latest round of contributions.

William Delano, executive vice-president for finance and the man who signs ADEPT's reports as trustee of the fund, said, "I just write the checks they tell me to and perform the clerical tasks."

He said that if they—meaning those who made such decisions at Mid-America—"don't tell me any more, I don't want to know and don't ask."

Delano said he gets his instructions from Gary Hanman, executive vice-president for marketing and a member of the trust fund committee that decides on contributions.

Hanman said he wasn't sure either how Bennett's committees came to ADEPT's attention or just why they were selected.

"Probably some people in Washington told us about them," he said. "Our understanding is that they were Republican committees. That's as far as it went."

The most recent ADEPT contributions continue a heavily GOP trend in the farm group's giving that started last spring when Mr. Nixon, under heavy pressure from the dairy farmers' lobby, gave in to their demands for an increase in milk price supports.

His administration initially announced in March that there would be no increase.

But Mid-America and its allies, particularly Associated Milk Producers, Inc., and Dairymen, Inc., won support for an increase from dozens of congressmen whose campaigns had received financial aid from the milk farmers last year.

And, in addition, the milk men successfully encouraged the Nixon administration to change its mind by openly giving the Republican Party \$85,000 and recording the gifts in their public reports. ADEPT gave \$45,000 as its share.

In less than two weeks an increase in the

milk price support from \$4.66 per 100 pounds to \$4.93 was announced.

The dairy farmers, judging from the latest ADEPT report, are still expressing their appreciation—although now by a more circuitous route.

[From the Minneapolis Tribune, Sept. 19, 1971]

NEW DAIRYMEN GIFTS TO GOP FUNDS REVEALED

(By Frank Wright)

WASHINGTON, D.C.—Dairy farmers now have contributed approximately a quarter of a million dollars to the 1972 national Republican campaign since President Nixon raised milk price supports last spring.

That total is based on new reports filed with Congress last week by the milk producers' two largest political funds. Required by federal law, the reports cover June, July and August.

The two funds—one connected with Associated Milk Producers, Inc. (AMPI) and the other with Dairymen, Inc.—said that during the three summer months they gave a total of \$155,000 to a series of unpublished front committees, most if not all of which recently have been set up to quietly accept money for Mr. Nixon's reelection campaign.

The existence of the committees, most of which consist of little more than an imaginative name and a checking account in a Washington bank, was disclosed a week ago by the Minneapolis Tribune.

At that time the Tribune reported that the smallest of the dairy farmer funds—one associated with Mid-America Dairymen, Inc.—had contributed \$15,000 to the secret committee network in August.

Although the names of the committees gave no indication of their candidate or party connection, the Tribune traced them to Robert Bennett, son of Sen. Wallace Bennett, R-Utah, and a former Nixon appointee in the Department of Transportation who now is an executive with a Republican-oriented public relations firm here.

He said the committees were intended mainly to help Mr. Nixon.

Such committees, usually called dummy committees in the political community here, are commonly used to skirt election law limitations on contributions and requirements on public disclosure.

Under the law no contributor may give more than \$5,000 a year to a candidate. By giving to a string of dummy committees which act as middlemen, unlimited amounts may be contributed. By technically operating only in Washington, the dummy committees avoid making reports of who they in turn pass the money to. The law requires reports only from committees functioning in more than one state.

In the case of the AMPI and Dairymen funds, they reported last week that they made \$2,500 contributions to each of 62 committees.

All of the AMPI contributions—made through the Trust for Agricultural Political Education—came on July 9, according to its report filed with the clerk of the House of Representatives.

There were 50 gifts for a total of \$125,000.

AMPI is headquartered in San Antonio, Texas. It has thousands of members in Minnesota and other Upper Midwest states, and its president, John Butterbrodt, is from Burnett, Wis.

The 12 Dairymen contributions—made through the Trust for special political agricultural community education—totaled \$30,000 and were made Aug. 19.

Dairymen is headquartered in Louisville, Ky., and operates in the southeastern United States.

The \$125,000 from AMPI, the \$30,000 from Dairymen and the \$15,000 from Mid-America,

which also has many members in Minnesota, is in addition to \$85,000 which the three milk-marketing cooperatives gave to several long-established and openly identified Republican Party committees in March and April.

That is a total of \$255,000—all stemming from the day in March when the Nixon administration announced that the support price for milk this year would be raised from \$4.66 per 100 pounds to \$4.93.

In contrast, during the same six-month period from March through August the three dairy funds have reported giving less than \$50,000 to Democratic candidates for Congress or to National Democratic Party committees.

This difference is reported to have caused some grumbling among farmer members, many of whom give up to \$100 a year to the funds. The funds are run by trustees.

The committees listed in the AMPI and Dairymen reports carried such names as Americans Dedicated to Greater Public Awareness, Americans United for Better Federal Administration, Citizens for More Effective Community Involvement, Americans United for Sensible Agricultural Policy, Association for Fair Press and Americans United for Objective Reporting.

The United Trust Bank Building in downtown Washington was listed as the address for half of the committees. Others listed downtown office buildings and residences in Washington and suburban Maryland as their addresses.

One committee listed the previous location of Bennett's public relations firm as its address.

In an interview at week's end, Bennett acknowledged as he had done earlier in the case of the Mid-America contributions—that he was responsible for creating many if not all of the committees to which AMPI and Dairymen have given money.

He said those using United Trust as their address "probably are mine" because that is the bank he is using as a depository for the contributions. He said the other committees may well be connected to his operation also because they are "all in the same pattern."

He said he could not be sure, however, because some have been set up "by my friends, and I don't have a complete list of all the names."

Again—as he did with Mid-America—Bennett denied knowing how AMPI and Dairymen learned of the underground committees.

"How that message may have been carried to Garcia is beyond my ken," he said.

His "beat" he said, is retailing and transportation. He was with J. C. Penney Co. for five years before serving with the Department of Transportation as congressional liaison man for two. Most of his clients with the public relations firm—Robert R. Mullen & Co.—are in transportation or related fields, he said.

"I honestly wouldn't know a milk man if I saw one on the street," he said.

Efforts to contact officials of the AMPI and Dairymen funds for comment were not successful.

The latest reports bring to \$1.98 million the amount raised by the dairy groups from their members for the political funds since they were started a little over two years ago. The biggest by far is the AMPI fund, which has gathered together \$1.62 million, according to its report on file in Washington.

The dairy funds, the biggest new source of political money to come to light here in recent years, seem to be doing better all the time. In each case, the amount raised during the most recent reporting period was the largest in the history of the fund.

And it is still more than a year until the 1972 election.

[From the Minneapolis Tribune, Sept. 19, 1971]

DAIRY FARMER'S GROUP GIVES MONDALE \$5,000

(By Frank Wright)

WASHINGTON, D.C.—Sen. Walter Mondale received \$5,000 from a dairy farmers organization less than three months after he cosponsored legislation to raise milk-price supports.

The money came from Associated Milk Producers, Inc., (AMPI) in the form of a contribution to the Minnesota Democrat's 1972 reelection campaign.

The transaction is recorded by AMPI's political fund in a report filed with Congress covering fund activities for June, July and August.

The reports are required periodically under federal election law.

According to the report, on June 4 the fund gave \$5,000 "for tickets" to the Mondale Dinner Committee in care of Mike Berman, the senator's administrative assistant.

In an interview, Berman acknowledged receiving the money and said it was for 50 tickets to a Mondale campaign fund-raising dinner June 5 at the Radisson South.

The tickets, Berman said, were distributed among AMPI members in Minnesota. AMPI is a 40,000-member milk-marketing cooperative, headquartered in San Antonio, Texas. Its operations cover more than 20 heartland states from the Canadian border to the Gulf of Mexico.

"We asked them for help, as we asked many others," said Berman, who was in charge of dinner arrangements.

All told, Berman said, the dinner grossed between \$150,000 and \$160,000. He estimated that net proceeds would be \$112,500 to \$128,000.

Berman said he saw nothing abnormal about the AMPI gift.

"I don't know that there is anything more to say," Berman said. "Obviously the senator has been for 90 percent of parity for as long as he has been in the Senate."

The legislation, on which Mondale was joined by dozens of other members of Congress, would have required the secretary of agriculture to raise milk-price supports to 85 percent of parity.

It was introduced in March at the request of AMPI and other dairy farmer cooperatives just a few days after the Nixon administration announced it was not going to raise price supports this year.

AMPI and its congressional allies, many of whom had received campaign contributions from the dairy lobby in 1970, argued that the existing support level of \$4.66 per 100 pounds of milk had slipped from 85 percent of parity to about 80 percent because of rising farm costs, and urged that it be increased.

The dairy lobby, with the help of its Capitol Hill friends, was able to generate so much farm-state pressure that the administration reversed itself in less than two weeks and announced an increase, to \$4.93 per 100 pounds.

The \$5,000 subsequently given to Mondale was by far the largest single contribution to an individual listed in the current report of the AMPI fund.

Two other Upper Midwest members of Congress—Republican Rep. John Zwach of Minnesota and Democratic Rep. James Abourezk of South Dakota—each received \$1,000 in August, according to the report. Like Mondale, both were cosponsors of the 85-percent-of-parity bill. In addition, Zwach is on the House dairy subcommittee.

Both Mondale and Zwach were speakers earlier this month at the AMPI convention in Chicago, Ill.

[From the Minneapolis Tribune, Sept. 26, 1971]

NIXON CRITICIZED FOR DAIRY LOBBY LINK—BOSCHWITZ ASSAILS CO-OPS' CONTRIBUTIONS

(By Frank Wright)

WASHINGTON, D.C.—One of Minnesota's highest-ranking Republicans, national committeeman Rudy Boschwitz, Saturday criticized President Nixon for his financial connections with the dairy lobby.

In a statement issued yesterday, Boschwitz described as "disturbing" the fact that "President Nixon's campaign organization accepted \$155,000 from dairy organizations through 62 volunteer committees."

The contributions were made by the political funds of Associated Milk Producers Inc. (AMPI) and Dairymen Inc., two large dairy-farmer cooperatives, in July and August. During the same period, a third cooperative, Mid-America Dairymen Inc., gave \$15,000.

Those contributions, together with \$85,000 given earlier, brought to a total of \$255,000 the funds donated to Nixon-oriented campaign committees since last spring, when the President bowed to the giant co-ops' demands and raised the government support price for milk. The donations referred to by Boschwitz were disclosed last Sunday by the Minneapolis Tribune.

Two of the co-ops—AMPI and Mid-America—have thousands of members in the Upper Midwest, and the president of one, John Butterbrodt of AMPI, is from Wisconsin. He farms near Burnett.

Meanwhile, it was ascertained last week that current projections indicate that the cost to taxpayers of the milk-subsidy program this year will be about \$60 million higher than it was last year.

At least part of the higher cost, according to Department of Agriculture experts who help make the projection, is due to the Nixon-ordered increase in the support price from \$4.66 per 100 pounds of manufacturing milk to \$4.93.

Boschwitz did not confine his criticisms to Mr. Nixon.

The committeeman also noted that Sen. Walter Mondale, a Minnesota Democrat who is up for reelection next year, and numerous other Democrats in Congress have received campaign contributions from the dairy groups.

Boschwitz observed that most of them, including Mondale, helped the dairymen pressure the President by sponsoring legislation that would have forced him to increase the price support.

Mondale's money came from the AMPI fund, which brought \$5,000 worth of tickets to a campaign fund-raising dinner for the Senator in June.

"All these things point to the crying need for reform, probably through legislation, of political contributions," Boschwitz said.

The reform emphasis, he said, should be placed on developing a "very complete and thorough-going reporting system of all campaign expenditures and contributions" rather than on "setting dollar limitations."

He said that it is "the strictness of those limitations in the present laws that cause the creation of the volunteer committee and the so-called dummy committees that are founded for the sole purpose of accepting funds and are used by both parties."

It was the dummy-committee technique that was used by the milk producers in making their most recent contributions.

The dairy funds listed the gifts in their most recent reports, filed earlier this month with Congress as required by law. However, the innocuous names of the committees that got the money—such as Americans Dedicated to Greater Public Awareness—gave no hint of who the real recipients were.

By checking the Washington suburban addresses listed for the committees, the Minneapolis Tribune was able to trace them to a long-time Nixon campaigner named Robert Bennett.

Bennett, the son of Sen. Wallace Bennett, R-Utah, is a public-relations executive in Washington. He has been active in every Nixon campaign since 1960.

He has said that his committee network is designed to accommodate big contributors who do not want to run afoul of the present ceiling of \$5,000 on gifts to any one candidate. In the case of the dairy gifts, each committee received \$2,500.

The committees may never have to publicly report to whom they gave the money if Bennett operates them as carefully as he has indicated that he intends to.

By transferring the money only in the District of Columbia, he has noted, the committees can take advantage of a legal loophole that requires reports only from those committees operating in two or more states.

Legislation pending in Congress would attempt to end these practices.

In addition to calling for campaign-law reform, Boschwitz also was critical of public indifference to the political system.

"Most importantly," he said, "those people who sit smugly at home in judgment of politicians should reexamine themselves. Because if all voters gave just \$2 or \$3 a year to the political party of their choice, the problem would be pretty well solved. Large political gifts wouldn't be needed."

"But since most people don't give and political campaigns are expensive and getting worse, large donations are necessary," he said.

As a result, Boschwitz said, "the cries of influence-peddling arise, the image of all politicians suffers, and good people who should get involved in the political process stay away."

Boschwitz, owner of a plywood-products firm and a relative newcomer to the upper echelons of politics, is the first political figure to publicly criticize either the dairy funds or their beneficiaries since they came to public attention last March at the time of the price-support dispute.

Otherwise, the public reaction of the political community has been one of silence, or, in a few instances, endorsement.

Boschwitz, who was elected committeeman in June, said that he conferred with only one person before issuing his statement. He declined to identify his counselor.

On the matter of milk-subsidy expenditures, Agriculture Department officials last week said that it now appears that the program for the current marketing year, which began April 1, will incur a net cost of about \$440 million, an increase of almost 16 percent over the \$380 million spent last year.

Increased production and lower sales of milk, as well as the higher unit price, are contributing to the higher total cost, they said. The government, in other words, is not only paying more for each pound of milk it buys but also is buying more pounds.

As a result, the government-held surplus of dairy products is building up; the stockpile as of Aug. 1, the last report available, was a billion pounds bigger than a year ago.

Some experts here believe that that trend may well continue next year, because dairy farmers, attracted by the higher support price, are likely to hold onto aging cows longer rather than cull them from their herds. Also, the farmers are likely to boost production per cow by feeding more grain—a carry-over from this year's expected record corn crop.

It was the fear of just such a surplus that, the Nixon administration said last spring, initially led it to decide that there would be no increase in the support price this year.

However, that was before the well-funded

dairy co-ops went to work and persuaded the administration to change its mind.

[From the Minneapolis Tribune, Sept. 30, 1971]

AIDE SILENT ON DAIRY AID TO NIXON'S 1972 DRIVE

(By Frank Wright)

WASHINGTON, D.C.—The White House refused Wednesday for the second time to discuss the financial contributions that have been made by dairy farmers to President Nixon's 1972 reelection campaign.

Inquiries first were turned aside in June after the Minneapolis Tribune disclosed that three milk producers' organizations had contributed \$85,000 to various national Republican campaign committees last spring at the same time the Nixon administration was raising milk price supports.

Earlier this month the Tribune disclosed that \$170,000 more was contributed by the same organizations during the summer to a string of secret committees that were quietly set up by longtime Nixon supporters in Washington to receive campaign funds.

This week similar reports have appeared elsewhere—including articles in the Washington Post and the Wall Street Journal, an editorial critical of the contributions in the New York Times and a filmed report on CBS-TV.

Yesterday, during the regular morning press briefing at the White House, a reporter asked presidential Press Secretary Ronald Ziegler if the administration would comment on the "continuing generosity" of the dairy groups and the "propriety" of their contributions.

The full text of Ziegler's answer follows: "No."

The contributions came from the political funds of Dairymen, Inc., headquartered in Louisville, Ky.; Associated Milk Producers, Inc., San Antonio, Texas, and Mid-America Dairymen, Inc., Springfield, Mo.

Associated and Mid-America have thousands of farmer members in the Upper Midwest.

The three groups, all milk marketing cooperatives, went into campaign financing during the congressional elections last fall, using money contributed voluntarily, they said, in amounts up to \$100 annually from their members. They doled out about \$400,000 to farm state candidates.

Many of those who were elected came to the aid of the dairymen last spring when the administration at first rejected the farmers' appeal for a higher price support. Under pressure from the dairy groups and from the congressmen, the administration soon relented and boosted the price at which the government buys milk from \$4.66 per 100 pounds to \$4.93.

[From the Minneapolis Tribune, Oct. 3, 1971]

TWO STATE CONGRESSMEN URGE CURE ON TACTIC USED BY MILK LOBBY

(By Frank Wright)

WASHINGTON, D.C.—Two Minnesota congressmen dealing with election reform agree that techniques used by dairymen to hide recent contributions to President Nixon's reelection campaign should be outlawed.

The two are Reps. Bill Frenzel of the 3rd District and Ancher Nelsen of the 2nd district. Frenzel is a member of the House Administration Committee, and Nelsen is on the House Interstate and Foreign Commerce Committee. Both committees are considering legislation that would make changes in existing election laws, particularly in provisions limiting campaign contributions and expenditures and requiring public disclosure of campaign financing.

Frenzel and Nelsen are Republicans, as is Mr. Nixon.

The two congressmen said in separate interviews last week that they oppose the longstanding practice, used by many contributors including the milk producers, of giving funds to a string of innocuously-named committees set up in the District of Columbia to act as fronts for the real recipients.

The political funding activities of dairy farmers, including thousands in Minnesota and other Upper Midwest states, first came to public attention last spring in a dispute with the Nixon administration over 1971 milk-price supports.

The administration initially decided against increasing the subsidy, contending that it would lead to overproduction and higher surpluses. But, in the face of an intense campaign mounted by the dairymen with the help of dozens of congressmen, the administration quickly backed down and announced an increase in the government price from \$4.66 per 100 pounds of milk to \$4.93.

It subsequently was disclosed by the Minneapolis Tribune that many of the congressmen involved, Democrats and Republicans alike, had shared in approximately \$400,000 in campaign contributions from the dairy farmers last fall. It also has been disclosed that contributions totaling \$255,000 have been made to 1972 Nixon campaign support groups since the milk price was boosted.

The milk money has come from political funds linked with three large marketing cooperatives—Associated Milk Producers, Inc., San Antonio, Texas; Mid-America Dairymen, Inc., Springfield, Mo., and Dairymen, Inc., Louisville, Ky.

At first their contributions backing Mr. Nixon for a second term were made directly to well-known national GOP committees. But more recently the money has been going to a network of more than 60 committees bearing such names as Americans Dedicated to Better Public Administration and Association of Americans for Good Government.

The dairy groups have listed the gifts in the public reports they are required by existing law to file with Congress. But the names of the committees listed give no hint of the political party or the candidate who is being supported.

This practice is often used to get around current limits of \$5,000 on individual contributions to a candidate and to avoid identifying the eventual recipient. The latter is possible because the front groups operate only in Washington and are not required to report.

Through sources other than the public reports, the Tribune traces the front committees to Robert Bennett, son of Sen. Wallace Bennett, R-Utah. The younger Bennett is a former Nixon administration official who is now a public relations executive in Washington. He has described establishment of his multiple committees as "a little quiet something I can do" and has said the money will be used for Mr. Nixon.

Last week Frenzel said, "One of the first things we want to do is get rid of all the quiet committees, all the District of Columbia committees. It's used by everybody, and I don't like it."

Reform, he said, is "desperately needed." But he stopped short of commenting on the propriety of more than a quarter of a million dollars being given for the campaign of a high public official who recently has done the contributors a large favor.

"That's a road I don't want to go down," Frenzel said. "I was lobbied by the dairy farmers last spring," said the congressman, whose Minneapolis and suburban constituency contains few, if any, milk producers, "and the support price issue was beyond my competence then and is now. I don't know how the increase in supports tallies with subsequent contributions. I haven't followed it too closely."

Frenzel said he is prepared to back a Senate-passed bill that would create a new federal elections commission, set "auditable" and "enforceable" limits on expenditures for print and broadcast advertising and improve disclosure provisions.

Nelsen's remarks were similar. He attacked the general use of the dummy committee technique but avoided criticism of either the dairy groups or the President, his party's leader.

He does not blame them, he said, for "doing what so many others have done."

Nelsen showed his interviewer a letter he wrote Tuesday on the subject to Rudy Boschwitz, Republican national committeeman from Minnesota.

Boschwitz previously had become one of the few top-ranking politicians to speak out on the dairy gifts. He had said he was disturbed that Mr. Nixon's workers had accepted them and had called for reform of disclosure regulations.

In his letter, Nelsen said, "I share a concern as to these trends that have developed, but as other economic groups have established the practice, dairy farmers have come to realize that their only defense is to fight back with the tools that are presently used in other areas."

"The dairy farmer has found himself in an unenviable economic situation and as a result, thousands of dairy farmers have had to sell out. Dairy marketing groups have now been developed to increase the bargaining power of the dairyman in both the economic and political sense of the word," Nelsen's letter said.

Nelsen, 66, was a dairy farmer himself for years near Hutchinson, Minn., until he sold off his herd of more than 60 cows last spring. He said he has been a member of Mid-America Dairymen. In addition, the north central regional office of Associated Milk is located in his congressional district, at New Ulm, Minn.

Minnesota's two other Republican congressmen—Reps. Albert Quie of the 1st District and John Zwach of the 6th—also said in interviews that they favor an end to front committees and tougher disclosure laws.

[From the Washington Post, Sept. 27, 1971]
DAIRY CASH POURS INTO DUMMY COMMITTEES—MILKING DOLLARS FOR NIXON

(By George Lardner, Jr.)

The League for Concerted Action has never met the Committee for a Better Nation, but they have a lot in common.

Both are part of a huge stable of dummy committees with high-sounding names that have started collecting money for the reelection of President Nixon. Both have "chairmen" who profess only a nodding familiarity with the names of their own organizations and no knowledge at all of the thousands of dollars ostensibly sent to their homes.

Despite that, reports on file with the clerk of the House indicate that these committees, and dozens more, have already picked up a collective total of \$170,000 from the Nation's dairy farmers alone. The cash, it seems, goes straight to the bank.

"There must be some mistake!" said Fred C. Towers, an investment broker whose home in Bethesda is listed as the address of the Organization of Community Volunteers, one of 68 committees that were sent \$2,500 each. "I never heard of that group."

W. Carter Bowles Jr. an attorney with the Washington firm of Covington & Burling, was less surprised but even more indignant about the use of his address. The Trust for Agricultural Political Education (TAPE) of San Antonio, Tex., reported sending \$2,500 this summer to the Americans Organized for Political Stability at 10100 Bencross Dr., Potomac, Md., which is Bowles' home.

"To say that I am not pleased is an understatement," Bowles said, adding that a friend

told him about the reported contribution just a day or two ago. Bowles said he is not a member of Americans Organized for Political Stability and is not aware of anyone who is. "It is not authorized by me," he said.

Other organizations listed as receiving the campaign contributions do have their spokesmen, however. The money, they say, is to be used for Mr. Nixon's campaign even though it wasn't sent to them.

"It may have gone directly to the treasurer," said Maurice S. Williams, an electrical contractor whose Landover, Md., home was listed by TAPE as the headquarters of the League for Concerted Action. He said any donations, as he understood it, were to be turned over, to officials at the Republican National Committee. The League, Williams said, is simply a "funnel" for campaign cash.

"It was set up mainly to pour in funds for Richard Nixon," Williams said. "Some people like to donate anonymously. You know."

Williams said he was chairman of the League, or some committee with a name like that, but said he couldn't recall who his treasurer was. He said he has no connections at all with the dairy industry. He's just for Mr. Nixon.

So, apparently, is TAPE, the political arm of the Associated Milk Producers Inc., a fast-growing "super co-op" with 32,000 member farms in 20 states. Last spring, TAPE and two other political action funds for dairymen reported contributions totalling \$85,000 to various Republican fund-raising committees just before and just after the Nixon administration granted an increase in milk support prices.

TAPE also donates to Democrats, but on July 9, according to its most recent report on political spending, it sent contributions of \$2,500 each—a total of \$125,000—to 50 organizations scattered about the Nation's Capital. The titles offer enough for anyone's tastes, from the Association of Political Activists, to the Organization of Moderate Americans, to Americans United for Objective Reporting, to, simply, Americans Concerned.

Subsequently, on Aug. 19, the Trust for Special Political Agricultural Community Education (SPACE), and adjunct of Dairymen Inc., gave out \$30,000 in lots of \$2,500 each to another 12 committees.

The next day, on Aug. 20, the Agricultural and Dairy Educational Political Trust (ADEPT), the political arm of Mid-America Dairymen Inc., sent \$15,000 to six more organizations, again all with metropolitan Washington addresses.

"Each of those committees has a treasurer," TAPE's treasurer Robert D. Isham said in a brief telephone interview about the 50 organizations that got money from his office. "We have signed receipts and legal opinion that these committees are proper in complete accordance with the Corrupt Practices Act."

Isham refused to say where TAPE got the list of organizations and claimed not to know where its money would eventually wind up.

"Really, I don't care to discuss it any further," he said when asked if GOP officials had supplied the names and addresses. He also refused to say just where the contributions had been sent.

The treasurers of SPACE, which has its offices in Louisville, Ky., and ADEPT, which is located in Springfield, Mo., could not be reached for comment.

The contributions however, have apparently been deposited at the Union Trust Co. whose office building at 15th and H Streets NW, is recorded as the home of 25 of the committees on TAPE's list. None is listed on the building directory, but Union Trust vice president Robert Lee O'Brien Jr. confirmed that the bank has been getting a substantial number of new organizational accounts, set up by people "in the political scene," virtually all of them Republicans.

A GATHERING PLACE

"All we are is a gathering place for the funds," O'Brien said. He declined to say who opened the accounts or who had authority to write checks on them.

Washington attorney John Y. Merrell said he couldn't even recall what bank the money was going to. One of the recipients of ADEPT's contributions, the Organization of Involved Americans, has its address at Merrell's office in Washington and another, Americans United for Political Awareness, at his home in Arlington. He heads one, he said, and his wife is chairman of the other. But he wasn't sure which was which.

Of the money, he said, "It goes into a bank account. It's in my committee's name. But I don't run it."

A solid supporter of Mr. Nixon, Merrell said he was enlisted several months ago by a public relations man named Robert F. Bennett who told him "they were going to form some committees and work for Richard Nixon."

"I'm just curious," Merrell told a reporter at one point. "How many are there?" He chuckled when told between 60 and 70.

Merrell said he had no idea how his committee or any of the others were to get their donations. "He (Bennett) didn't tell me," Merrell said. "We didn't discuss it in any great detail." Bennett could not be reached for comment.

Sampson P. Holland of 1809 Varnum St. NW, a consultant for Remington Rand, said he couldn't even recall who enlisted him. His home is listed on TAPE's report as the headquarters of the Committee for a Better Nation while Remington Rand's address at 2121 Wisconsin Ave. NW is recorded as the home of Americans for a Sensible Agricultural Policy.

Holland said he'd never heard of Americans for a Sensible Agricultural Policy. "That's not the name I had," he declared. Asked whether he had lent his name to the committee for a Better Nation, he said, "That might be the one . . . Did they get \$2500? I didn't get it . . . But if the money is for Mr. Nixon, I'm for it."

ENLISTED BY FRIENDS

Nominal heads of several of the committees enlisted others. John H. Middleton, a retired Government attorney, said he was asked by a friend, Jesse R. Smith, "to serve in the interests of the Republican Party. I agreed, principally to prevent the Kennedy family from taking over again. If it were Democrat, I would have refused most flatly."

Two organizations, the Association for More Effective Federal Action Committee and the Americans for Better Federal Planning Committee, are listed as having their offices at 3201 Morrison St. NW., which is Middleton's home. SPACE reported giving them a total of \$5,000.

"I believe my wife is on one and I'm on the other," Middleton said. "It's been some time since I was asked."

Just back from a summer in Utah, Smith, whose home on Garrison Street NW, is supposed to be headquarters for Americans Working to Build a Better Community Committee, said he's gotten "nothing at all" in contributions himself, but was delighted to hear they were starting to come in, including \$2,500 for his committee. He said he intended to check on the status of its bank account at Union Trust the first of the week.

Smith said he was asked to participate by "someone at the (Republican) National Committee," but he said he couldn't recall who that was.

"I'm not trying to hedge or anything," he said. "They sent me the cards to set up this committee, to let my name be used. There are two or three that I talked with. I've been active in the Republican Party for years . . .

Whoever it is who's handling their publicity, that's who it was."

It was still unclear, however, who had taken the initiative in setting up the organizations and inventing their names. Lyn C. Nofziger, director of communications for the Republican National Committee, said yesterday that he was unaware of them.

Nofziger suggested that they might have been established by either the Republican National Finance Committee or the Committee for the Re-Election of the President, both formal GOP organizations. Officials of neither group were available for comment yesterday.

Under the Corrupt Practices Act, the treasurer of a political committee is required to file quarterly financial reports listing, among other things, "the name and address of each person" who has contributed \$100 or more "to or for such committee . . . within the calendar year." The deadline for the most recent quarter, covering spending and contributions for June, July and August, was Sept. 10.

None of the paper committees has submitted a report thus far, according to records at the House file clerk's office. The names of their treasurers remain a mystery. Most of the committee "chairmen" said they couldn't recall the names. One, Robert H. Tarr of the League of Dedicated Voters in Silver Spring, declined to say.

"We'll make sure all contributions are properly reported," Tarr told a reporter, declaring that he had not been aware of the \$2,500 contribution TAPE reported to the League.

Mrs. Edward L. Feggans of 2504 South Dakota Ave. NE said she didn't even know the committees involving her had been set up. One, the Citizens for a Better Environment, is listed as having its offices at her home and the other, Americans United for Better Leadership, is credited with an address at the Northwest Gardens ballroom, a nightclub in a middle-class neighborhood that Mrs. Feggans runs with her husband. TAPE reported \$2,500 contributions to each group, but Mrs. Feggans said she never saw the money.

"This sounds to me like it's working up to something that doesn't smell right," she said, but then stressed that her husband, who was out of town, undoubtedly knew more about it.

"He's vice chairman of the Republican party in the city," she said. "He is Mr. Republican. I was just going along to help."

Mrs. Feggans said she was first told about serving on "this club that was going to be formed to re-elect President Nixon" when her husband returned home from a Republican party meeting about a month to a month and a half ago "at the most."

According to TAPE's report, however, the Citizens for a Better Environment and Americans United for Better Leadership had their titles and addresses by July 9 when the contributions were made.

The three dairy farm lobbies in any event began their 1971 GOP contributions last March 22 when TAPE gave \$10,000 to four Republican committees. The donations came just 10 days after Secretary of Agriculture Clifford Hardin announced there would be no increase in milk price supports for 1971.

Leading dairy farm spokesmen met with Mr. Nixon at the White House March 23. On the next day, March 24, SPACE gave \$25,000 to various GOP committees. A day later, on March 25, Hardin announced a price increase of 27 cents per hundredweight, saying that "continuing research" had turned up new information on rising farm costs.

Other contributions came in following weeks. On April 5, ADEPT gave \$45,000 to nine Republican organizations, from the Republican National Committee to the Republican Congressional Candidate Conference. On May 7, SPACE was reported as giving another \$5,000 to the GOP's '72 kickoff dinner committee. Some of the GOP re-

cipients of the dairy lobby's money, such as the Committee for a Republican Congress which got \$2,000 from TAPE, have had no other income all year.

The Committee for a Republican Congress filed its first-ever financial report with the clerk of the House on June 10, listing the TAPE contribution.

The dairymen have said there was no connection between their campaign gifts and the government action. But their constituents voiced their thanks to Mr. Nixon with a warm reception at the President's appearance before them in Chicago earlier this month.

Stopping for a visit to the Associated Milk Producers there Sept. 3, Mr. Nixon was met by 40,000 dairy farmers and relatives gathered at cavernous McCormick Place for what was billed as "the largest farm meeting in history." The President praised them for their self-reliance, but he won his biggest applause when he told them what he most wanted "in terms of food on the table" on returning home from duty in the Pacific in World War II.

"You know what it was," he told the throng. "Not a steak or none of the other things that you usually think of—just a glass of good fresh milk . . ."

[From the Wall Street Journal, Sept. 27, 1971]

MILK AND MONEY—FLOOD OF CASH TO HELP REELECT NIXON FOLLOWS HIKE IN DAIRY SUPPORTS

(By Jerry Landauer)

WASHINGTON.—One morning last March Secretary of Agriculture Clifford Hardin announced a sudden change of mind that's still paying off both for the nation's dairy farmers and for President Nixon's political financiers.

Mr. Hardin revealed that he was raising government price supports for "manufacturing" milk, a basic grade used to make butter and cheese. Just two weeks earlier, he had declared there would be no change in support levels. His reversal of policy came 48 hours after a dozen disgruntled dairymen visited President Nixon in the Cabinet Room of the White House.

To dairy farmers, the increase in supports means higher prices for their products; the government is committed to purchase, if necessary, enough dairy products to keep the prices up at the new levels. To Mr. Nixon's political money men, the policy reversal means an outpouring of perhaps \$1 million in campaign gifts for the President's 1972 reelection campaign from the grateful milk lobby. Of this expected total, \$250,000 has already arrived, mostly through secret channels.

SEPARATE BANK ACCOUNTS

Instead of routing the dairy dollars through established national fund-raising committees, which are required by law to disclose the recipients of their money, Republicans are operating an underground network of more than 11 "voluntary associations." These groups operate in only one legal jurisdiction, the District of Columbia, and thus needn't be publicly registered; the District has no law governing local political committees. Each of the new "associations" accepts relatively small sums for stashing in separate bank accounts until the Nixon reelection campaign is in need.

Last month, for example, a dairy-industry political fund called the Trust for Agricultural Political Education (TAPE), based in Austin, Texas, sent \$2,500 to each of 50 such associations that exist mainly on paper. All the associations are in the Washington area, nearly all are headed by local Republicans, and all bear such unrevealing titles as Americans for Greater Public Awareness, Organization of Citizen Politicians, League of Involved Citizens, Supporters of Rational Fed-

eral Reorganization or Committee for Political Integrity.

The names were all concocted by Republican workers and delivered to TAPE's treasurer so he would know how to write the checks. The names in no case convey the entire purpose of the associations. For as stated in every charter (all 50 charters are identical) the mission is to "work for the re-nomination of President Richard M. Nixon." And after the GOP national convention next year, the charters specifically make clear, the remaining funds can be transferred in secrecy to committees working for Mr. Nixon's reelection.

TAPE, an arm of the Associated Milk Producers Inc., a giant cooperative counting 44,000 farmer-members from Canada to the Gulf Coast, is one of three industry-sponsored political funds that seems well-stocked with Republican-supplied titles of committees set up to protect the identity of the dairy donors.

SOME UNLIKELY ADDRESSES

Twelve other Nixon-supporting groups, including the Americans Working to Build a Better Community Committee and the Supporters of the American Dream Committee, have each received \$2,500 checks from the trust for Special Political Agricultural Community Education (SPACE), a Southeastern co-op's political fund based in Louisville. And six more groups, including Americans United for an Informed Electorate and Americans United for Decent Government, got checks in the same amount from Agricultural and Dairy Education Political Trust (ADEPT), a fund tied to mid-America Dairymen Inc. of Springfield, Mo.

Haste in setting up dozens of dummy groups in time to receive the dairy industry's flurry of checks resulted in establishment of some at unlikely addresses. One association, Americans United for Better Leadership, operates from a Washington ballroom. The ballroom operator and the association chairman is Mrs. Edward L. Feggans; her husband is vice chairman of the District of Columbia Republican Party.

Sometimes, too, the hurried organizing trapped registered Democrats into unwitting service. Maurice S. Williams, an electrical contractor who voted for Hubert Humphrey in 1968, accepted the chairmanship of League for Concerted Action at the request of a Republican friend. His two-officer league (there are no members) received \$2,500 from TAPE on July 19. Yet there's little danger that the Democrats can siphon off any dairy dollars; in nearly all cases, the treasurers of the voluntary associations are ladies employed by Union Trust Co., a Washington bank having several Republican bigwigs on the board.

DONORS ARE MUM

For their part, the donors to these dummy groups won't say for what purpose they're making political contributions nor even whether the money is intended for Republicans or Democrats. "We really don't care to talk about it," says Robert O. Isham, treasurer of TAPE.

The donors comply with federal campaign-finance laws—which do govern them though not the beneficiary groups—by listing the nonpartisan-sounding recipient associations in reports filed with the clerk of the House of Representatives, asserts Mr. Isham. "We've abided by every law we're aware of," adds James E. Mueller, treasurer of SPACE.

Indeed, funneling of political money through paper organizations can be perfectly legal under existing, loophole-riddled federal law. (The Senate has passed a reform bill eliminating most loopholes and a House committee is working on similar legislation.) Federal statutes don't cover political committees operating in a single state or jurisdiction; and because the District doesn't regulate local committees, campaign cash can

be transferred into or among committees here without any need to tell who's giving or getting.

Significantly, the dummy groups were all organized after Secretary Hardin satisfied the dairy lobby by boosting price supports on March 25. There wasn't any need for earlier organizing because the dairymen kept their political purses mostly shut until they had won their fight.

TAPE, for example, collected \$149,364 in January and February, all in sums of less than \$100 from farmers voluntarily contributing one-third of one percent of their milk checks. But during those two months the fund disbursed just \$6,450, all to candidates for Congress.

On March 11, "after careful review of the situation and the provisions of law," Secretary Hardin pegged price supports for manufacturing milk in the marketing year beginning April 1 at \$4.66 a hundred pounds, the same as for 1970; when market prices fall below the support level, the government begins buying butter, cheese and nonfat dry milk, assuring the farmer a place to sell at guaranteed prices. The Secretary said raising supports might prompt overproduction, glutting the market and piling surpluses into government warehouses. "We must avoid this," he declared.

The President's Council of Economic Advisors approved the Hardin refusal to push props higher, according to Hendrik S. Houthakker, who was a member of the council at the time though he later resigned. Mr. Hardin's refusal also was cleared through the Office of Budget and Management.

Then on March 22, one day before the dozen dairy spokesmen visited with the President in the Cabinet Room. TAPE donated \$10,000 in chunks of \$2,000 and \$3,000 to four regularly operating Republican committees.

At the White House next day the dairymen gave Mr. Nixon a strong pitch for higher supports. But no assurances were given and no participant mentioned political contributions, according to John Butterbrodt, president of Associated Milk Producers, who has 40 registered holsteins at his farm in South-central Wisconsin. "Those things aren't discussed at meetings like this," Mr. Butterbrodt says.

Next day, however, the SPACE fund gave \$25,000 in five \$5,000 donations to regular Republican committees (Democrats got nothing), and on March 25 Mr. Hardin changed his mind, announcing a 27-cent increase in price supports to \$4.93 a hundred pounds. This sudden switch surprised Mr. Houthakker. "I'd say it could cost consumers hundreds of millions of dollars because retail prices depend indirectly on support prices," he reasons.

But if some of the President's economists disagreed with the Hardin move, Mr. Nixon's political operatives surely must have been pleased, for the dairymen were seized by generosity. On April 5, ADEPT, the third industry fund, gave \$45,000 in equal slices to nine established Republican committees.

At about that time the former director of congressional relations at the Transportation Department, Bob Bennett, started organizing dummy committees. He assumed the chairmanship of Americans United for Economic Stability, and Mrs. Bennett agreed to head up Americans United for Decent Government. "I contacted a few people and suggested that they contact a few others," Mr. Bennett says. "What we had was sort of a chain-letter approach." Neither Mr. Bennett nor any other association chairman will identify the higher-up on Mr. Nixon's political team who got the chain going.

Clearly, though, it's hardly a coincidence that SPACE and ADEPT have each ladled \$60,000 into Republican causes, including the dummies. The richer TAPE has so far contributed \$125,000, and there could be

much more to come; the big fund's 1971 income through Aug. 31 exceeded its spending by \$500,000.

[From the New York Times, Sept. 28, 1971]

MILK MONEY

Last March 11, "after careful review of the situation and the provisions of law," Secretary of Agriculture Hardin announced that for the marketing year beginning April 1, Federal price supports for milk would be pegged at \$4.66 a hundred pounds, the same as last year. Dairy farmers angrily complained. On March 23, President Nixon met with a dozen representatives of the dairy industry. Two days later Secretary Hardin announced the price support level would be 27 cents higher.

Up to that point, the story was another chapter in the long history of political maneuvers and pressure group tactics involving the Federal farm program. But, according to a report in The Wall Street Journal, this series of public events had a hidden prelude and sequel. Just before the Administration changed its position on the milk price issue, a fund-raising group in the dairy industry known as TAPE (Trust for Agricultural Political Education) and related organizations contributed \$85,000 to the Republican party.

In addition, TAPE and other dairy front groups have subsequently channeled \$170,000 to dummy organizations in the District of Columbia which serve as conduits to the Republican campaign chest. These make-believe committees have no members, no offices, no existence. They exist purely to circumvent the intent of the reporting provisions of the Corrupt Practices Act by receiving money from one source and passing it on to another.

The names of these fictitious organizations would delight any political satirist—Supporters of the American Dream Committee, Americans for Greater Public Awareness, Committee for Political Integrity. But the implications and consequences of this cynical tale are distinctly unfunny. If milk support prices are set in this murky fashion, what does this portend for Administration price control during Phase Two of its new economic policy?

The entire episode points up once again the urgent need for a comprehensive Federal law to regulate the receipt and expenditure of all political contributions. The Senate has already passed a worthwhile bill. It could be improved; but what is more urgent is that it be enacted before the 1972 political campaigning is advanced.

Equally important is reform in the administration of agricultural price supports. When reflected in retail prices of milk, butter and cheese, a 6 per cent rise in the milk support level costs housewives millions of dollars. Secretary Hardin may have cottage cheese where his backbone ought to be, but the failure is basically with the system rather than the individual. If the Government is to continue the dubious practice of propping up agricultural product prices, then support prices should be set by an impartial board with consumer representation—one that would be insulated from political pressure.

METHADONE: THE CURE ALL, OR THE END ALL?

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. HASTINGS. Mr. Speaker, sources from the Food and Drug Administration,

the Bureau of Narcotics and Dangerous Drugs, and Eli Lilly & Co., have indicated that in the near future methadone will be approved as a new drug.

Currently FDA and BNDD license about 270 methadone maintenance programs throughout the United States. The purpose of these programs is to substantiate evidence of the drug's long-term safety and effectiveness. In my opinion, and in the opinion of many of my distinguished colleagues in the Congress, there is no such evidence. In fact, if anything, most of the data is incriminating.

As a member of both the House Subcommittee on Public Health and Environment and the Republican task force on drugs, I have been deeply involved in an investigation of our national drug problems, especially methadone maintenance.

Since the development of the methadone maintenance treatment technique in mid-1965, many shortcomings have been revealed. The illegal diversion of methadone has created several problems: black market sales, addiction of those on the street not enrolled in maintenance programs, creation of hard-core addicts resulting from faulty or incomplete screening at clinics, and, in far too many cases, death from overdose.

This is not a situation that has gone unnoticed by the Food and Drug Administration and the Bureau of Narcotics and Dangerous Drugs. In April, this year, FDA and BNDD issued new regulations to clarify the position of methadone under current laws and to establish responsible medical-legal guidelines for its use. In addition, five methadone maintenance programs have recently been shut down by FDA and BNDD for violation of their protocols. These include programs, with large numbers of so-called patients, in New Orleans, Detroit, Washington, D.C., Philadelphia, and New York City.

The majority of the American public is under the impression that methadone is a cure for heroin addiction. Although it is now widely used as the main therapeutic tool in various treatment programs throughout the country, the state of the art has not yet progressed to the point of justifying the distribution of methadone as a prescription drug. Experts and addicts alike have testified to the frightening addictive potential of methadone. Addicts especially, have stated that the methadone habit is more difficult to break than the heroin habit. Because of this characteristic, one program director referred to methadone maintenance as legalized pushing.

A substantial amount of methadone is finding its way to the street. Workers in methadone clinics, who have direct access to the drug, have been identified as a source of supply. Also, present guidelines permit a dependable addict to receive up to a 3-day supply of methadone or more than at one visit. This is far too liberal. Some addicts have admitted receiving more methadone than necessary to support their habit and have diverted the excess into street sales.

According to statistics compiled in the California drug treatment program, addicts using methadone increase their use of amphetamines, barbiturates and alco-

hol. In addition, now that there is methadone available on the black market, addicts use methadone to reach a moderate high, and then add heroin to complete their high.

The addiction of those not enrolled in programs and unfamiliar with the drug is a constant danger. Many drug experimenters try methadone because they have heard that it is used in the treatment of heroin addicts or a substitute for heroin. They are not aware of its tremendous addictive power. Consequently, a significant number of methadone addicts are being created, and they must either seek enrollment in a maintenance program, continue to buy black market methadone, or turn to heroin.

Perhaps the most serious misuse of methadone results from faulty or incomplete screening at methadone clinics. One example is returning Vietnam veterans. Many returnees, because heroin had been detected in their systems, have been perfunctorily placed on maintenance doses of methadone and returned to stateside treatment programs. However, most users of heroin in Vietnam are short-term users, and for different psychological reasons than the street user of heroin stateside. As one expert testified, they are generally sounder psychologically and the majority can be rehabilitated by a concentrated program of psychiatric counseling and minimum drug use.

Unfortunately, for the most part those automatically placed on methadone also are doomed to a life of drug addiction.

Finally, there have been a significant number of methadone-related deaths. Often, lethal prepared doses are taken by street buyers and others unfamiliar with the drug. In addition, taken in combination with other drugs and alcohol, it has been fatal.

The District of Columbia Medical Society recently prohibited member physicians from prescribing methadone because of several fatal overdoses. The Maryland State Health Department is drafting regulations that would make it illegal for any Maryland physician to prescribe methadone outside a controlled drug treatment program or for legitimate medical purposes.

In addition, Dr. Neil Solomon, Maryland secretary of health and mental hygiene, said that unless action were taken on a national scale, methadone abuse problems will equal the current heroin addiction problem.

There is no compelling evidence that methadone is effective in curing drug addiction. In view of the current trends in its abuse, even in highly controlled environments, it is inconceivable that wholesale distribution of methadone is contemplated. An analogous situation was the prescription of heroin by British doctors in the 1960's. There the addict population increased dramatically as doctors, in many cases unwittingly, created more addicts.

Recently, before the House Subcommittee on Public Health and Environment, the Pharmaceutical Manufacturers Association pledged its support in a massive joint Government-industry research effort to find a nonaddictive narcotic substitute and antagonist. Also,

NIMH is allocating more resources to this task.

I would hope that in view of such developments methadone would be maintained under the strictest control until such time as its full effects, physical and social, can be determined.

In private conversations, FDA, BNDD, and Eli Lilly & Co. indicate that strict controls should be maintained but, to date, little evidence exists that such controls are being developed. Naturally everyone is reluctant to encroach on the practice of medicine by approving a new drug application and then severely restrict its use by the medical community. Hopefully, at this juncture, the leadership of the medical community will be the stimulus to proper regulatory legislation for the distribution of methadone.

Mr. Speaker, I think the American people should be made aware that methadone is not a cure-all. Methadone is a potentially lethal and addicting synthetic drug and should only be utilized under the strictest controls in the proper therapeutic climate.

Methadone does, I believe, have a definite therapeutic value in the struggle against narcotic abuse—if properly ministered so as to prevent any unintended diversion or use. As a matter of fact, some addicts who cannot be rehabilitated may have to be maintained on methadone indefinitely.

I urge that the FDA and BNDD not move to approve the wholesale distribution of methadone throughout every community in our Nation until the proper safeguards are developed.

REVOLUTION IN AMERICAN MUSIC

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. RARICK. Mr. Speaker, many Americans are aware of the pronounced absence of traditional music and in the void created, the appearance of discordant noises which is said to be "new music."

Even our national anthem, the "Star-Spangled Banner," when played these days is usually so jazzed up or altered that it sounds ridiculous. The songs "America" and "America the Beautiful" are so seldom heard that people are forgetting the words, and "Dixie" is suppressed in places where it has not been ordered banned.

The American musical culture is obviously under attack from the change-makers who know that music perpetuates a culture if it is identified with a nation.

Under the United Nations Day fiasco, the American people were given a preview of the music that they will be permitted to enjoy: the United Nations Hymn, Song for U.N., and even a Dumbarton Oaks concerto. Now that our decisionmakers have decided that the United States is no longer a sovereign

nation but rather one state in many of the new one-world order they have decided that our music must be international in lyric and mood.

Such warped ideas, like much of that emanating from the United Nations one-world crowd these days, makes a mockery of the age-old adage that music is the international language.

I ask that several related newspaper clippings follow:

[From the Washington Post, Oct. 25, 1971]

A PARTY FOR U.N.

A crowd of 1,200 celebrated the 26th anniversary of the founding of the United Nations at the Washington Hilton Hotel Saturday night.

Among those attending were ambassadors and ministers from more than 100 organizations. Secretary of State and Mrs. William P. Rogers were hosts for the \$125-a-plate dinner. The money goes to support the United Nations Association of the United States, a voluntary agency which provides research and information for this country's role in the U.N.

The entertainment, which was in two acts—"A Birthday Toast to the United Nations," and "A Tribute to Irving Berlin, Songwriter to the World"—featured Caterina Valente, Vincent Price, 22 members of the Radio City Music Hall Rockettes, the George Washington University Troubadours, and 117 Boy and Girl Scouts.

Berlin, now 82, wrote a song for the occasion, "Song for U.N." A long-time supporter of youth organizations, Berlin gave the profits from his song, "God Bless America" to the Boy and Girl Scouts.

[From the Washington Post Oct. 25, 1971]

UNITED NATIONS CONCERT

The "UN Day Concert" (8 p.m., Channel 26) includes the first performance of a hymn composed by Pablo Casals and W. H. Auden under commission from the United Nations. Casals conducts the Casals Festival Orchestra in the performance.

Other works on the program are Stravinsky's "Dumbarton Oaks Concerto" and the Bach works "Concerto in D for Two Violins" (performed by Isaac Stern and Alexander Schneider) and a "Concerto for Three Pianos," featuring Rudolf Serkin, Eugene Istomin and Mieczyslaw Horszowski.

Other highlights:

7 a.m. (4) Today Show. Drs. Paul Dudley White and E. Gray Diamond discuss their recent trip to the People's Republic of China to study Chinese medicine.

[From the Washington Post, Oct. 25, 1971]

The world-famous, Pablo Casals 94-year-old cellist conducts the premiere performance yesterday of his "United Nations Hymn." The work was commissioned by Secretary General U Thant, with words written by the poet W. H. Auden.

[From the Washington Post, October 25, 1971]

VA. BAND AGREES TO DROP "DIXIE"

BLACKSBURG, VA., Oct. 24.—Virginia Polytechnic Institute officials said yesterday that an agreement has been reached between the university's Human Relations Council and the school's marching band to discontinue the playing of "Dixie" at football games.

Officials said the song is being dropped at the request of football coach Charlie Coffey, who says he feels the song hinders in the recruitment of black athletes.

Larry Waters, Tech's first black admissions director, said he had approved the move.

REVOLUTIONARY ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE—III

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. SCHMITZ. Mr. Speaker, in conjunction with the House Committee on Internal Security's investigation into subversion of our Armed Forces I insert in the Record at this point part III of Dr. Robert E. Beerstecher's thesis, "Revolutionary Antimilitarism in Communist Theory and Practice."

This portion of Dr. Beerstecher's excellent study carries us through the Fifth Congress of the Comintern held in 1924.

Part III of the thesis follows:

REVOLUTIONARY ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE—III

(By Robert E. Beerstecher, Ph. D.)

IV. CONDITIONS, CONGRESSES AND CONSEQUENCES

The Second World Congress
The Twenty-one Conditions
The Third Congress

The second year of the Comintern began with only one threatening cloud on the soviet horizon: the danger of war with Poland. Outwardly, the soviets professed "unqualified" recognition of Polish independence, disclaiming any intent to bring communism to Poland by force of arms. However, working through the Polish section of the Comintern, the soviets carried on an active program of propaganda and agitation among the Poles. At the same time, they encouraged various separatist movements which gained in popularity among the Ukrainian, White Russian and Lithuanian minorities in the eastern border regions. In April, 1920, Poland retaliated to soviet machinations by opening a military offensive against Russia. The eastward advance of the Polish armies was rapid and decisive. In early May, Kiev fell.

Soviet concern over the possibility that Polish armies might succeed where previous counter-revolutionary efforts had failed was indicated in the manifesto which the Comintern issued on May 18, 1920. The Comintern appealed to the world proletariat to sustain Russia in its struggle against Polish "oppression." Workers in the munition plants of France, England, Italy and America were asked not to manufacture "a single bullet, a single rifle, not a single gun" for Poland. Seamen were called upon to refuse to man food or supply ships destined for Poland; German and Austrian railwaymen to prevent the passage of trains to Poland from France and Italy; and dockers in Danzig to refuse to trans-ship cargo bound for Poland. Inside Poland, the Comintern called for the organization of demonstrations and strikes "on behalf of peace" with Russia.¹

Polish military successes were only temporary. In June, 1920, the military situation reversed itself: the Red Army recovered some lost ground, and the Poles began to withdraw from Russia. The improved military outlook permitted the Comintern to issue a call convening its second congress in Moscow the following month.

THE SECOND WORLD CONGRESS

The second congress of the Communist International began on July 19, 1920. The opening session was held in the Smolny Institute in Petrograd. Zinoviev, the president of the executive committee, presided. On the platform with him were Kalinin, Radek, Buk-

harin and other old bolsheviks and party faithful who had come to hear Lenin present his theses on the basic tasks facing the Comintern. These tasks, Lenin emphasized, only represented a restatement of some of the fundamental lessons of the Russian revolution. The most immediate task of the Comintern, he said, was the further "acceleration" of the revolution. Lenin cautioned against attempts "to provoke it artificially" before adequate preparation had been made. His answer to the question "How are the proletariat to be prepared for revolution?" was summed up in a single word: "action!"² Lenin described in detail the line along which this action was to be undertaken:

In all organizations, unions and associations of the working and exploited masses without exception, first in the proletarian and then in the non-proletarian (political trade union, military, cooperative, educational, sport, etc.) groups or cells of communists must be formed . . . these cells, closely connected with each other and with the party center, shall pool their experience, carry on propaganda, agitation, and organizational work, adapting themselves to absolutely every sphere of public life and to every kind and group of the working masses, and by this varied work systematically train themselves, the party, the class, and the masses.³

Dependant peoples, Lenin asserted, had been drawn into world history by the imperialist war of 1914-1918 which helped to accelerate the revolutionary process:

The imperialist war has helped the revolution; the bourgeoisie tore soldiers out of the colonies, out of backward countries, out of isolation, in order to take part in this imperialist war. The British bourgeoisie dined into the minds of the soldiers of India that it was the business of the Indian peasants to defend Great Britain against Germany; the French bourgeoisie dined into the minds of the soldiers of the French colonies that it was the business of the colored people to defend France. They taught them the use of arms. This is very useful knowledge, and we could express our deep gratitude to the bourgeoisie for imparting this knowledge.⁴

In his writings on revolution, Lenin had frequently stressed the need for combining legal and illegal activities. In his theses, he reiterated this point, declaring that the time had come for every communist party systematically to unite its legal and illegal work. It was, he asserted, absolutely necessary for every legal communist party to form a parallel illegal organization as protection against reactionary bourgeois persecutions. Lenin placed special emphasis on the need for communist penetration into the organized military forces of noncommunist countries:

"Illegal work is particularly necessary in the army, the navy, and the police force, because after the great imperialist war all governments in the world have come to fear national armies that are open to peasants and workmen and have set about secretly to apply all kinds of methods for recruiting specially selected detachments from the bourgeoisie, which are equipped with the latest technical improvements."⁵

Communist parties, Lenin warned, could not limit themselves only to illegal work, but were also to carry on legal activities, including the establishment of legal press organizations.⁶

Upon completion of Lenin's talk, the second congress adjourned to Moscow where it met in continuous session until the eighth of August. Between speeches, the delegates gathered in groups at one end of the conference hall in the Kremlin before a large map on which the Red Army advance towards Warsaw was graphically portrayed. That military success in Poland would greatly accelerate the spread of revolution throughout Europe was evident to all. News of the outbreak of revolution by the proletariat in the rear of the Polish military was eagerly

awaited in Moscow, but the soviets failed to evaluate correctly either the intensity of Polish nationalism or the depth of Polish hatred of Russia. These two factors united the Polish people against the Red Army in their time of crisis. The days passed: Warsaw did not fall.

The second congress had been convened to discuss eight major topics. These included the basic tasks, the role of the communist party in the proletarian revolution, the national and colonial question, the trade union movement, the agrarian question, parliamentarianism, the conditions of admission and the statutes of the Comintern.

On July 26, 1920, the congress completed its debates on the relationship of the Comintern to the revolutionary movements in politically subject countries. The use of colonial troops during the war, it was asserted, clearly demonstrated that the proletarian movement in Europe was inseparably connected with revolutionary movements in the colonies.⁷ As he did throughout the congress, Lenin played a leading role in the discussions on the national and colonial question. In his theses which were later adopted by the congress as its official position, Lenin divided the countries of the world into two classes: oppressing nations and oppressed nations. The mutual relations of all nations, he concluded, were determined by the struggle waged by a small group of imperialist nations, i.e., the oppressing nations, against communism and soviet Russia.⁸

In reporting on the work carried out within the Comintern's commission on the national and colonial question, Lenin singled out for special mention the importance of the revolutionary work carried on by communist parties among the troops "which the exploiting nations employ to hold the peoples of their colonies in subjection."⁹ Lenin reported that Quelch, one of the leaders of the British Socialist Party working on the commission, had argued that the average Englishman opposed antimilitarist work of any kind and "would consider it treachery to help the enslaved peoples in their revolt against British rule."¹⁰ At this, Karl Hadek observed that the Comintern should judge the British comrades by the number imprisoned for agitation among the troops sent to quell the uprisings in Egypt, India or Ireland, rather than by the number of articles they wrote for liberation.¹¹

Of all the subjects discussed at the second congress, none was more heatedly debated than the question of communist work in the trade union movement. In his attack on the "left-wing" communism which had manifested itself in France, England, Germany and the United States, Lenin stressed the necessity for communists to work wherever the masses were to be found. This meant, he said, carrying on systematic agitation and propaganda ("perseveringly, persistently and patiently, precisely") inside the existing trade unions.¹² Lenin acknowledged that communist efforts to infiltrate and take over control of the trade unions would be strenuously resisted, but he insisted that this was the only course open. Lenin suggested the adoption of what has since come to be known as "Trojan horse" tactics: "It is necessary," he said, ". . . to resort to all sorts of stratagems, manoeuvres and illegal methods, to evasion and subterfuges in order to penetrate the trade unions, to remain in them, and to carry on communist work at all costs."¹³ Many at the congress, including some within the Russian party, disagreed with Lenin's position, asserting instead that inasmuch as the trade unions were the strongest bulwark of capitalism, they could never be won for communism. Lenin's opponents suggested that rather than dissipate their energy uselessly in the attempt to capture the existing unions, new labor unions be established to which the working masses might be attracted. Lenin's position prevailed.

Footnotes at end of article.

For many communists, the antimilitarist potential of work within the trade unions was a new concept; not so for Lenin, who, as early as 1907, had noted the correlation between trade union and antimilitarist work exemplified by the French practice of collecting the weekly "soldier's sou."¹⁴ This may help to explain why he emphasized communist work in the unions. The point is made in the theses on the trade union movement adopted by the second congress by the statement that "the trade unions proved to be in most cases, during the war, a part of the military apparatus of the bourgeoisie."¹⁵ Henceforth, communist antimilitarist activities were to encompass not only the man behind the gun but also the men behind the man behind the gun.

In its deliberations on the question of parliamentarianism, the second congress was highly critical of the socialist faction in France. In particular, it directed its criticism at the Socialist Party of France which, although it had declared its intention to break with the Second International, had not affiliated with the Comintern. It had, however, sent observers to the second congress. In its parliamentary work, the Comintern charged, the Socialist Party of France had not exposed either the crimes of the French government or the criminal character of the imperialist war. Moreover, no revolutionary agitation was being carried on among the masses and no preparation had been made to arm the workers. The situation in France was, the Comintern concluded, highly unsatisfactory.¹⁶

On July 29, 1920, the congress sent a letter to the French socialist party. It repeated the charges that the socialist press in France did not carry on "a constant systematic propaganda or agitation in favor of the ideas of the proletarian revolution." Moreover, it complained, agitation to the villages and among the soldiers bore a "clearly reformist character."¹⁷ The message outlined certain fundamental steps which the Comintern considered essential for the French socialist party, including changing its name to the Communist Party of France, and recognizing the obligatory character of all decisions of the Communist International. In connection with the question of colonies, the Socialist Party of France was ordered to pitilessly expose the tricks of French capitalists in colonies, support not in words but by acts any liberating movement in the colonies, popularizing the slogan: "Imperialists, get out of the colonies"; develop in the workmen of France a sincerely fraternal attitude toward the toiling population of the colonies, at the same time carrying on a systematic agitation among the French troops against oppression of colonies.¹⁸

In addition, the French socialists were told that they must expose the falsity and hypocrisy of socialist pacifism; systematically prove to the men that without a revolutionary overthrow of capitalism no international court of arbitration, no conversations about reducing armament, will save humanity from new imperialist wars.¹⁹

A few days later, Marcel Cachin, an observer *rana parole* for the French socialist party, partially answered the Comintern's charges. Cachin indicated that he had not been authorized to discuss the question of the admission of the Socialist Party of France to the Comintern, but promised to campaign in favor of adherence to the Third International upon his return to France. He also stated that the socialist group in the *Cinambre des députés* to which he belonged had voted against war appropriations and against the French national budget. Should another war break out again, Cachin pledged, the French socialists would refuse to participate in it in any form. "We shall point out

to the toilers," he said, the necessity of refusing to load arms and munitions for the counter-revolutionaries. Among the soldiers who shall be commissioned to fight against soviet republic we shall conduct with all means a propaganda against intervention.²⁰

The threat of the renewal of the world war was a dominant theme in Comintern pronouncements. For the communists, the words "imperialist war" were the embodiment of everything evil. The importance attached to these words was evident in the statutes of the Comintern adopted by the congress on August 4, 1920:

"Remember the imperialist war!" These are the first words addressed by the Communist International to every workingman and woman wherever they live and whatever language they speak. Remember that because of the existence of capitalist society a handful of imperialists were able to force the workers of different countries for four long years to cut each other's throats. Remember that the war of the bourgeoisie conjured up in Europe and throughout the world the most frightful famine and the most appalling misery. Remember, that without the overthrow of capitalism, the repetition of such robber wars is not only possible, but inevitable.²¹

THE TWENTY-ONE CONDITIONS

The most urgent problem which faced the second congress was one of the last to be considered: the establishment of the standards to be met by new parties seeking admission to the Comintern. This subject had not been considered at the first congress, Lenin explained, because at that time there had existed in most countries only communist trends and tendencies rather than the communist parties and organizations which subsequently had emerged. The draft which Lenin submitted to the second congress proposed nineteen conditions for affiliation with the Comintern. His proposal covered a broad range of subjects, including the character of communist propaganda, the role of agitation in rural areas, Comintern discipline, colonial question, trade unionism, the necessity and authority for combining legal with illegal work, and the revolutionary duty of all communist parties to carry on work in the armed forces.²² Subject only to minor revision and the addition of two procedural conditions, Lenin's draft was adopted by the congress on August 6, 1920.²³

The "twenty-one conditions" of admission to the Comintern testified to the importance which Lenin and his conferees attached to the doctrine of revolutionary antimilitarism. At least five of the twenty-one conditions contained direct reference to major aspects or themes of antimilitarist work.

The first condition stated that all propaganda and agitation "must be of a genuinely communist character," that is, it had to conform the decisions and the program of the Comintern. The first condition described the manner in which the concept of the dictatorship of the proletariat was to be interpreted in the party press:

The dictatorship of the proletariat is to be treated not simply as a current formula learnt by rote; it must be advocated in a way which makes its necessary comprehensible to every ordinary working man and woman, every soldier and peasant, from the facts of their daily life, which must be systematically noted in our press and made use of every day.²⁴

How illegal work was to be carried on through the creation of a parallel illegal organization, and the necessity for combining legal with illegal work was covered in the third condition.

The requirement to carry on antimilitarist work in the armed forces which Lenin had emphasized was one of the basic tasks of the Comintern was re-emphasized in the fourth condition:

The obligation to spread communist ideas includes the special obligation to carry on systematic and energetic propaganda in the army. Where such agitation is prevented by emergency laws, it must be carried on illegally. Refusal to undertake such work would be tantamount to a dereliction of revolutionary duty and is incompatible with membership of the Communist International.²⁵

The sixth condition required all communist parties to expose "social-patriotism" and "social-pacifism." The outbreak of new imperialist wars, it stated, could be prevented only by the revolutionary overthrow of capitalism.

The colonial question was considered in the eighth condition. By it every communist party was obligated to support "in deeds" all colonial liberation movements. They were also required to demand the expulsion of their own imperialists from these colonies, to inculcate among the workers of their country a genuinely fraternal attitude to the working people of the colonies and the oppressed nations, and to carry on systematic agitation among the troops of their country against any oppression of the colonial peoples.²⁶

The fourteenth condition for admission to the Comintern required all communist organizations to render "unconditional" support to any soviet republic in its struggle against counter-revolutionary forces. Communist parties, it said, must carry on unambiguous propaganda to prevent the dispatch of munitions transports to the enemies of the soviet republics; they must also carry on propaganda by every means, legal or illegal, among the troops sent to strangle workers' republics.²⁷

The second world congress came to an end on August 8, 1920. At the final meeting, Leon Trotsky stated:

Trade union organization, the economic and political strike, the boycott, parliamentary and municipal elections, the parliamentary tribune, legal and illegal agitation, secret footholds in the army, work in the cooperatives, barricades—the Communist International rejects none of the forms of organization or of struggle created in the development of the workers' movement, nor does it single out any one of them as a panacea.²⁸

Before adjourning, the second congress sent fraternal greetings to the entire Red Army and Red Fleet. Its message described their war against Poland as the most just war that history has ever known.²⁹ On the same day, the congress also addressed a proclamation to the proletariat of all countries stating: "It is your duty to stand guard at all ports and all frontiers, and see to it that not a single train or ship with food supplies or arms should leave for Poland. Take up your positions as guards!"³⁰

Eight days after the close of the second congress, the Polish armies opened a counter-offensive against the soviets sending the Red Army into full retreat. Although communist-inspired strikes in Germany and Great Britain slowed munition shipments to Poland, the Polish counter-offensive continued, forcing Russia to discuss armistice conditions.

When the proletarian revolution in Poland failed to materialize, the soviets looked around for other likely candidates. They settled on Germany and Italy. On August 27, 1920, the Comintern addressed a letter to the Italian socialist party in which Zinoviev asserted that all the conditions for a genuinely popular proletarian revolution existed in Italy. At the decisive moment, Zinoviev assured them, the regular troops of the Italian army would go over to their side.³¹ Moreover, he continued, they need have no fear of foreign intervention. Zinoviev wrote:

The Entente will not be able to send its troops against the Italian working class . . . the French bourgeoisie will not be able to

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send their troops to "pacify" the proletarian revolution in Italy.³²

"And if they should risk sending them," he concluded, "they will break their own necks."³³ How this would come about Zinoviev did not trouble to explain. Strikes spread throughout Italy, and internal conditions became more acute.

In late September, 1920, the Comintern sent another letter to the Italian socialist party urging that it prove itself to be a communist party in the fullest sense by mobilizing and arming a revolutionary force. By quick and energetic action, the Comintern said, Italy could be covered with councils of workers', peasants', soldiers' and sailors' deputies, all led by communists.³⁴ "Time will not wait," the Comintern warned. The Italian communist movement lacked both direction and organization. Time and fascism passed it by.

In August, 1920, the Comintern held a special congress of eastern peoples at Balkan. The Balkan congress was attended by nearly nineteen hundred persons, representing 32 different nationalities. Many came from the Caucasus and the central Asian areas of Russia. Some also came from India, Persia, Turkey, and some of the middle eastern countries. At the Balkan congress, Zinoviev called for a "holy war" against imperialism.³⁵ The success of the conference led to plans for calling a similar congress of the peoples of the Far East. "Without a revolution in Asia," the executive committee of the Comintern declared, "there will be no victory for the world proletarian revolution."³⁶

In October, 1920, the war with Poland was concluded, and the soviets returned to the task of consolidating their internal power within Russia. By the end of the year, all effective resistance had been wiped out; the civil war was over. For the soviets, however, success brought new problems.

The conclusion of peace with Poland and the elimination of the last vestige of organized internal resistance in effect removed the two main props, i.e., the threat of foreign intervention and counter-revolution, with which for other three years the soviets had bolstered both civilian and military morale in Russia and on which they had depended to excuse both their own shortcomings in internal reconstruction and the austerity of their "war communism" program. The unity which had been built on hate, ignorance and fear crumbled rapidly in the opening months of 1921. An unusually poor harvest the preceding fall had raised the specter of famine among the peasants and workers throughout Russia. In the larger cities, the pinch was felt both in a drastic one-third cut in the bread ration which occurred in January, 1921, and in the rapid spread of unemployment occasioned by the closing of many factories and businesses because of an extremely severe fuel crisis. No less than sixty-four of the largest factories in Petrograd were forced to shut down because of the fuel shortage. On February 24, 1921, the workers of Petrograd went on strike. Within a matter of hours, the unrest had spread to Kronstadt, where sympathetic elements in the navy joined in the rebellion against soviet authority. The days of bloody fighting which preceded the fall of Kronstadt in March, 1921, and the drastic measures enforced by the soviets to restore their authority are history.

Soviet leaders speaking and writing for internal consumption described the Kronstadt rebellion as the dying struggle of foreign-inspired revolutionaries, concealing from their audience the tremendous political and social significance which this event actually represented. The soviets derived several lessons from Kronstadt, but one in particular is especially important in connection

with the study of the communist doctrine of revolutionary antimilitarism: all military forces, and especially the navy, are vulnerable to disintegration tactics. For the soviets, two consequences were readily evident. First, there was a need for further expansion of the political control mechanism within their own military structure. Secondly, the success of the proletarian revolution in any country would be impossible without the assistance, destruction or neutralization of the organized military forces of that country. Revolutionary antimilitarism, then, was an essential prerequisite for achieving soviet power and the dictatorship of the proletariat.

March, 1921, held another defeat for communism. A crisis had been developing in Germany. The German failure to comply with certain disarmament clauses had given France an excuse to occupy Dusseldorf with its troops. In Upper Silesia, sporadic outbreaks increased in frequency as the date approached for the referendum which was to decide whether it would be Polish or German. Elsewhere, general unrest prevailed. These events were misinterpreted by the communists as the outward manifestation of the breakup of bourgeois power in Germany. Some, like Bela Kun who had just arrived in Germany from Russia, believed that the time had come to take the offensive. They attempted to force the situation by using violence and sabotage. Their efforts failed; they succeeded only in alienating much of popular support they had previously enjoyed among the German proletariat. Through their premature *putachian*, the revolution in Germany had been indefinitely postponed.

THE THIRD CONGRESS

In June, 1921, hardly more than nine months after its last congress, the Communist International convened its third world congress. The series of defeats and failures, e.g., the Red Army offensive against Warsaw in August, the Italian unrest in September, and the events in Germany in March, which had been experienced gave rise to the question whether some revision in the program or tactics of the Comintern was warranted.³⁷ Soviet evaluation of the international situation suggested that although the program was correct, a change of tactics was essential. *Putachian*, or armed risings by small groups, was henceforth renounced; all effort was to be concentrated on long term preparation and organization of the masses for revolution.³⁸ No longer was armed force to be used as the primary weapon for direct action in every crisis:

In times when the workers are only preparing themselves, when they have to be mobilized by agitation, political campaigns and strikes, armed force may be used solely to defend the masses from bourgeois outrages. Individual acts of terrorism, however they may demonstrate the revolutionary rancor of the masses, however justified they may be as acts of retribution against the lynch law of the bourgeoisie and its social democratic flunkies, are in no way apt to raise the workers to a higher level of organization, or make them better prepared to face the struggle.³⁹

Personal acts of terrorism, it was concluded, contributed to neither proletarian organization nor militant preparedness, and served only to create the illusion that "the heroic deeds of individuals could take the place of revolutionary struggle of the proletariat."⁴⁰

Sabotage and violence were similarly renounced, except in specific cases: "Acts of sabotage are only justified when they can serve the purpose of hindering the dispatch of enemy troops against the workers, and of conquering important strategic points from the enemy in direct combat."⁴¹

The Comintern would not confine its action to demonstrations on a world-wide scale, the third congress concluded, but

would coordinate and combine the action of all affiliated sections and the groups which they in turn control. Situations involving the governments of two or more countries were to be exploited to the maximum degree possible. In this connection, the third congress cited the French communists for their initial work against the occupation of Germany; and it reminded them that it was their duty to continue this work to make the French soldiers in the occupied territories realize that they are playing the part of watch-dogs of French capital, and to induce them to rebel against the disgraceful duties imposed on them . . . to make the French nation conscious of the fact that by suffering the formation of a French army of occupation, and tolerating its permeation by a nationalistic spirit, it forges its own chains. In occupied territories troops are being drilled in order to be subsequently let loose against the working class, and to murder them in cold blood.⁴²

In its theses on tactics, the third congress recognized the potential which radical differences provided for agitation:

The French Communist Party is faced by the special problem of the presence of the black troops in France and the occupied territories. The French are thus able to approach these colonial slaves, to explain to them that they are serving their oppressors and exploiters, to rouse them to a fight against the regime of the colonizers, and to establish connections with the colonial peoples through this medium.⁴³

If the Comintern was satisfied with the work being carried out in France, it was less so with developments among other communist parties. In the United States, it was noted, the communists were still struggling with the first and most simple task of creating a communist nucleus and connecting it with the working masses.⁴⁴ The American communists, the third congress concluded, had to find ways and means to legalize their activities and come out "into the open." Responding to the direction of the Comintern, the Communist Party of America pledged its members to carry on systematic agitation in the American army and navy against every kind of oppression of the colonial peoples by American imperialism.⁴⁵ The necessity for organizing communist cells in the armed forces was also recognized by American communists in their 1921 constitution. Article XI of the constitution discussed the subject of party nuclei.

The central executive committee shall provide for the organization of the communist party nuclei, composed of communist party members only, in the shops, in the unions, and in other workers' organizations, within the army and navy, and ex-soldiers' organizations.⁴⁶

Article XI further provided that communist nuclei in the armed forces would come under the direct control, supervision and discipline of the party.

The third congress decreed that it is the duty of communist parties in all countries taking part in the subjugation and partition of Turkey to do their best toward revolutionizing these armies. The communist parties of the Balkan countries must strain all the efforts of their mass parties to hasten their victory by the establishment of the Communist Balkan Federation, which should deal the mortal blow to petty nationalism.⁴⁷

Comintern pronouncements contained frequent references to imperialist maneuvers directed towards the creation of an anti-soviet Balkan bloc. Although communist parties and youth leagues existed in each of the Balkan countries, they failed to provide the kind of central direction which the soviets believed was essential if imperialist "machinations" were to be successfully counteracted. To secure coordinated action in the Balkans, the Comintern established

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the Balkan Communist Federation with headquarters in Vienna.⁴⁸

All communist operations in the Balkans directed by the Federation were tempered by administrative control exercised through the West European Bureau of the Comintern.⁴⁹ Although each Balkan communist party furnished a member of its own executive committee to participate in deliberations with the Federation staff, the military section of the Federation was under the direct control of the soviet general staff in Moscow. In addition to maintaining cognizance and developing information on the political status, the defense plans, and the level of military personnel, training and equipment strengths of each of the Balkan countries, the military section of the Balkan Communist Federation was responsible for directing the work of the communist cells operating inside the armed forces. The military section was also responsible for carrying on antimilitarist propaganda and agitation, for creating new cells, and for maintaining contact between the military cells and the local communist organizations. In carrying out its assigned tasks, the military section of the Federation worked through the military sections of the local communist parties.⁵⁰

The development and support of separatist movements among the national minorities was the communist answer to the threat of an anti-soviet Balkan bloc:

The communist parties must support the liberation movement of the oppressed nations and the national minorities in all these countries, lead them in the revolutionary struggle against imperialism and unreservedly champion their right to selfdetermination, which must include the right to complete separation. In the event of an imperialist war, or an anti-soviet war being declared, the communists, in the course of carrying out this policy, must prepare themselves, and the nationally oppressed masses, for national revolutionary rebellions, of wars, against the imperialist bourgeoisie.⁵¹

Sessions of the third congress continued from June 22 through July 12, 1921. One of the most important resolutions adopted at the congress covered the organization and construction of communist parties. In it, the congress defined the chief general duty of all communists in the revolutionary struggle as the carrying on of revolutionary propaganda and agitation. "The most important point to remember is," the resolution stated, "that communist propaganda must be of a revolutionary character."⁵² In addition to providing detailed guidance on propaganda and agitation in general, the resolution restated the Cambodian position on work in the armed forces:

The methods of propaganda in the armies and navies of capitalist states must be adaptable to the peculiar conditions in each country. Antimilitarist agitation of a pacifist nature is extremely detrimental, and only assists the bourgeoisie in its efforts to disarm the proletariat. The proletariat rejects on principle and combats with the utmost energy, every kind of military institution of the bourgeois states and of the bourgeois class in general. Nevertheless, it utilizes these institutions (army, rifle clubs, citizen guard organizations, etc.) for the purpose of giving the workers military training for the revolutionary battles to come. Intensive agitation must therefore be directed not against the military training of the youth and workers, but against the militaristic regime, and the domination of the officers. Every possibility of providing the workers with weapons should most eagerly be taken advantage of.

The class antagonisms, revealing themselves as they do in the materially favoured positions of the officers as against the bad treatment and social insecurity of life of the

common soldiers, must be made very clear to the soldiers. Besides, the agitation must bring home the fact to the rank and file that its future is inextricably bound up with the fate of the exploited classes.

In a more advanced period of incipient revolutionary fermentation, agitation for the democratic election of all commanders by the privates and sailors and for the formation of soldiers' councils may prove very advantageous in undermining the foundations of capitalist rule.

The closest attention and the greatest care are always required when agitating against the picked troops used by the bourgeoisie in the class war, and especially against its armed volunteer bands. Whenever the social composition and corrupt conduct of these troops and bands make it possible, every favorable moment for agitation should be made use of for creating disruption. Wherever it possesses a distinct bourgeois class character, as for example, in the officers corps, it must be unmasked before the entire population, and made so despicable and repulsive, that they will be disrupted from within by virtue of their very isolation.⁵³

For the soviets, the third congress marked the end of an important period of Comintern activity. The balance sheet of all work previously done had been noted and the Comintern had been given "a finished organization and clearcut tactics."⁵⁴

V. FROM THE THIRD THROUGH THE FIFTH CONGRESS

The Zinoviev Instructions.

Ferment in the East.

The Fourth Congress.

The Fifth Congress.

During the third congress, official recognition had been given by the Comintern both to the part played by socialist youth in fighting militarism during the war and to the potential which youth organizations offered for mass antimilitarist work. Because conscript military organizations were usually built on the youth of the land, a tendency had begun to develop within many communist parties to consider that antimilitarist propaganda, agitation and organization in the armed forces was a task only for the communist youth organizations. Communist parties were content to consider themselves the political leaders of the youth movement, and preferred to let the young communist leagues be the vanguard of the revolutionary struggle.

Three months before, in April, 1921, the Young Communist International had convened its second congress in Berlin. The congress was held in Germany over objections of Russian youth organizations who wanted it held in Moscow. At the congress, it was decided that more attention had to be given to the antimilitarist struggle. One of the main subjects considered was the attitude of communists to imperialist war. Instructions which Lenin had drafted for the Russian delegation to the Peace Congress at The Hague formed the basis for a Young Communist International resolution against pacifism. Lenin raised the following as slogans for young communists: "Disarmament of the bourgeoisie, disintegration of the bourgeois army and its conquest for the proletariat, transformation of imperialist war into civil war."⁵⁵ The congress placed all communist youth leagues under an obligation to form illegal revolutionary groups in the armed forces:

We must overcome, decisively and completely, the isolation of our membership which still prefers to spend its time in its own circle instead of carrying on the difficult and frequently dangerous but necessary work among the masses. Every member of the organization must be made active and sent to work in a factory, a workshop, or trade-union, in sports organizations and in the army and navy.⁵⁶

Famine relief for Russia became an all-

important theme in communist propaganda beginning in July, 1921. In every appeal issued by the Comintern, the dominant thought expressed was that years of struggle against foreign intervention and counter-revolution had contributed to the plight of the soviets, and what force of arms had failed to vanquish famine threatened to destroy.

In October, 1921, the Comintern issued an appeal asserting that world capital was preparing another Polish campaign against famine-stricken Russia. The attack, it said, was being systematically prepared by France, acting in concert with England. The appeal called upon the proletariat to organize meetings and demonstrations under the slogans, "Help Soviet Russia"; "Stop the transport of arms to Poland, Rumania, Estonia, Latvia and Finland"; "Strengthen your influence among the soldiers," the proletariat were told, "so that they will not let themselves be used as cannon fodder for international capital against soviet Russia."⁵⁷

The anticipated attack did not come, but the appeal served to attract additional financial support for Russia and its famine-relief program.

In August, 1921, militant communism found its first expression in Japan through the *Cyomin Kyosanto*, or Dawn People's Communist Party, a small revolutionary group formed without benefit or blessing of the Comintern. The Dawn People's Communist Party came to an abrupt end in December, 1921, when the Japanese government arrested its members for distributing subversive literature among the soldiers quartered in the environs of Tokyo. Some sixty thousand leaflets bearing the imprint "Communist Party of Japan" had flooded the troops in the Tokyo area, exhorting them to rebel:

Soldiers! Brethren! Do you know what is meant by loyalty to the Emperor and patriotism? It means being faithful to and being victimized by the ruling class that feeds on deceit and robbery. To fulfill your duty as a soldier is but to throw away your life for a capitalist state—for the state of an Iwaseki, a Mitsui, or a Yasuda, for a state of politicians in cahoots with the capitalists and riding on the people. . . . Wake up soldiers! Wake up brethren!⁵⁸

With its members in jail, the Dawn People's Communist Party disbanded, but its short existence had served to re-establish the antimilitarist tradition of Japanese socialism under the banner of international communism.

THE ZINOVIEV INSTRUCTIONS

In December, 1921, the Comintern issued secret instructions governing antimilitarist work in the armed forces of all countries. The instructions are in general agreement with the decisions taken at the third congress, and there is no record that the Comintern has ever denied their authenticity. The instructions were contained in a directive prepared and signed by Zinoviev. The instructions were counter-signed by both Son Kayama, the veteran Japanese communist who was in charge of the Comintern's propaganda section, and Arngold, the secretary of the executive committee.

Communist parties in most countries, the document stated, possessed few weapons, leading to the conclusion that "the military organization of the Communist International lacks the forces which it could lead to a decisive battle with capitalism."⁵⁹ The document continued:

Such a condition of affairs has long since prompted the necessity of devoting attention to the army and navy of the capitalist states, and by increased and intense work utilizing the experience of the decomposition of the Russian White Guard Army, to attain such a condition of affairs that in the ranks of the capitalist armies there would be red sec-

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tions which would decompose the army as a whole and turn their bayonets against the capitalistic class.⁶⁰

Although this was considered by both the second and third congresses of the Comintern in developing the theses on propaganda, subsequent work had produced almost no results. Communist forces must continue the work begun in this direction, the document explained, as the phantom of impending capitalistic wars is hovering before the world and the armies and navies of the capitalistic states, manned by compulsory, obligatory, or voluntary enlistment are almost entirely consisting of the most antimilitaristic youths inclined to adopt the communist idea.⁶¹

Work in the organized military forces was to take precedence over all future work of the Comintern, with sections devoting the whole of their efforts to the realization of the task before them.

Of particular significance was the emphasis placed on communist penetration of naval forces:

The principal attention in the first place must be devoted to the personnel of the navy, where the soil is particularly fertile for active communist propaganda and work, particularly in the English and French navies. It is necessary to work under the following general conditions:

1.—All sailors, by the manner and nature of their lives, are devoid of nationalist ideology, and they, as a matter of fact, are internationalists.

2.—The conditions of service of sailors on submarines, cruisers and in general on ships which make distant trips are extremely difficult; they enjoy very little rest, their maintenance is very unsatisfactory, and the service is very dangerous to life.

3.—The war did not bring to sailors the moral satisfaction and peace which they were expecting, but to the contrary, it is bringing on the coming monstrous war on the seas.⁶²

The document continued, "Sailors are least of all subject to subordination and are very much inclined to insubordination and disorders," citing as examples the revolts at Kronstadt, the revolt of the Russian Baltic fleet during the October revolution, and the German Baltic fleet mutinies of 1917 and 1918 in which all the principal participants were sailors.⁶³

Communist parties, the instructions directed, must strive to create in all the principal ports special nuclei of organizers and agitators who must strive with all their efforts to get into contact with the personnel of naval vessels, to organize among them nuclei with their own people in them, and to distribute energetically special literature. The nuclei on the ships must maintain a permanent contact in accordance with the movements of the ships with the port organizations of the communist party and the latter must regularly maintain the contact among themselves and inform one another of the movement of ships, countersigns and conditions of entry.⁶⁴

Precise details as to the broad scope of responsibility of port nuclei were also provided:

The port nuclei must not limit themselves to the establishment of contact and the transmittal of literature, but must strive also to the bringing together of the crews of ships and the proletarian population of the ports and to the generalizing of their ideology, remembering always that the fisherman principally are the source for the supplying of the personnel of the fleet and that their influence can reflect very much on the attitude of the sailors now and particularly during possible mobilizations.⁶⁵

The document took note of communist work which had already been initiated among the French and British occupation forces in Germany and directed that the disintegra-

tion work be extended to the military detachments in France and England as well.

There was, the instructions stated, "a particularly favorable soil for communist agitation" among the youths entering military service. Therefore, they continued, it is necessary to give the French, German and English communist parties full initiative in the sense of determining the tactics and program of agitation obligating them to conform their work to local conditions. With this it is necessary to point out that their agitators should strive to utilize as often as possible the thousand and one little details of the daily life of the soldier in order to undermine his obedience to the officers, the bourgeois discipline and his duties in defending the bourgeois peace.⁶⁶

In addition, the communist parties were directed to increase propaganda on a broader scale. They were also directed to take up the general slogan: "Only if the proletariat be master in every country will the cause for new conflicts disappear."⁶⁷ The official copy of this document for the American section of the Comintern reportedly reached the United States from Moscow by courier in 1922. In it, the name of the United States was substituted in place of France, Germany, and England. Similar substitutions had been made in the copies sent to other communist parties throughout the world.

There is additional documentary evidence that the soviets were concerned about the possibility of a new war during this period, and were interested in fostering an active antimilitarist disintegration program. In February, 1922, Lenin sent a special message to Zinoviev, Bukharin, Molotov and the members of the political bureau of the Comintern dealing with the question of combating war. In it, Lenin directed that the question be considered at the next special plenary session of the executive committee. "Only a revolutionary party which has been built up beforehand," Lenin wrote, "is well tried and has a good illegal apparatus can successfully wage a struggle against war."⁶⁸ The message continued: "The means of combating war are not a strike against war, but the formation of revolutionary nuclei in the combatant armies, their training for the purpose of bringing about revolution."⁶⁹ A comprehensive resolution explaining these two points, Lenin directed, must be adopted at the plenary session.

In March, 1922, the executive committee of the Comintern held a special plenary session in response to Lenin's request that they evaluate the war danger and develop ways and means of combating it. Representatives of 36 nations took part in the deliberations of the plenum. They concluded that militarism and imperialism could not be abolished by reason or the love of peace. War was inevitable, they said, and the only effective defense against it was a proletarian revolution. All communist parties, the plenum decreed, must prepare both ideologically and organizationally for an intense revolutionary class struggle to avert war. In its theses on the fight against the war danger, the plenum outlined a seven point program for all communist parties to follow. The program called for systematic education on the character and causes of war, the prevention of troop and supply movements should war break out, legal and illegal propaganda among the organized military forces, and the creation of both legal and illegal organizations to carry on the antiwar work.⁷⁰

FERMENT IN THE EAST

In January, 1922, the Comintern sponsored the first congress of the Toilers of the Far East which was held in Petrograd and Moscow. At this congress, the Comintern translated into concrete tactics the theses on the national and colonial question which committed all the communist parties to support national liberation and revolutionary movements in the colonies and in the backward

countries. Among the delegates to the congress were representatives of the Communist Party of China who, following their return from Moscow, held their own second national congress in June and July, 1922. At their congress, the Chinese communists adopted a seven point political program covering the fundamental problems of the Chinese revolutionary movement. The program emphasized the struggle against militarism to secure internal peace; the struggle against imperialism; the creation of a united country; the right of self-determination for the frontier peoples of Mongolia, Tibet and Sinkiang; the organization of the Republic of China on a federated basis; the establishment of basic rights, e.g., universal, direct, secret elections, freedom of speech, press and assembly, etc.; and the enactment of labor legislation and land laws.⁷¹ "Down with militarism," became the central slogan of the Chinese communist party.

In a manifesto issued on June 10, 1922, the Chinese communist party asserted that the conditions in China would remain unchanged as long as power remained in the hands of the feudal warlords. The fundamental themes of their antimilitarist propaganda and agitation were summarized by the manifesto:

Workers, peasants, students, soldiers, policemen, and merchants! So long as the authority of the military is not overthrown, there will be no hope of disarming the provincial armies and abolishing the *tu-chun* system. So long as the authority of the military is not overthrown, there will be no hope of reducing the demands for national funds, which are used to cover war expenses and further to disrupt the entire national and local financial system. So long as the authority of the military is not overthrown, all conditions will be present to allow the military to secure new loans from foreigners and thus bring about an intensification of foreign influence in China. So long as the authority of the military is not overthrown, there will be no hope that the military will cease imposing heavy imposts on the citizens of China; there will be no hope that looting may cease, no hope that order may be restored in all regions of China. So long as the authority of the military is not overthrown, there will be no hope of a broad development of education in China and of industrial progress in our country. So long as the authority of the military is not overthrown, there will be no hope that the struggle among militarists for the expansion of their own spheres of influence may cease. Peasants and merchants are always war victims. These wars will be inevitable and endless if they are not stopped by the people themselves.⁷²

Antimilitarism had become a fundamental part of the revolutionary program in China.

On July 5, 1922, another secret revolutionary organization was established in Tokyo. This time, the Japanese communists had the assistance of the Communist International. Official recognition to the fledgling Japanese communist party was accorded by the Comintern at its fourth congress later in the year, indicating the importance which the soviets attached to the Japanese movement. Antimilitarism played a dominant role even in the early activities of the Communist Party of Japan. As one of its main political planks, the party's platform called for the abolition of the armed forces; in international affairs, the platform demanded the end of all foreign intervention and the withdrawal of troops from Korea, China, Formosa and Sakhalin.⁷³ Communist attempts to penetrate the armed forces of Japan and to undermine their loyalty to the government became so pronounced that the Peace Preservation Bureau of the Police Division of the Japanese Home Ministry found it necessary to publish a special reference pamphlet, *Guptai to sekka undo (The Bolshevization of the Military Forces)*, to assist law enforcement authorities in countering the

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subversive influence of the Japanese communists.⁷⁴

THE FOURTH CONGRESS

The fourth congress of the Communist International convened in Petrograd on November 7, 1922. The date and place for its opening session were especially chosen to coincide with the fifth anniversary celebration commemorating the proletarian revolution in Russia. Because of his prolonged illness, Lenin was unable to make the trip from Moscow to attend the first session. Unlike previous congresses in which he figured in almost every debate, the fourth congress was addressed only once by Lenin who spoke on his new economic policy for Russia.

It was to Bukharin that Lenin assigned the task of leading the all-important discussion on the program for the Communist International. In his opening remarks on the program, Bukharin touched on many subjects, including the revolutionary character of Marxism, the theory of the state, the nature of imperialist war, the theory of the crisis, the question of coalition governments, imperialism, the maturing of socialism within capitalist society, and the three "new universal tactical" problems, i.e., the question of colonies, the question of national defense, and the right of red intervention.

Bukharin emphasized the necessity for devoting more attention to the general principles concerning the struggle for national liberation in the colonial and semi-colonial countries.⁷⁵ In the theses which were adopted by the fourth congress, the task of the communist parties in the colonial and semi-colonial countries, and most especially those bordering the Pacific Ocean, was defined as the carrying on of an extensive propaganda campaign to explain to the masses the danger of the war which threatened and to educate them that Soviet Russia was the bulwark of the oppressed and exploited masses. Not only were the communist parties in America, Japan, England, Australia and Canada to carry on propaganda against war, but they were to remove all disrupting factors from their ranks. To assist the communist parties of the colonial and semi-colonial countries, the Comintern declared its first step would be the setting up of presses so that journals and periodicals could be published in the native languages. In addition, special consideration was to be given to work among European labor organizations and among the occupation troops in the colonies.⁷⁶ A special Eastern department was established within the executive committee of the Comintern to monitor this work.

The second tactical problem which Bukharin discussed was the question of national defense. In the past the communist attitude had been based on a flat rejection of the concept of national defense. According to Bukharin, this situation had been modified by the fact that in one country, Soviet Russia, there existed a proletarian dictatorship. The existence of a proletarian state, Bukharin explained, made it essential to distinguish between the defense of the bourgeois state and the proletarian state. Proletarian states, he said, should receive the protection not only of their own proletariat but also of the proletariat of all countries.

Bukharin also addressed himself to the question of whether proletarian states should conclude military alliances with bourgeois states.

His answer was in the affirmative. It was based, he said, on the strategy of the proletariat as a whole:

We have already grown so big that we are in a position to conclude a military alliance with a bourgeois state for the purpose of destroying some other bourgeois state with the help of the bourgeois ally. What would happen later on, under a certain readjust-

ment of forces, you can easily imagine for yourselves. This is a question of purely strategic and tactical expediency.⁷⁷

Such an alliance, he concluded, was a form of national defense for the proletarian state; as such it required the support of communists in every country. If the bourgeoisie of the country with which the alliance was concluded were subsequently overthrown, Bukharin noted to the amusement of his audience, "then other questions arise which it is not my duty to outline here, but which you will readily conceive."⁷⁸

Bukharin described the right of red intervention as the "touchstone" for all communist parties. Modification of an earlier communist position that intervention was to be resisted was dictated by the changing circumstances. Every proletarian state, Bukharin asserted, had the right of red intervention.⁷⁹ If the proletariat were to conquer the whole world, Bukharin affirmed, it would be accomplished not with bare hands but with bayonets and rifles:

For this reason the spread of the system on which the Red Army is based is also the spread of socialism, of the proletarian might, of the revolution. This gives the basis to the right of red intervention under special circumstances which makes the technical realization of it possible.⁸⁰

The agrarian question was also discussed at length during the fourth congress. Theses on this subject had been adopted at the second congress, but subsequent experience had proven that convincing the peasants to accept communism was a far more difficult job than drafting a program had indicated. Two opposing thoughts permeated the discussions. On the one hand, there was the assertion that the peasants could be drawn along the path of revolution by means of antimilitarist propaganda. This position was supported by Renaud Jean of France and Anna Pauker of Rumania. Pauker stated:

It is possible to win over the peasantry through antimilitarism, and to get the small peasants to side with us by promising them that the revolution will not deprive them of their land. But in plain German this means—neutralizing the peasantry. The peasants will not take the revolution by the throat, they will not oppose it if they can say to themselves that they have nothing to lose by it.⁸¹

There were some, however, who denied that antimilitarism could win the support of the peasantry and took the position that those who so asserted did not recognize the necessity of civil war and of armed conflict. The first position prevailed.

Lenin himself had emphasized the importance of the peasantry in a revolutionary situation. Speaking at the third congress, he said:

We achieved victory in Russia, not because we had the undoubted majority of the working class on our side (during the elections in 1917 the overwhelming majority of the workers voted for us and against the Mensheviks), but also because half the army—immediately after we seized power—and nine-tenths of the masses of the peasantry—within the course of a few weeks—came over to our side.⁸²

During the congress, reports made by various delegates revealed that relatively little antimilitarist work had been accomplished. In Czechoslovakia, for example, it was reported that agitation by the communist party in the army was still very weak, even though the fact that the soldiers possessed the right to vote made such work doubly attractive.⁸³ In Turkey, where the party had existed for more than two years, the work consisted primarily of issuing propaganda appeals to the Turkish army summoning the soldiers to the struggle against imperialism. Appeals had also been addressed to the Greek army, calling upon the soldiers to rise and disorganize their

own army which was fighting for "Greek bourgeoisie and British imperialism."⁸⁴

By the end of 1922, antimilitarist propaganda and agitation work by many western European communist parties had virtually ceased. This fact was noted by the Comintern with alarm at the fourth congress. The antimilitarist struggle, party representatives were told, could not be left entirely to the communist youth. The Comintern called for closer cooperation between the communist parties and the young communist leagues in this work. All sections of the Comintern were directed to intensify their own antimilitarist activities.⁸⁵ In reporting on the work of the Young Communist International at the fourth congress, emphasis was placed on the tasks which faced the member youth leagues. Of these, the most important were the systematic education of youth in Marxian doctrine and the carrying out of antimilitarist propaganda "among the workers in and outside the bourgeois armies."⁸⁶ These tasks, it was noted, continued to be carried on enthusiastically by the various youth leagues, even though communist antimilitarist work had not been unopposed, had demanded "many sacrifices" and had claimed "many victims."⁸⁷ In France and Czechoslovakia, antimilitarist propaganda and agitational activities by communist youth organizations had led to their prohibition, even though the respective communist parties retained their legal status. Some lessening of interest and decreased activity in antimilitarist work throughout Central Europe was noted, but the campaign continued with the assistance of the special press media which the Young Communist International had developed.⁸⁸

The fourth congress paid homage to the "heroic sailors who have refused to go against the Russia of the workers and peasants" in French prisons.⁸⁹ It is also recommended that the French communist party adopt a new action program:

The party must undertake systematic permeation of the army. Our antimilitarist propaganda must differ radically from the hypocritical pacifism of the bourgeoisies, and must be based on the disarmament of the bourgeoisies and the arming of the proletariat. In their press, in Parliament, on all favorable occasions, the communists must defend the interests of the soldiers, advocate the recognition of their political rights, etc. Our revolutionary antimilitarist propaganda must be intensified everywhere when there is a menace of war. This propaganda must be placed in the hands of a special organ of the party, in which the communist youth must participate.⁹⁰

French communists became the first to make revolutionary antimilitarism a routine part of their daily work. Their ready acceptance of this doctrine stemmed from the early recognition given by their leaders to the fact that the revolutionary movement among French servicemen stationed in the Black Sea area failed to become a really "mass" movement in 1919 because it lacked "serious" organization.⁹¹

An antimilitarist commission was established by the Young Communist League of France, and a full scale recruiting program featuring dances, "vins d'adieu," etc., was initiated to inculcate the conscripts entering service with the spirit of communism. In addition to specialized instruction on the technique of a propaganda and agitation, the Young Communist League of France provide its members with a course on antimilitarism.⁹²

In December, 1922, the Young Communist International held its third congress in Moscow. In its new program which was adopted at the congress, the Young Communist International stated that the youth leagues were confronted with three special tasks:

Struggle against the psychological militarization of the young workers by the bourgeoisies;

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Struggle against the military education of the working class youth as a preparation for army service;

Revolutionary work within the bourgeois armies, through nuclei in the regular standing armies, the colonial and occupation troops, in preparatory military institutions, and by propaganda against war, militarism, and the use of the army in the service of capitalism.⁹³

The third congress of the Young Communist International decided to make the shop nuclei the corner stone for all work among the working masses. Antimilitarist work was one of the special tasks assigned to the shop nuclei. Previously, such work had been performed at branch level, but with the introduction of the shop nuclei as the basic organizational building block for youth work, responsibility for antimilitarist work was reassigned. Instructions on the organization of nuclei and the practical work expected of them as basic units of communism were detailed in a special pamphlet issued by the Young Communist International after the congress. The instructions emphasized the specialized nature of antimilitarist work to be accomplished by each shop nucleus:

The nucleus must perform a part of the preparatory work with regard to the conscripts. It must be well informed about all the young workers who are approaching conscription age, and all these young workers must be combined and informed upon the role that they will be expected to play, and made to understand our attitude toward bourgeois militarism. After the conscription of these comrades, the nucleus must remain in close contact with them; this can be very easily done by individual members of the nucleus. Its antimilitarist activity must be carried on upon the basis of the general instructions issued for the work on this field. Should the shop at any time be occupied by the military forces, the nucleus must take up the work amongst the young soldiers, and must particularly fight against the nationalist incitement of the soldiers and endeavor to win them for the class struggle.⁹⁴

In January, 1923, the French occupation of the Ruhr provided the Young Communist International and its member leagues with their first major opportunity to carry out work in the army and fight against the danger of war on an international scale. Although the Young Communist International attempted to marshal support from all of its sections, the response was disappointing. Some work was carried out by the communist youth leagues in Germany and Belgium, but only the work of the Young Communist League of France won recognition at the fifth congress of the Comintern for its success in the army.⁹⁵ The communists credit the propaganda posters and pamphlets which the Young Communist League of France disseminated in the Ruhr with having achieved widespread demoralization among the French troops stationed there. Even as the French soldiers took up their positions throughout the Ruhr Valley in January, 1923, thousands of posters proclaiming that "the German workers are your brothers" and calling on the soldiers to fraternize with the German workers began to make their appearance. A special illegal edition of *L'Humanité*, the official organ of the Communist Party of France, was printed for distribution among the military forces in the Ruhr, supplementing the agitational brochures printed by the Young Communist League. Special attention was given to the propaganda material disseminated among the French colonial troops. Leaflets, printed in their native Arabic, appealed to their fierce nationalistic spirit with significant results:

You are here to pillage and steal for the same French Imperialists who murder and steal from you at home. The German work-

ers are your brothers and fight for their liberty just as you do in your own country. Long live Algeria and Morocco! Liberty for people oppressed by French Imperialism!⁹⁶

The demoralizing influence of communist propaganda among French colonial troops deployed in the Ruhr resulted in their withdrawal and replacement with metropolitan French forces considered more politically stable and less susceptible to the agitational appeals of the communists.⁹⁷

In Germany, the French occupation of the Ruhr contributed to a sharp devaluation of the mark. A severe economic crisis followed, creating a condition which German communists interpreted as the tocsin of revolution. Revolution required armed conflict, but the German communists were ill prepared; they lacked arms and ammunition, and had undertaken little propaganda or agitation either to win support of or to neutralize the Reichswehr. A premature uprising by the communists in Hamburg set off three days of bloody fighting in October, 1923. The communists were badly defeated; they had gambled on their ability to win the support of the working masses and lost. The German revolution failed to materialize.

Soviet apprehension about imperialist penetration of the Balkans found its parallel in soviet concern that the forces of imperialism were gathering the Scandinavian countries into an anti-soviet bloc which would turn the Baltic approaches of the Soviet Union into an English sea. Soviet misgivings were further heightened during the early 1920's by the marked absence of organizational discipline among Scandinavian communists and their tendency to form rival splinter groups, each seeking to establish itself as the dominant communist authority in its particular country. This had been clearly evident at the fourth congress of the Comintern. To resolve this and the multiplicity of other problems which communist factionalism spawned, the Comintern convened a special conference in January, 1924, for the purpose of creating a Federation of the Scandinavian Parties of Denmark, Sweden, Norway and Finland.⁹⁸ The Federation, which also served as a consultative organ for the smaller but non-affiliated communist parties in Latvia, Estonia and Lithuania, was patterned after the Balkan Communist Federation. Through it all antimilitarist activities against foreign naval forces operating in the Baltic were to be coordinated.

With their western flank protected by the two communist federations, the soviets turned their attention to the Far East.

Factionalism had also seriously retarded the development of communism in the Orient. In Japan, internal dissension in the spring of 1924 led to an attempt by one dominant faction to dissolve the party. However, the Comintern refused to approve the dissolution order, demanding instead the immediate revitalization of the Japanese communist party. The soviets were counting heavily on support from Japanese communism to lead the revolutionary offensive in the Far East. According to Sen Katayama, the veteran Japanese communist, the revolutionary fate of the whole Orient depended on the Communist Party of Japan.⁹⁹ This pronouncement was coupled to a declaration by Katayama that Japan was destined to play an important role in the world revolution because it was the only "capitalist-imperialist" country in the Orient.¹⁰⁰ Financial aid from Moscow administered through the Far Eastern Section of the Comintern from Shanghai kept the communist movement in Japan alive after 1924, but efforts to revive the ailing party organization were generally unsuccessful.

Although the Young Communist International had enjoyed limited success in connection with the Ruhr crisis, the failure of the October revolution in Germany tipped the scales in favor of a general reorientation of Comintern effort away from western Europe. Lenin had been inclined in that direction

even before his death. In March, 1923, in his last pronouncement, Lenin wrote what is considered by some to be his true political testament: that revolution in the Orient was an indispensable condition for the attainment of the final victory of socialism.¹⁰¹

In June, 1924, the fifth congress of the Comintern convened in Moscow to put its seal of approval on the shift to the East.

THE FIFTH CONGRESS

The fifth congress of the Comintern met from June 17 to July 8, 1924. Zinoviev replaced Lenin as the sparkplug of the Russian section of the Comintern. "We have reached a situation in which we must expect the outbreak of a new series of wars," he said, "and we must take proper measures."¹⁰² Among the measures which Zinoviev outlined was the need for antimilitarist work among the peasants. On speaking of the situation in Bavaria, Zinoviev said:

If the tension is so great among the peasantry, it must find an echo in the army, for although many officers are members of the nobility, the peasant elements prevail in the army. Who was it who always crushed every revolutionary movement? Who beat us in 1905, who destroyed the Bavarian soviet republic and crushed a number of other risings in Germany after 1918? Mainly peasants' sons!¹⁰³

Others at the congress spoke on the agrarian question and its relationship to the fight against war. Kolarov, the representative of the Balkan Communist Federation, indicated that from the revolutionary standpoint in all countries, the question of the fight against war was becoming of even greater political importance than it had ever been before. "The greater the peril of a new war becomes imminent," he reasoned, "the greater will become the influence of the antiwar propaganda organized by the communist parties, and the greater will be its growing power to bring the peasant masses into our ranks."¹⁰⁴

The report of the various delegates on the progress of their antimilitarist activities was disappointing. Czechoslovakia proved to be an exception. There, for example, the communists made the revolutionary crisis in Germany the focal point for their press campaign. Smeral, the Czech delegate to the fifth congress, claimed that thirty-five to forty percent of the enfranchised soldiers had voted for the communist candidates in the last election. This, he claimed, was proof that the party's propaganda within the army had been successful. He also pointed to the large number of soldiers who were in jail as additional proof that the party had not been passive.¹⁰⁵ The situation in Poland was not impressive. The complete absence of communist activity during the rising at Cracow was sharply criticized by the Comintern: "When regiments mutiny and the communist party is completely absent, it gives us something to think about."¹⁰⁶

Antimilitarism was also discussed in connection with the national question. Manuilsky pointed to the 800,000 native workers in France and to the 250,000 negro soldiers in the French army. What, he asked, had been done to organize them and to prepare revolutionary agitators for the colonies from among their ranks?

Do you think you will be able to make a social revolution if those 250,000 are on the other side of the barricades? Will your working class be able to win a single strike if the bourgeoisie have at their disposal these black reserve troops which they can incite any minute against your heroic proletariat? Have you carried on any antimilitaristic propaganda among those black troops?¹⁰⁷

The French section of the Comintern replied by pointing to their work among the colonial soldiers in the Ruhr. The subject of negro troops was also discussed by the American delegate to the fifth congress. The center of intellectual leadership for the negroes, he

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said, was New York. Therefore, the movement should be led by the American party press. Of the negro in service, he had this to say:

Wherever negro troops have been organized by the imperialistic powers, those troops should demand to have their own commanders, and, in the African colonies, not to be used outside the colonies, for it must never be forgotten that the main use of black troops in the future will be that of shock troops of the bourgeoisie against the revolutionary proletariat.¹⁰⁸

After the October disaster, the report on the German youth movement was anticlimactic. "In the factories," said Ernst Thälmann, the German revolutionary in his report to the fifth congress, "the communist party has not yet realized the necessity of supporting the youth in their stand on antimilitarism."¹⁰⁹ The Comintern directed all communist parties to show more interest in the practical work which the youth was carrying out in preparation for armed uprising. It also ordered them to support the active work in the army and navy with practical preparations for civil war.¹¹⁰ However, these directives failed to achieve the anticipated results, and most communist organizations continued to consider antimilitarist activity as extremely specialized work quite apart from the daily tasks of the rank and file membership. Consequently, little progress was made by the communist youth organizations, for they failed to receive the support and guidance essential to the success of their work. The tactical importance of revolutionary antimilitarism to the success of the proletarian revolution was still not fully realized by many sections of the Comintern.

FOOTNOTES

- ¹ Degras, "Manifesto on the Polish attack on Russia," *loc. cit.*, pp. 90-92.
- ² "Theses on the Basic Tasks of the Communist International," *ibid.*, p. 118.
- ³ *Ibid.*, p. 120. Italics added.
- ⁴ Lenin, "The International Situation and the Fundamental Tasks of the Communist International," *loc. cit.*, X, 197-98.
- ⁵ U.S., Department of State, *The 2nd Congress of the Communist International* (Washington: Government Printing Office, 1920), p. 160.
- ⁶ *Ibid.*
- ⁷ "Supplementary Theses on the National and Colonial Question," as quoted by William Henry Chamberlin, *Blueprint for World Conquest* (Washington: Human Events, Inc., 1946), p. 126.
- ⁸ Lenin, "The Report of the Commission on the National and Colonial Questions at the Second Congress of the Communist International," *loc. cit.*, X, 240.
- ⁹ *Ibid.*, p. 244.
- ¹⁰ *Ibid.*
- ¹¹ Degras, *loc. cit.*, p. 139.
- ¹² Lenin, "Left-Wing" Communism, An Infantile Disorder," *loc. cit.*, X, p. 94.
- ¹³ *Ibid.*, p. 95.
- ¹⁴ *Ibid.*, IV, 331.
- ¹⁵ Chamberlin, "Theses on the Trade Union Movement, Factory Committees and the Third International," *loc. cit.*, p. 100.
- ¹⁶ The 2nd Congress of the Communist International, p. 129.
- ¹⁷ *Ibid.*, p. 130.
- ¹⁸ *Ibid.* Italics added.
- ¹⁹ *Ibid.*, p. 131.
- ²⁰ *Ibid.*, p. 132.
- ²¹ Degras, "Statutes of the Communist International," *loc. cit.*, p. 163.
- ²² Lenin, "The Conditions of Affiliation to the Communist International," *loc. cit.*, X, 200-206.
- ²³ Degras, "Conditions of Admission to the Communist International," *loc. cit.*, p. 166.
- ²⁴ *Ibid.*, p. 169. Italics added.
- ²⁵ *Ibid.* Italics added.
- ²⁶ *Ibid.*, p. 170. Italics added.

- ²⁷ *Ibid.*, p. 171. Italics added.
- ²⁸ *Ibid.*, p. 182.
- ²⁹ Quoting from the Petrograd Pravda, dated July 21, 1920 in *The 2nd Congress of the Communist International*, p. 79.
- ³⁰ *Ibid.*, p. 81.
- ³¹ Degras, *loc. cit.*, p. 190.
- ³² *Ibid.*, p. 189.
- ³³ *Ibid.*
- ³⁴ *Ibid.*, p. 193.
- ³⁵ *Ibid.*, p. 105.
- ³⁶ *Ibid.*, p. 223.
- ³⁷ "Theses on the International Situation and the Problems of the Communist International," *Theses and Resolutions Adopted at the III World Congress of the Communist International* (Moscow: Press Bureau of the Communist International, 1921), pp. 3-4.
- ³⁸ Leon Trotsky noted at the third session of the congress on June 24, 1921, that Napoleon used to say, "Dieu est toujours avec les gros bataillons," i.e., "God is always on the side of the heaviest battalions." (*The First Five Years of the Communist International*, Vol. I (New York: Pioneer Publishers, 1945), p. 227).
- ³⁹ "Theses on Tactics," *Theses and Resolutions Adopted at the III World Congress of the Communist International*, p. 29.
- ⁴⁰ *Ibid.*
- ⁴¹ *Ibid.*
- ⁴² *Ibid.*, p. 31.
- ⁴³ *Ibid.*
- ⁴⁴ *Ibid.*, p. 20.
- ⁴⁵ *The Communist*, I, No. 7 (February, 1922), 10-11.
- ⁴⁶ *Ibid.*, No. 1 (July, 1921), 23. Italics added.
- ⁴⁷ *Theses and Resolutions Adopted at the III World Congress of the Communist International*, p. 31.
- ⁴⁸ Vienna remained the primary headquarters of the Balkan Communist Federation until 1927 when an alternate center was established in Constantinople for the purpose of providing closer support to the local separatist organizations which had become increasingly active in Rumania and the southern Balkans. (*La vague rouge*, No. 7 (July, 1927), 48).
- ⁴⁹ This remained true until the outbreak of World War II.
- ⁵⁰ *Ibid.*
- ⁵¹ *International Press Correspondence*, VIII, No. 84 (November 28, 1928), 1591. Italics in original.
- ⁵² *Theses and Resolutions Adopted at the III World Congress of the Communist International*, pp. 40-41.
- ⁵³ *Ibid.*, p. 44.
- ⁵⁴ Degras, *loc. cit.*, p. 223.
- ⁵⁵ U.S., Congress, House, Special Committee to Investigate Communist Activities in the United States, *Investigation of Communist Propaganda*, Part 5, Vol. 4, 71st Cong., 2d Sess., 1930, p. 91.
- ⁵⁶ *Ibid.* Italics added.
- ⁵⁷ Degras, *loc. cit.*, p. 299.
- ⁵⁸ Roger Smearington and Paul Langer, *Red Flag in Japan* (Cambridge: Harvard University Press, 1952), pp. 13-14.
- ⁵⁹ R. M. Whitney, *Reds in America* (New York: The Beckwith Press, Inc., 1924), pp. 156-57.
- ⁶⁰ *Ibid.* Italics in original.
- ⁶¹ *Ibid.*
- ⁶² *Ibid.*
- ⁶³ *Ibid.*
- ⁶⁴ *Ibid.*, p. 158. Italics in original.
- ⁶⁵ *Ibid.*
- ⁶⁶ *Ibid.* Italics in original.
- ⁶⁷ *Ibid.* Italics in original.
- ⁶⁸ Lenin, "The Question of Combating War," *loc. cit.*, X, 315.
- ⁶⁹ *Ibid.* Italics added.
- ⁷⁰ Degras, *loc. cit.*, p. 332.
- ⁷¹ C. Martin Wilbur, and Julie L. How, *Documents on Communism, Nationalism,*

and Soviet Advisers in China 1918-1927 (New York: Columbia University Press, 1956), pp. 58-59.

⁷² Conrad Brandt, Benjamin Schwartz, and John Fairbank, *A Documentary History of Chinese Communism* (Cambridge: Harvard University Press, 1952), pp. 61-62.

⁷³ Xenia Rudin and Robert North, *Soviet Russia and the East* (Stanford: Stanford University Press, 1957), p. 332.

⁷⁴ A copy of this booklet is filed in the Library of Congress. It was published in 1924, possibly earlier.

⁷⁵ *Fourth Congress of the Communist International* (London: Communist Party of Great Britain, 1923), p. 170.

⁷⁶ Eudin and North, *loc. cit.*, pp. 236-37.

⁷⁷ *Fourth Congress of the Communist International*, p. 171.

⁷⁸ *Ibid.*

⁷⁹ Comintern congresses were not without their humor. Radek drew laughter from the audience after Bukharin's reference to red intervention by interposing the observation, "You are the honorary chief of a regiment, and that is why you talk like this!" (*Ibid.*).

⁸⁰ *Ibid.*

⁸¹ *Ibid.*, pp. 198-99.

⁸² Lenin, *loc. cit.*, X, 285-86.

⁸³ *Ibid.*, p. 279.

⁸⁴ *Ibid.*, p. 236.

⁸⁵ *Fourth Congress of the Communist International*, p. 255.

⁸⁶ *Ibid.*, p. 252.

⁸⁷ *Ibid.*, p. 253.

⁸⁸ *Ibid.*

⁸⁹ *Resolutions and Theses of the Fourth Congress of the Communist International* (London: Communist Party of Great Britain, n.d.), p. 3.

⁹⁰ *Ibid.*, p. 99.

⁹¹ André Marty, "The Black Sea Revolt," *The Communist International*, II, Nos. 9-10 (May 20, 1934), p. 341.

⁹² *La revue antibolchevique* (July 1, 1926), p. 19.

⁹³ U.S., Congress, House, Special Committee to Investigate Communist Activities in the United States, *Investigation of Communist Propaganda*, Part 5, Vol. 4, 71st Cong., 2d Sess., 1930, p. 326.

⁹⁴ "Instructions on the Building Up of Nuclei and their Practical Work as the Basic Units of Communist Organization," *ibid.*, p. 202.

⁹⁵ *Fifth Congress of the Communist International* (London: Communist Party of Great Britain, n.d.), pp. 229-30.

⁹⁶ L. Alfred, J. Dupont and Kurt Fischer, *L'antimilitarisme révolutionnaire* (Paris: Communist Party of France, 1929), p. 99.

⁹⁷ *Ibid.*

⁹⁸ *Fifth Congress of the Communist International*, p. 294.

⁹⁹ Katayama, a Japanese socialist turned communist, founded the first Japanese communist group in the United States in 1919, and was influential in the establishment of the Communist Party of Japan. One of Japan's leading communists, Katayama was a member of the Presidium of the Comintern for many years before his death in 1933. (*Communist International*, X, No. 23 (December 1, 1933), p. 876).

¹⁰⁰ *Fifth Congress of the Communist International*, p. 198.

¹⁰¹ Possony, *op. cit.*, p. 155.

¹⁰² *Fifth Congress of the Communist International*, p. 21.

¹⁰³ *Ibid.*, p. 105.

¹⁰⁴ *Ibid.*, p. 227.

¹⁰⁵ *Ibid.*, p. 51.

¹⁰⁶ *Ibid.*, p. 39.

¹⁰⁷ *Ibid.*, p. 192.

¹⁰⁸ *Ibid.*, p. 209.

¹⁰⁹ *Ibid.*, p. 275.

¹¹⁰ *Ibid.*, p. 276.

CHAIRMAN MILLS BRINGS GOOD NEWS TO OKLAHOMA

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. EDMONDSON. Mr. Speaker, it is a special privilege and honor for those of us in Oklahoma when one of our colleagues from this distinguished body accepts an invitation to visit our State.

We had such a visitor in Oklahoma last on October 15, the distinguished chairman of the Committee on Ways and Means, the Honorable WILBUR MILLS. Chairman MILLS came into this Nation's newest maritime State to address the 45th annual convention of the Propeller Clubs of the United States, meeting jointly with the 1971 American Merchant Marine Conference in Tulsa.

Chairman MILLS, in an outstanding speech, retraced the long fight to build the McClellan-Kerr Arkansas River navigation system, which has brought commercial water traffic into Oklahoma and Arkansas—and he pointed out that he is the only Member now serving in the House from Oklahoma, Arkansas, or Kansas who was a Member in 1946 when the authorizing legislation passed. The contribution Chairman MILLS has made to the successful completion of that great project is immeasurable.

The chairman brought us some especially welcome news when he underscored his opposition to any waterway user charge, a charge the administrative branch continues to recommend.

Mr. Speaker, I would like to have Chairman MILLS' speech of October 15 appear in the RECORD.

REMARKS OF THE HONORABLE WILBUR D. MILLS

It is a genuine pleasure to be here for this 45th Annual Convention of the Propeller Club and the 1971 American Merchant Marine Conference, which is held in conjunction with it.

It is especially gratifying to me that you have selected Tulsa, with its port of Catoosa, as the host port for this year's convention, since it is at the head of commercial navigation on the great McClellan-Kerr Arkansas River Navigation System and enjoys the distinction of being the nation's farthest inland port. But don't bank on this city's always enjoying that distinction because the present Members of Congress from Oklahoma are exceedingly sanguine about this wonderful waterway. I would not be at all surprised to see it branched to every nook and cranny of this State. Carl Albert, Ed Edmondson and Page Belcher, in whose Congressional districts the navigation channel now courses, I am sure, would be glad to share it with Tom Steed, John Jarman and Happy Camp if they can just get some canals dug westward. Your next convention may very well occur somewhere out in western Oklahoma.

Over the years there have been many dedicated persons—both in and out of Congress—who have worked diligently and devotedly for this magnificent project out of a labor of love and faith in what it can do for the Arkansas River Basin and indeed for the economy and strength of the whole country.

A navigation project of this magnitude is a long time aborning. It was in 1820 that the first steamboat entered the mouth of the

Arkansas River from the Mississippi and plied as far as Arkansas Post, 60 miles up river. In 1822 the steamboat, "Eagle," proceeded as far as Little Rock, and within a few months thereafter Fort Smith was reached by steam driven craft with lighter draft boats going upstream as far as Fort Gibson in the Indian Territory. This initiated an era of considerable steam-powered commerce on the river, which was eventually terminated by a combination of competition from the railroads, the extreme difficulty of controlling the river's capricious behavior and the lack of funds for channel maintenance and snagging operations. For all practical purposes steamboat traffic was all but driven from the river by about 1910.

There were those, however, who continued to see the vast potential of a navigable waterway through one of the richest natural resource areas of the world, the Arkansas River Valley, and they never ceased to work to make that dream a reality. Two of those men, of course, are those for whom the project is named—Senators McClellan and Kerr.

The renaissance or new era of commercial navigation on the river, which has recently been initiated, had its genesis 28 years ago, in the middle of the second World War, when Senator McClellan introduced a bill, S. 1519, to authorize a comprehensive project on the river to include flood control, electrical power generation and navigation. This bill immediately caught the eye and stirred the interest of then President Franklin D. Roosevelt, who on January 14, 1944, wrote to Senator McClellan in the following glowing terms:

"MY DEAR SENATOR MCCLELLAN: I am very much interested in your bill, S. 1519, relating to the construction and operation of water control and utilization projects in the basins of the Arkansas and White Rivers. Enactment of the bill would be an important forward step in effectuation of the policy of multiple purpose development of our great river basins and the prudent conservation of our vast public resources.

"I feel certain that the people whose homes are in the basins of the Arkansas and White Rivers and the soldiers who will want to return to the area and to work and make homes there would be deeply grateful if the Congress were to pass S. 1519. The benefits that they would derive from a well coordinated program for the prevention and control of floods, the improvement of navigation, the disposition of low-cost electric power and the irrigation of fertile lands would be of incalculable value . . ."

Immediately after the war the legislation authorizing the project was enacted by Congress and signed into law by President Harry S. Truman on July 24, 1946. That this was quite a while ago is rather forcefully brought home to me. I find that today I am the sole remaining member still serving in the House of Representatives who was serving in the House back at that time from the tri-state area of Arkansas, Oklahoma and Kansas.

You know the story of the ups and downs in the ensuing twenty-five years when it took the concerted efforts of all of us to keep this project on schedule through difficult periods of no-starts and then happier years when we were successful in accelerating appropriations for the programs, finally to arrive at its completion and formal dedication earlier this year.

Let me commend and gratefully acknowledge the support of the Propeller Club and the Merchant Marine Conference for this project, in particular, and the valuable support you consistently provide for river and harbor improvements generally. It is recognition on your part of the importance of inland waterway traffic in the overall picture of the nation's waterborne interstate and

foreign commerce. It is a very significant fact that more goods are transported on a tonnage basis on our inland waterways than by any other category of United States waterborne commerce, including foreign traffic, coastwise traffic or Great Lakes traffic. This extensive system of inland water routes covers over 25,000 miles of commercially navigable channels and carries almost 10 percent of the nation's domestic commerce. It is absolutely essential to our economy and a vital link in our trade with other nations.

In spite of the dismal current picture in our balance of trade with foreign countries, there is welcome indication and tangible evidence that this nation has recognized the necessity of a rebirth, a revival of our once proud maritime tradition and the respected image of the Yankee trader of days gone by. In the legislative area we have the Merchant Marine Act of 1970, which is designed to revitalize our merchant marine and encourage the building of a modern, new merchant fleet. Significant Federal income tax provisions were included in this important legislation. It permits unsubsidized operators in our foreign commerce, in our noncontiguous trades, and in the Great Lakes, to create a construction reserve fund for new ship construction. Subsidized operators in the liner trades had had this privilege since 1936. The Act extends these benefits to unsubsidized operators to encourage the rebuilding of that part of the fleet which is in most need of replacement. Under this tax deferred plan, shipping companies are permitted to make deposits of earnings and other income into a ship construction fund. Such deposits will be tax deferred if new ships are built with the money in the fund.

The Merchant Marine Act of 1970 was processed by the House of Representatives' Committee on Merchant Marine & Fisheries, of which Congressman Ed Garmatz of Maryland is the distinguished chairman. The Committee on Ways and Means did cooperate fully with Chairman Garmatz, however, and provided the technical staff for the development of the tax provisions in the Act.

In line with the philosophy of tax deferral for ship construction in the Merchant Marine Act, the Committee on Ways and Means approved and the House passed just last week a new Federal income tax deferral provision for export related profits of domestic companies. This is the DISC proposal, which provides tax incentives for United States firms to increase their exports. To be a DISC, which stands for a new type of corporation known as a Domestic International Sales Corporation, and to be entitled to the tax deferral privilege, substantially all of the gross receipts and assets of a corporation must be export related. This provision in the new bill passed last week, the Revenue Act of 1971, is similar to that which was approved last year by the House, but not the Senate, in the Trade Act of 1970. However, in the new bill the tax deferral treatment is to be available only on an incremental basis, that is, it is limited to income attributable to a firm's export sales in excess of 75 percent of its average export sales in the base period years 1968 through 1970. The incremental approach concentrates the benefits of the tax deferral treatment on firms which increase their exports and thereby make a greater contribution to resolving our balance of payments problems. The Committee on Ways and Means also added a provision to the intercompany pricing rules in the proposal to encourage DISC's to ship exports aboard United States flag vessels. This last provision was included in the bill at the suggestion of the Chairman of the Committee on Merchant Marine and Fisheries and your good friend, Ed Garmatz.

The greatest boon, however, to the United States shipping industry from a Federal tax viewpoint in the Revenue Act of 1971 is the

restoration of a job development investment credit at a flat rate of 7 percent. This is essentially a restoring of the old investment credit that was in effect from 1962 to 1969. The idea behind the granting of this credit against Federal income tax liability is to encourage United States businesses and industrial firms to invest in more modern and efficient machinery and equipment. The accelerated investment activity in turn should increase jobs and productivity in this country and enable our businessmen to compete more effectively in foreign markets.

On this point, this audience is well aware that not only did we neglect, up until last year, our merchant fleet, but also our balance of payments position has been permitted to deteriorate at an even more rapid pace. In the second quarter of this year, our balance of payments deficit, both on a net liquidity basis and on an official reserve transaction basis ran at an annual rate of about \$23 billion. We no longer have a trade surplus on goods and services. Instead of surpluses ranging from \$7.1 billion in 1965, \$2 billion in 1969 and \$3.6 billion in 1970, we had a deficit of \$22 billion in the second quarter of this year. This culminated in the dollar crisis in August when the President finally abandoned his waiting game plan and announced his New Economic Policy.

The current difficulties in our balance of payments are, of course, a result of a number of complex factors including inflation at home and discriminatory trade practices abroad. They have been building over a long period, and it was past the time when action should have been taken to alleviate or remove them. The Committee on Ways and Means and the House of Representatives have to the President's legislative recommendations. This is shown by the overwhelming approval of the tax reduction bill last week. Indeed, I firmly believe that we have greatly improved the President's tax recommendations by striking a better balance in the bill as between incentives for investment on the one hand and tax cuts for consumers on the other. It is now up to the Senate, and I hope it will follow the example set by the House.

The Revenue Act of 1971 is a necessary and important step in putting our lagging economy back on the path of adequate and stable economic growth. It cannot by any means do the whole job, however, and both the pace and grace of our economic recovery will depend on future actions, not the least of which are those on which the Administration is working right now. I am speaking of the substantive decisions that must be made for the post price-wage freeze era, that is, the Phase II period after November 13th, the progress it is hoped will be made in the current efforts toward formulating new international monetary arrangements, the longevity of the 10-percent import surcharge, and the success of the President and the Congress in cutting Federal expenditures to hold inflation in check.

Before I close let me mention one other area of taxation that is of continuing concern and very considerable interest to those involved in water transportation. That is the perennial executive branch recommendation that a user charge, most often proposed in the past in the form of a gallonage tax on all fuel used in the inland waterways, be levied. I have not thought it advisable for the Committee on Ways and Means to either hold hearings on this subject or to consider it in executive session thus far. Certainly, in view of the Committee's very heavy schedule, there will be no opportunity to consider it in this Congress.

Again let me commend this organization for the consistently fine work you do in promoting safety, efficiency and expansion of economical waterborne commerce and to express my appreciation for this opportunity you have afforded me to share in the delightful fellowship at this luncheon today. Let

us all continue to work together to assure more activity on our waterways, more construction in United States shipyards, more United States exports shipped on more United States ships, and more jobs for United States seamen.

THE MULTINATIONAL CORPORATION IN THE GRAND DESIGN OF INTERNATIONALISM: PERSPECTIVE ON A SHORT HISTORY

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. REID of New York. Mr. Speaker, Mr. Arthur Ross, the U.S. delegate to the Political Committee and the Economic Committee of the North Atlantic Assembly, recently presented a background paper to that group entitled "The Multinational Corporation in the Grand Design of Internationalism: Perspective on a Short History."

Mr. Ross' paper studies the role and potential of multinational corporations on a global level and points out the tremendous influence of such corporations in ecological, social, and humanistic terms. Mr. Ross also makes a number of suggestions about the role of NATO vis-a-vis multinational corporations.

I am inserting Mr. Ross' paper in the RECORD at this point as I believe all Members will find it a thoughtful study of this important force in world affairs:

THE MULTINATIONAL CORPORATION IN THE GRAND DESIGN OF INTERNATIONALISM: PERSPECTIVE ON A SHORT HISTORY

I. INTRODUCTION

1. In this, the seventh decade of the Twentieth Century, the multinational corporation has become, and rather suddenly, a major topic of controversy in politics and economics. One fact that appears beyond controversy is the profound influence that these corporations exercise on world affairs through their producing and distributing patterns. Based on a world GNP of \$3 trillion, their estimated output is almost one-sixth of the total—and one-fourth of the total of the GNP for the Western World alone. Moreover, with a 9% growth rate, which is twice as fast as national economic growth rates, the international companies are obtaining a steadily increasing share of world output and are internationalizing a vast sector of world production. This output, estimated as larger than any national economy other than the United States, represents an emerging sector that in the aggregate is close to reaching a "critical mass", rendering the world's output basically and irreversibly international.

2. Controlled and directed constructively, and with a high sense of humanism, these international corporations can bring about stability, prosperity and order out of confusion. But if callous to consumerism, without social objectives and restraints established by governments, and dominated exclusively by the profit motive, these same entities will fall in their ultimate objective of improving the lot of mankind and will further reduce spirituality in the world. The corporation, as such, is simply an invention of man to combine the skills of people into an instrument of production. As such, they are potentially unparalleled forces for the good in a world stumbling in poverty. They provide the means for unifying and reconciling the aspirations of the masses—a task

which statesmen and politicians have utterly failed to achieve.

3. Assuring that this potential is realized is a major political and economic challenge of our time. Social decisions must be brought into play to consciously meet human needs. The profit motive alone is not enough to assure good and safe products at fair prices, conformance to local regulations and cultural traditions, and the broadest possible use of local personnel. It is a world problem, more soluble by international means. It is, particularly, a challenge to the NATO countries, as Western Europe and the United States account for most of the new patterns of internationalized production.

II. THE SIZE AND SCOPE OF THE INTERNATIONAL INVESTMENT

4. In this paper "international" and "multinational" are used interchangeably in describing companies that produce and sell in more than one country. Although we are in an early stage of international accounting, there is enough data available to form the basis to picture the dramatic, even revolutionary, growth of international investment, production and distribution.

5. The most reliable and the most extensive estimates are those for American investment. Investment estimates for certain other key countries (e.g. United Kingdom, Germany, Canada, Switzerland, Japan) are improving and have reached the point where the general picture of international investment can be sketched out considerably beyond the very substantial portion (about one-half) accounted for by the U.S. figures. In summary:¹

[In billions of dollars]

	1950	1960	1969
1. U.S. investment abroad:			
Direct investment (mainly in U.S. subsidiaries).....	12	32	71
Portfolio.....	6	13	25
Short term private.....	1	5	14
Total private.....	19	50	110
U.S. Government:			
Short term (including monetary)....	2	4	8
Long term.....	11	14	28
Total Government.....	13	18	36
Total, private and Government.....	32	68	146
2. Other countries' investments in United States:			
Direct.....	3	7	12
Portfolio.....	5	12	29
Private short term.....	7	12	32
Foreign government: Short term.....	3	11	18
Total, foreign private and Government.....	18	42	91

6. A number of features of this basic investment structure are arresting:

(1) Its rapid growth—9% a year, or twice as fast as general economic growth.

(2) For the United States, the strong central position of direct investment. This is the familiar international or multinational company with its branches and subsidiaries in various countries.

(3) The lesser scale but strong growth of other countries' investment in the U.S. market. Here the pattern is the reverse of U.S. investment in terms of maturities and risk. More than half is in short-term assets, which reflects (1) the scale of foreign banking in America; (2) the growth of the Euro-dollar market as the centerpiece of international financing; (3) the structurally related U.S. balance-of-payments deficits which leave surplus dollars in foreign hands; and (4) the traditional strong liquidity preference of foreign investors.

¹ Source: U.S. Department of Commerce, *Survey of Current Business*, various issues.

III. THE PRODUCTION PROFILE

7. A great deal is now known about the volume of output associated with these investments—nothing resembling the detail and firmness of national accounts, but enough to make plausible estimates of order of magnitude. The annual sales of foreign subsidiaries of U.S. international companies can thus be estimated at double the direct investment figures, or sales of \$142 billion in 1969, the latest year available. By way of comparison, the GNP of Germany was then \$151 billion, France \$130 billion, United Kingdom \$109 billion, and Italy \$82 billion.

8. Output associated with other than direct form of investment involves a presumably lower factor than the 2:1 appropriate for direct investment. Although the basis for estimating is concededly not firm, a 1:1 ratio seems plausible. For example, if banks perform their basic function of intermediating short-term deposits into productive investment, an equal amount of output seems a relatively conservative inference for a year's employment of funds. Assuming the same impact for portfolio and all other non-direct categories of investment combined, the result is a further estimate of \$75 billion to be added to the above \$142 billion in 1969. The sales of international companies in their home markets are not included here. It is noteworthy that this figure for the sales value of American companies' output abroad is almost five times larger than traditional U.S. exports. Thus, for every dollar of goods and services furnished foreign markets through exports, there are five dollars furnished through operations abroad.

9. Similar analysis of information on foreigners' investment activities in the United States and elsewhere abroad leads to a broad estimate of a comparable amount of output—probably about \$230 billion or slightly higher than the American figure of \$217 billion. The total: \$450 billion.

IV. HOW IMPORTANT IS \$450 BILLION?

10. Output of \$450 billion is a sixth of estimated gross world production, \$3,000 billion. It is half again larger than the entire volume of world exports. This \$450 billion is almost entirely the output of NATO-area companies. It exceeds the estimated \$350 billion output of all the less-developed countries combined. It exceeds the national output of all countries except the United States, which is one trillion dollars.

11. Thus, \$450 billion in product seems to represent a "critical mass" characteristic of an international production explosion. Note from the attached that at a growth rate of 8%, a rate conservatively below the 1950-1969 experience, this production would double by 1979, at which time it becomes about a fifth rather than a sixth of world output and within 50 years, fully half. Thus, we are in fact committed to a system, not only of international trade but also of international production. That the direction is likely to be reversed, seems unlikely.

V. HOW DID THE NEW INTERNATIONAL SYSTEM COME ABOUT?

12. Many factors contributed to the accelerated pace of international investment after World War II. First, was the general economic situation typical of the European NATO countries at that time—destroyed and disrupted productive facilities, accompanied inevitably by gravely impaired foreign-exchange resources. (For quite different reasons, the condition roughly paralleled the familiar low-productivity position of less-developed countries.) Foreign-exchange reserves and earnings were strictly budgeted under policies aimed at keeping consumer imports no higher than was dictated by essential consumer shortages, and to keep availabilities for producers' goods as high as possible.

13. Foreign investment was everywhere welcome to augment desperately needed local resources. The barriers against non-essential imports confronted foreign suppliers with a situation in which traditional markets could be maintained only out of local production. Moreover, in most countries, foreign companies' earnings were blocked. Local investment became the best available use for the funds. In keeping with this encouragement of local production, most countries moved rapidly toward a policy of liberalizing the remittance of earnings from foreign investment in order to attract more capital.

14. Another basic factor contributing to the accelerating pace of international investment was the elevation of European demand to a point where the large-scale producing methods of the American market became suitable. The buoyancy of demand made profit prospects continually more favorable. Economic development invited the application of advanced industrial technology. The European productive surge by the mid-1950's created conditions favorable to the unification of Western European markets into the Common Market. Subsequent tariff reductions contributed to the surge of production. Active American investment accelerated from the late 1950's on, especially in European manufacturing. Investment in the United Kingdom gave access to the European Free Trade Association, with its sophisticated population of 100 million consumers.

15. Above all, the rapid and dramatic improvement in world communications removed the old borderlines that divided markets. These advances continue. International telephone circuits and the communications satellites assure virtually instant sound and visual contact throughout the world. This is what community means—an area in which communication takes place. With modern facilities this is now a permanent and dramatic fact of a new world community.

VII. CRITICISM OF MULTINATIONAL CORPORATIONS

16. Hostile criticism of international companies is extensive, and often deserved. Raised to the level of international affairs, the potential of companies to behave selfishly and without regard to human social objectives is unlimited. There are certainly serious problems in the discrepancy between the global range of corporate operations and the monitoring range of any corresponding political authority. Absent from the scene are world regulatory agencies, registration and taxing authorities, fair practice and labor standards, tribunals to deal with conflicts of law, and agencies to force conformance to predetermined social obligations.

17. The following criticisms are representative:

(1) Subsidiaries to a large extent carry out the policies of their parent, which in turn are influenced by the home government, and this is frequently at odds with locally desired goals and national policies in the host countries. Particularly in the financial sphere, international banking can frustrate the host country's financial policies as they affect such matters as interest rates, prices, costs, the business cycle, and economic development.

(2) In the name of maximizing profits, companies impose economic straightjackets on the development potential of poorer countries, exploiting local resources for the benefit of outsiders.

(3) Given the scale of their operations and all too little regulation, they have become, inadvertently, major polluters of the planetary environment on a large scale.

(4) The mere size of international companies makes effective new competition more difficult. By growth and mergers, various critical sectors of world production and fi-

nance are gradually drifting into the hands of relatively few companies.

All this may be summarized by stating that political motivation leading toward social controls has not kept pace with our economic instruments.

VII. THREE GAPS IN THE SECTOR OF MULTINATIONAL CORPORATE ACTIVITIES

18. One of these areas is ecology, which will be dealt with later. The other two have to do with (1) the undeveloped countries and (2) with the Eastern Bloc countries including Russia and China. Working with the broad information available on national output (GNP), we arrive at a world output of broadly \$3,000 billion as follows:²

	Billion
United States.....	\$1,000
Other Developed Countries of the West.....	1,000
Eastern Bloc including Russia.....	535
China.....	115
Less-developed Countries.....	350

1. With less-developed countries

19. The above table reflects the interproducing network concentrated in the NATO group. The challenge is to encompass the other areas. But the industrial ties between the developed countries and the less-developed countries are sketchy, highly specialized, and at the moment are waning in certain areas such as Latin America, most of Africa, Southeast Asia, and the Indian subcontinent. The international system has not contributed to bringing about the integration of the less-developed countries into the western-style economic fabric of high productivity per capita which is essential.

20. The less-developed countries note the specialized character of help available from abroad and decry it for bringing about such maladies as raw material depletion for the benefit of the more developed world and a freezing of general economic growth into a mould of relative poverty. With rare and special exceptions—for example Israel and Taiwan, and another group of countries such as Saudi Arabia, Kuwait and Libya for obviously special reasons—less-developed countries do not move on and into the world of decent per capita income. Almost without exception the less-developed countries believe that the private companies and the free enterprise system of the industrialized world are incapable of changing their situation. They believe rightly or wrongly that the limitations established by history, climate and geography present no insuperable obstacle. The program of the multinational, of concentrating on raw material production and not progressing onward to intermediate and final manufacturing processes in the developing areas is the result of a fear of establishing capital-intensive activities in areas of political instability and in countries having different economic and social fabrics. The reluctance is understandable, but the gap created brings about an untenable disparity in standards.

21. Stronger undertakings between the host countries and the multinational corporations which would protect their separate concerns and thus release the mainsprings of progress seem to await the establishment of an international body by the respective governments which will promulgate criteria and have enforcement powers.

2. With the East/West bloc

22. Gap number 2 between the economies of the West and Eastern Bloc countries and

² Derived from United Nations data, *Yearbook of National Accounts Statistics*.

³ Derived from various sources, particularly material submitted to the Subcommittee on Foreign Economic Policy of the Joint Economic Committee.

China is primarily political in nature. There are minor difficulties such as finding common denominators of trade, production and finance between the government-planned production of the East and the private-market system of the West, but these could be readily overcome. Dramatic progress could be made once the arbitrary barriers of political differences are torn down.⁴

23. It may be possible to conceive of an increasingly integrated Western World of highly developed economies alongside two other separate worlds, one primarily communist-oriented politically and economically, and one of underdevelopment. But more and more the example of the western economies as a highly interdependent system of production both illustrates and suggests a world society whose efficiency depends on the best allocation of resources on a world-wide basis. The integration between the Eastern Bloc and the West, in fact, has already been accomplished by innovative contracts such as the pipelines that increasingly knit together Russia and Western Europe. Economics is the interplay of competing opportunities for the use of resources, and these opportunities are no less real as they occur in western, eastern, or third world areas. Political decisions may complicate but rarely cancel the force of good economics. The relative weight of politics and economics seems slowly but surely to be shifting in favor of the latter.⁵

3. Lack of ecology controls

24. A third failure of the emerging international system is to assure the integrity of the planet's resources. Matter is not created or destroyed. But the acts of transformation, produce residuals that are passed off into the air and water streams of the planet, or are left to litter the environment. This is an old observation and applies to man's "transforming" operations from the beginning of time. What is new to the Twentieth Century, is the realization that our level of transformation is now yielding such a high volume of effluents that the air and water streams are no longer certainly adequate to carry them off and distribute them innocuously.

25. Beyond this, very perplexing questions have arisen as to whether world resources are capable of being extended by present western-type technology to the less-developed countries. The basic materials of the planet are finite. Known reserves would not permit to extension of per capita consumption at, say, the U.S. level to an indefinitely growing world population.

26. These are but illustrative comments. A proper husbanding of planetary resources, the revolutionizing of production technology to provide the minimal requirements of recycling, the reduction of pollution to levels consistent with the vital processes of the planet—those necessary efforts all fall outside of the accounting systems of companies—and, so far, of nations, too. Those environmental considerations will require more and more activity at every level of social organization. The basic problem is worldwide. It will call for world analysis, and become a charge on world resources. The international companies must play a leading role in identifying the specific problems, suggesting the most practical solutions, and providing business leadership in making agreed programs effective.

27. Surely the protection of resources and people who are increasingly menaced by careless resource processing is an urgent defense problem to which the NATO group is well situated to address effective analysis and de-

sign fruitful suggestions. Finally, because of the competitive nature of the free enterprise system, governments, or better yet, the United Nations must establish guidelines to which all must adhere.

VIII. A CONSTRUCTIVE STEP FOR NATO

28. The NATO countries constitute the very core of world international production and constitute almost the entirety of the international money and capital markets. In all these matters under discussion, NATO has a concern and a potential for action. I suggest that the North Atlantic Assembly institute an orderly examination of the problems of international investment and production with these objectives:

(1) To examine and to make suggestions to reduce the barriers to production and trade between East and West.

(2) To determine the feasibility and desirability of establishing a code of rules along with a judicial tribunal in concert with all the governments concerned covering the rights and obligations of host countries and the multinational corporations that wish to operate in those areas.

(3) To evaluate and make appropriate recommendations in regard to ecological factors in the production cycle and other areas of concern.

(4) To study the investment of NATO countries in the underdeveloped world. All countries should be encouraged to develop more and comparable accounting information on capital movements and foreign investment. A program should be established to determine the timeliness and scope of a NATO investment advisory commission to keep this work current and to suggest needed work by other international bodies.

29. The multinational corporation now operates at the global level, made possible by our industrial, commercial, and communications technology. It has created an international force of great dynamism and efficiency and is in a position, when its objectives include ecological, social and humanistic goals, to play a central role in a vast and creative effort to benefit mankind.

MAKING SUMMER CAMPS SAFE

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, the Washington Post recently endorsed the Daniels-Peyser Youth Camp Safety Act and called it an "effective approach" in providing nationwide safety standards. The Post editorial further focuses attention on an issue that has long gone unrecognized. It is not commonly known that only one State out of 50 has established a comprehensive law regulating summer camps for children. Each summer, children are sent to camps by parents totally unaware that the camp to which they entrust their child may not even have an infirmary on the premises.

The endorsement of the Washington Post has been added to a long list of supporters which includes the American Camping Association, the Boy Scouts of America, the Boys Clubs of America, the YMCA, and the Salvation Army. As the Post points out, the need for safety legislation is long overdue. Therefore, I would encourage my colleagues to put an end to

years of neglect and pass the Youth Camp Safety Act.

The article is as follows:

MAKING SUMMER CAMPS SAFE

Most of the nation's estimated eight million youth campers have now returned from happy weeks or months enjoying Nature and the outdoors. Many of the children were at safe, well-run camps where supervision is firm and accident prevention is taken seriously. This is not true for all the children, however, many attended camps where counselors had little or no knowledge of dangerous waters or woods, where safety equipment was not provided, where safety and health inspections were rare or non-existent. The statistical breakdown between safe and unsafe camps is not known. A possible guide is that out of 11,000 camps in the country only about 3,500 are accredited by the American Camping Association. According to Dr. John Kirk, president of the ACA, testifying in the last session of Congress, only "26 states have adequate legislation in the areas of sanitation. About 15 have safety regulations that would be meaningful. About three or four make reference to personnel." Against this background, the House is soon to consider an amendment to the higher education act offered by Representatives Daniels and Peyser.

The amendment, which is essentially the Youth Camp Safety bill, has been endorsed by such groups as the American Camping Association, the YMCA, the Boy Scouts of America, the Salvation Army. A main feature is that HEW sets minimum federal standards for safety in the camps. These standards can then be administered by the states; the latter will receive 80 per cent funding from the government to administer these safety measures. The Daniels-Peyser amendment is an effective approach because it provides incentives to let the states administer their own programs while ensuring that nationwide standards will be met. Thus, a camp in one state will have the same minimum safety standards as a camp a mile across a state line or a camp 2,000 miles across the country. Congress has been debating for years now on how to protect millions of children from poorly run camps, so the endorsement of the camping grounds for this amendment can hardly be ignored. ACA President Kirk is on record as saying that the Youth Camp Safety bill "is one of the most outstanding pieces of proposed legislation that I have ever seen."

The need for federal minimum standards is great. Over the years, the list of camp deaths and injuries has grown long, from river drownings because children were not given life jackets to highway crashes of children riding on dangerous flatbed trailer trucks. Safety-minded officials say that large numbers of these tragedies could easily have been avoided.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 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?

⁴ See this author's paper presented to the North Atlantic Assembly, The Hague, October, 1970; *East and West: The Ties that Bind*.

⁵ Courtney Brown, *World Business: Promise and Problems*; Macmillan, 1970.

NO BUSES, NO BOYCOTT

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. BROOMFIELD. Mr. Speaker, I wish to include in the RECORD an excellent editorial which recently appeared in the Daily Tribune located in Royal Oak, Mich., in the 18th District.

The article was authored by Mr. Grant Howell, editor of the Tribune, and it concerns the busing of schoolchildren which is presently so controversial in the metropolitan Detroit area.

At a time, Mr. Speaker, when many have been tempted to resort to emotions, to take hasty actions which the test of time will prove unwise, he has reminded us that caution and reason are above all else imperative. I must agree with the author that while busing is not an answer to the problem at hand, we cannot despair in our search to find alternate means to resolve the problem. Our children, our schools and indeed the harmony of our society require no less.

The article follows:

[From the Daily Tribune (Mich.), Oct. 18, 1971]

OUR OPINION: NO BUSES, NO BOYCOTT

Schools exist because we hope that wisdom applied to knowledge will help us resolve the problems that man confronts and contrives. That hope is one of our most magnificent ideals, and America's long belief in public education and use of its resources for it has truly been called one of the most revolutionary movements in all history.

In truth, in a democracy there is no other way for the citizenry to meet its responsibilities. Without education—in part the background of what has gone before—and information—knowledge of what goes exists today—the process of voting itself is but a charade. Only knowledge makes man free.

Students strike, teachers strike and now it is urged that parents strike, in form of an anti-busing boycott. Indeed such boycotts already have occurred. These are acts of emotion, rather than reason. Parents, especially, should think deeply about whether such acts do not also deny the purpose of education.

School systems, who shall operate them, control them, for what ends are now political issues. The issue of busing itself underscores with irony a lesson of history that things are not always what they seem to be. Many thoughtful persons, honestly concerned with freedom and dignity, for all men have reached by a different path a conclusion already formed in totalitarian societies: whoever controls the educational system controls the people and the destiny of the state.

When friend and foe adopt the same tactic, no matter their purpose, we risk losing all. Political issues involving schools may, and should be, debated in public forum, be matters of political campaign for legislative and administrative bodies, may be refined in the courts. In such way, consensus may ensue. Although all that may be said, or done in the process may not be reasonable, such is the way of reason as best we know it. To subject the schools, and the children to pure propaganda and use of force is not the way of reason. Nor will any consensus be reached. Nor will we have a harmonious society.

Many of us are angry over busing. We are concerned about cruelty to our own children. Can we also find it within ourselves, then, to be concerned about cruelty to all children, especially black.

We don't consider busing an "answer" to the patterns of racial segregation that have developed. We must ask ourselves, however, what other "answers"—both personal and social—are possible. Even if workable conclusions escape us, should we, almost thoughtlessly, deprive ourselves of hope that a reasonable people may evolve a better society. For what other reason do we seek to educate, to write a constitution for society and try to live by it if not that?

GRASS AND HUMAN RECREATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. REID of New York. Mr. Speaker, as we return from what is the last 3-day weekend of the summer-fall season, I wanted to call to the attention of my colleagues a speech delivered recently by Dr. Diana Dunn, Director of Research for the National Recreation and Park Association.

The title of the speech is "Grass and Human Recreation" and it was delivered at a seminar entitled "Grass—The Planet's Plant." I think both of these names are significant because they remind us of the environmental conflict between those who want to preserve our environment in its natural state for all to enjoy and those who want to modify it for recreation. Dr. Dunn's perceptive and witty speech concludes that the recreationists may be winning out, and that grass as an adjunct and tool of recreation may be a dying concept.

I insert her speech in the RECORD at this point:

GRASS AND HUMAN RECREATION

(By Dr. Diana R. Dunn)

Many months ago I accepted the invitation to be with you this morning, and the theme of my remarks has been tucked in the back of my mind on my many subsequent travels. I've thought of grass and human recreation as I passed the meadows at the foot of Mont Blanc, hiked the cobblestones of Prague, admired the vast lawns of Regency Park in London, drove across Death Valley, backpacked through the high meadows of our High Sierras, walked through the grass crowned dunes at Island Beach State Park in New Jersey, viewed William H. Whyte's penetrating movies of New Yorkers using the highly designed Friedberg and Dattner playgrounds, picked my way judiciously across a glass-studded blacktopped playground in New Orleans, and as I sat in my office overlooking the front lawn of the White House wondering what to say to you this morning.

The result of that deliberation, which I will review with you in the next few minutes, is essentially a kaleidoscopic series of reflections. I share them in hopes that they will encourage you to muse a bit about grass, recreation, and your world.

People have long taken the planet's plant for granted. Those of us concerned with recreation and parks can no longer afford to ignore the confrontation between recreation and preservation. That basic struggle, in its simplest terms, is between grass and games.

It's appropriate that we meet here prior to a three-day holiday weekend. A pessimist might observe that leisuring Americans will trample many acres of grass this weekend. Not only are the increasing demands caused by rising numbers of us affecting the qual-

ity of our recreation resources, but new work and social patterns are having an impact. Leisure, whether through earlier retirement, longer vacations, extended weekends, four-day work weeks, more generous sabbaticals, or other successful invasions of the time-honored contemporary American work week, will create greater recreation demands on the environment—and upon grass.

There is possibly nowhere in the nation more appropriate to discuss grass and human recreation than here in Central Park—at Tavern On The Green.

In 1857, less than a year after the Commission of the Central Park was established, the Engineer-in-Chief prepared a botanical census of the park as his first annual report. This section was to ascertain:

The nature of the existing vegetation, to learn how far it could be made available in the projected improvements, as well as to know its character, as an indication of what peculiar class of plants would prove most flourishing if transplanted to this ground, as also to discover what alterations the soil would require in order to admit of an increased variety. . . . it is necessary that the existing trees and plants should be described so as to be identified, and their importance properly estimated.

The survey identified about 150,000 individual plant specimens. Of the 70 different species found, 42 were described in detail in the first annual Central Park report. These ranged from vines (including bitter-sweet and ivy) to shrubs and bushes (honeysuckle, pepper-bush, witch hazel, and choke cherry) to small trees (dogwood and aspen), middle sized trees (catalpa, honey locust and sassafras) to large trees (maple, chestnut, beech, walnut, tulip, sycamore, oak and cottonwood).

There was no mention of grass, even though the botanical census concluded with the observation that: "The remainder of the plants that have been found are either injurious or so few in number as to render any reference to them in this connection unimportant." I submit that grass has always been such an integral part of Central Park that it was taken for granted; that to itemize it would have been considered unnecessary, even absurd.

To test this assumption further, I recently reviewed several contemporary picture books showing a panoply of scenes from Central Park, including the beautiful *Central Park Country: A Tune Within Us*. An average of 87% of all pictures included grass. Only photographs of fountains, or children in trees silhouetted against the sky, or sailing balloons omitted grass from the entire field. Such a pictorial journey leads one to conclude that grass is such an implicit part of Central Park as to be the major unifying thread.

Grass did appear in early records describing the utilization of the park by New Yorkers. An 1863 report talked of the popular Saturday band concerts:

Few landscapes present more attractive features than that of the Park on a music day. Thousands of brilliant equipages throng the drives. The waters of the Lake are studded with gaily-colored pleasure boats, appearing now and then in striking contrast with the green foliage that fringes its bank; the water-fowl float proudly over its surface; children play on the lawns . . . the whole appears like some enchanted scene.

I would be remiss if I did not mention that any historical treasures you may discover in my remarks were gleaned from books in the recently published *NRPA Recreation and Park Perspective Collection*. The *Collection* is a profile library of thirty classic books on leisure and recreation that have been out of print and unobtainable for many years. Among them is the *First Annual Report on the Improvement of Central Park*, published in 1857 by the Commissioners of the Central

Park. This book is a valuable reference in tracing the "open space in cities" concept, as well as the controversy which still attends the acquisition of new park lands, or the encroachment of existing acreage, particularly in urbanized areas.

The National Recreation and Park Association is a citizen and professional research, educational, and service organization dedicated to expanding recreation and park resources, programs, and professional services to enhance the leisure of all Americans. It is the nation's largest nonprofit organization in the park and recreation field, and its more 15,000 members belong to eight branches: American Association of Zoological Parks and Aquariums, American Park and Recreation Society, Armed Forces Recreation Society, Commissioners-Board Members, National Conference on State Parks, National Student Recreation and Park Society, National Therapeutic Recreation Society, and Society of Park and Recreation Educators.

Indeed, the Association is comprised of such a variety of professionals that their composite attitude toward grass might be described as schizoid. Historically, and perhaps realistically, some of our members have spent entire careers practicing the "Keep Off the Grass" philosophy. Grass has been quite symbolic to those with paternalistic concern for preservation, conservation and like defensive or protective attitudes toward leisure and recreation environments. These professionals have some doubt about the quotation on the back of your program: "Forests decay, harvests perish, flowers vanish, but grass is immortal." They believe, to the contrary, one of the ecological lessons we carry with us into the 1970s is that grass, like all plants of our planet, is frighteningly fragile.

On the other hand, NRPA has a whole cadre of members dedicated to encouraging the use of the natural environment for play and recreation. This enthusiasm has extended from the stimulation of children to run barefoot through park grasses, to advocacy for the use of motorized recreation vehicles on national forests and deserts. In some respects, Americans at play may be characterized as indigenous aggressors, or natural enemies of the recreation environment, whether it be water, air, or turf, i.e., grass.

John James Ingalls might be dismayed at a recent *New Yorker* cartoon depicting the entrance sign to "Perma Park," which advertises "fiberglass flowers, polystyrene turf, plastic grass, recycled water, styrofoam rocks, asbestos trees and shrubs—a carefree oasis in an anxious world." He might cringe at the knowledge that one of my colleagues is busily preparing remarks for the annual meeting of the Wood & Synthetic Flooring Institute, to be held in Chicago later this month. The installation and marketing of artificial exterior and interior recreational surfaces is a key agenda item.

Surrogate grass has vaulted from pool table tops and miniature golf course surfaces to tennis courts, lawn bowling "greens," and stadium "turfs." Plastic grass is a viable alternative to the recreation and park planner and landscape architect in 1971.

John Madison, in a recent article in our Association's magazine, *Parks and Recreation*, noted that "Turfgrass is a very special ornamental crop." In discussing turf management interactions—high-sounding verbiage for utilization versus preservation—he suggests grass should be managed at the lowest level consistent with its use. Why mow a picnic area weekly, at 1", he asks, if an occasional mowing at 3" will suffice?

But we can realistically ask: at what point is it no longer feasible to consider grass for cover? Bare picnic areas, playgrounds, beach dunes, deserts, and hillsides across the country testify that there comes a time when grass has lost the battle. Thousands of black-

topped American urban and suburban school yards and playgrounds similarly reveal the inadequacy of Nature's original cover. Additional evidence is provided by macadam trails which penetrate from parking areas well into national parks and forests at too many popular trail heads.

Here in New York City one cannot inspect closely the Dattner or Friedberg "designed play spaces" without noting that cobblestones and bark shavings are among many alternatives to grass. Such substitutes are mute documentation of modern man's acquiescence to the thesis that artificially increased carrying capacities are justifiable, given today's demands for recreation space.

From a different perspective, however, perhaps the idea that grass substitutes are "cop-outs" ought to be pondered. Blacktop, synthetic fibers, cement, sand, bark, and a host of other replacements for grass may simply reflect man's inability to cope with the intensifying demands of a growing user population. Site planning errors and gross mismanagement can be disguised rather than corrected. Also, it has often been observed that parks and other recreation areas are all too frequently designed for maintenance rather than for use, be it either aesthetic or active utilization which was intended.

I'd like to focus for a minute on the history of the utilization versus preservation argument. Man, the steward of the land, has always had a very difficult task, whether protecting royalty's forests from poachers, or the local, state, or national park from freeways. Perhaps nowhere is the conflict inherent in the task better exemplified than in the charges assigned the U.S. Secretary of the Interior—developer and steward.

Congress has often exacerbated the controversy between those who opt for preservation, and those who insist upon recreation—or a host of other land uses. When Yellowstone Park was created in 1872, Congress directed the Secretary of the Interior to make and publish rules and regulations to "provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition." Yet the park was "dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people."

In 1916, Congress complicated the issue when it passed an act to establish the National Park Service:

The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purposes of the said parks . . . which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Moving to more recent Federal action; it is interesting to note that in the *Information Matrix for Environmental Impact Assessment*, published this year by the U.S. Department of the Interior's Geological Survey, both grass and recreation are listed on the axis relating to existing characteristics and conditions of the environment against which the magnitude and importance of proposed actions which may cause environmental impact are examined.

In an example, assessing possible impact of a phosphate mining lease, the disturbance of native "shrubs" and "grasses" is important only on the area which is going to be physically disturbed by the mining. Because vegetation change would occur only on parts of the lease acreage over the life of the project and revegetation is part of the scheduled project, the magnitude and importance are both rated low. Within the timeframe of

ecological change, it appears that grass is considered rapidly renewable.

Again on the contemporary scene, I'd like to discuss one of many new recreational challenges to grass, the planet's plant. You have undoubtedly heard them cheered and cursed in their various forms: motorcycles, snowmobiles, jeeps, trail bikes, all terrain vehicles, tote goats, airplanes, dune, beach, and swamp buggies. Generally I've called them motorized recreation vehicles; some term them off-the-road vehicles. Whatever your personal labeling preference, turf and grass are among their prey, along with alligators, waterfowl, frogs, deer, moose, wolves, eagles, polar bears, trees, shrubs, streams, air, and, yes, people.

At a research symposium held in June at Michigan State University, researchers presented findings regarding the environmental impact of motorized recreation vehicles on deserts, vegetation, temperatures and soil microbes, small mammals, and humans. Whether reporting on vehicular impact on trees, shrubs, forage grasses, meadows, desert cover, or other vegetation, the researchers all reported negative effects by snowmobiles and other motorized recreation vehicles.

As most investigators were reporting preliminary results of longitudinal studies undertaken only within the past year or so, they hedged considerably about quantifying the exact amount of negative impact. The Association is hoping, however, to give more current information in a special issue of our *Journal of Leisure Research* to be devoted to these issues in early 1972.

Moving from a somewhat rural phenomena to the metropolitan areas where over 70% of Americans live, one can see that grass and recreation have long been related. Conrad Wirth, former director of the National Park Service, discussed his youth, particularly as influenced by his landscape gardener father, in a 1963 article in *National Geographic*. A vignette from Minneapolis illustrates an interesting progression:

Loring Park, the big downtown central park, my father found forlorn and neglected. He put a fence around it, he ploughed every bit of it, he planted grass. When the grass was strong, he pulled the fence down and passed the word: "Do walk on the grass."

After the people had trampled trails, showing where it was they liked most to go, Dad paved the trails. "Let the people make their own paths," he said. "A park that is not for people is not a park."

In a more contemporary dilemma, the development of new ways to meet the open space and recreation requirements of low-income persons and families residing in high-density central-city areas is of major concern to those responsible for making decisions affecting urban land use and recreation service provision.

An indepth analysis of open space and recreation requirements in selected core area census tracts in 25 of the nation's largest cities was begun in 1970 by our Association under contract to the U.S. Department of Housing and Urban Development.

Our field research leaders found that almost 90% of the recreation and open space units involved vacant lots, and of course, parks, playgrounds, and play lots. We tried a simple scale to determine whether the units—some 2,400 of them—were attributes, detriments, or about par, with respect to the neighborhoods in which they were found. Somewhat under 20% were declared detriments, with a fundamental concern being with the level of maintenance—a reflection of that monstrous overhead cost facing local governments.

I regret to add that some units were designated par in areas where sewers don't exist and streets aren't paved—despite the stench of the urine, the depth of the glass, and the fact that no functional apparatus remained.

I don't want to think too often about how hot and repulsive a blacktop playground can

be in New Orleans, or Boston, or Oakland or New York, when the temperature rises well above 90 degrees, and the humidity goes even higher.

Before leaving the ghettos, I'd like to relate a rather poignant little story, told to me by a recreation professional in one of our large northeastern metropolises. It seems that the planners had been hard at work, and were revealing alternative designs for a minipark to be located in a highrise housing project to a resident review committee. Most questions were settled peaceably, but a hot argument ensued over the question of more saplings and grass versus more playground apparatus and blacktop. Proponents of both options generated considerable heat in favor of their preference. The issue was finally and deftly decided by the rationale offered by an elderly gentleman: "We need trees in the housing project minipark so when people throw trash and bottles out of the windows, they will strike the trees first instead of the children; we need grass," he continued, "so some of the bottles may bounce."

The cover of the August issue of the magazine *The Futurist*, published by the World Future Society, asks "Are We Living in a Golden Age?" A graph presents computer simulations of world trends that suggest mankind is moving into a mounting crisis as the world's rapidly growing population and industrialization exhaust natural resources and pollute the environment. Elegant and sophisticated earth satellite programs are already in the works to assess many planet problems by viewing its foliage. Urban sprawl, Dutch Elm disease and air pollution effects are among the maladies presently being identified and charted from aloft.

More down to Earth scrutiny may reveal that the quantity and quality of grass may be inexorably linked to the quality of our leisure environment, whether we are examining the plants on our balconies, the turf at our picnic site, or the great meadow at Yosemite. At the risk of being as oversimplistic as the skeptic who scratched a proposed quarter million dollar study of New York prostitution on the premise that any cab driver could tell you all you need to know for \$25, let me suggest that grass is a pretty good indicator of the quality of our recreation environment.

Future historians may some day look back upon the period identified by the computers as the Golden Age of the Quality of Life—the years from 1940 to 1980—as the end of the Grass Age of Recreation. Grass may join the "old swimmin' hole" in the nostalgic reminiscences of the geriatric set—which may be us.

Absurd, I hear you say? I submit that far more outlandish things have occurred within our memories. After all, when one thinks about it, most urban and suburban recreational grass today is as artificial and pampered as a swimming pool. We have a whole sub-profession, and there is an entire multifaceted industry presently dedicated to maintaining manicured golf courses, parks, bowling greens, and the like.

A recent experience compels me to admit that we are not yet at the nostalgic stage regarding grass. In August, as I visited a typical blacktop and cement encrusted playground in a central city ghetto, my arrival was simultaneous with that of the "farm mobile." Pigs, goats, rabbits, chickens, sheep and ducks were timidly touched, then gleefully clutched, and finally fed. All of this took place on the artificial grass "carpets" I'd previously encountered only at cemeteries. But before I become any more funereal, I want to thank the Jacobsen Manufacturing Company and the American Society of Landscape Architects Foundation for giving me pause to reflect about the planet's plant.

Finally, I want to go out to see how the grass is growing here in Central Park, and possibly estimate the stage of leisure quality presently being enjoyed by New Yorkers.

Perhaps you'll join me? After all, we may be among the last people to enjoy the luxury of taking the planet's plant for granted during our leisure.

THE CAUSES OF THE AMERICAN DILEMMA: A JOURNALIST'S OPINION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. RARICK. I insert the following lucid analysis of the causes of the problems confronting modern American society by Eugene C. Pullian, editor, past director of the Associated Press, and recognized scholar in the field of journalism, in the *RECORD* at this point:

[From the Washington Post, Oct. 26, 1971]
WILL THE FEDERAL BUREAUCRACY DESTROY INDIVIDUAL FREEDOM IN AMERICA

The most serious threat to freedom in America today—including freedom of the press—comes from a Federal bureaucracy which seems determined to gain control over every facet of American life.

This is not a partisan issue. As a matter of fact, there are now three great parties in America—the Democratic party, the Republican party and the Federal bureaucracy. Of the three, the Federal bureaucracy is the strongest and most powerful because it is the best organized and is protected from political reprisal by civil service.

When a new administration comes in, less than 10 per cent of the bureaucrats go out; the other 90 per cent keep their jobs regardless of which party is in power.

The U.S. State Department is probably the most bureaucrat-infested agency in the entire government. A small coterie of career men who are protected and immune from discipline by civil service constantly harass and embarrass whoever is secretary of state. They did it to Dean Rusk and are doing it now to Secretary Rogers. Secretary Foster Dulles had some very terrible experiences with this group. These State Department parasites don't want any secretary to succeed. They want to run the State Department in their image. They never want to get tough with any nation, whether friend or foe. They just want to be personally popular in all capitals of the world, no matter what their actions do to the prestige of our foreign policy. It's a hell of a way to run a State Department but that is the way it is being run now. If President Nixon is re-elected, he should ask Congress for the right to abolish civil service in the State Department and clean house from the first under secretary to the brocaded janitors.

Entrenched behind the safety of civil service tenure, the bureaucrats always proclaim that they are acting in the public interest and proceed to issue decree after decree, having the full force and effect of law, whereas not 20 per cent of the bureaucratic rules and regulations and orders are ever voted on by the Congress.

There are thousands of honest and dedicated men and women in the government civil service but their leaders and department heads make life unbearable for anyone who dares speak out against the arrogant plan for government by bureaucratic decree.

PRESIDENT STYMIED

The American people don't realize just how terrifically strong this bureaucracy is. At the present time there are 2,911,000 Federal employees; when President Nixon came to office, out of 4,000 and some employees in the Office

of Economic Opportunity he could only change 16! Think of it. The President of the United States was absolutely overwhelmed, to the tune of 4,000 to 16.

Another instance of the arrogant determination of the bureaucracy developed recently in the Interior Department. The United States government has a treaty with the Navajo nation. The treaty is just as binding as any treaty we have with Canada or Mexico, yet the bureaucrats in the Interior Department paid no attention whatever to its stipulations. President Nixon promised the Indians he would do something about it. When he tried to do so this summer, the Bureau of Indian Affairs paid no more attention to the President of the United States than they had to the chief of the Navajo Indians. The bureaucrats in the Bureau of Indian Affairs are determined to run all matters pertaining to Indians in this country—regardless of treaties, presidents or the welfare of the Indians themselves.

Bureaucrats seldom get mixed up in financial scandals. They are not interested in money; they are interested only in power, and the American people have permitted them to take over, often without legislation.

Robert Finch, one of President Nixon's closest friends, was literally driven out of the Department of Health, Education and Welfare because the career bureaucrats in HEW just weren't about to let anyone else run that department, which is one of the largest and most important and spends more money than any other department except Defense. And things haven't changed one iota since Finch left.

Just how far they will go in expressing contempt for the people to whom they are supposed to be responsible is suggested by protest demonstrations in defiance of the President staged by employees of this department.

Senator Barry Goldwater observes that "several hundred employees of the Department of HEW—none of whom was elected by the people who pay them—could hold a mass meeting to protest policy decisions reached by the White House and by the Secretary of HEW."

The bureaucracy dominates the Federal Trade Commission, the Food and Drug Administration and countless other agencies. Prof. Yale Brozen of the University of Chicago recently called attention to the fact that because of these regulatory bodies free enterprise in this country is only half alive. He cited as evidence government's control of the mail, of water supplies, schools, airlines, railroads, highways, banks, farms, utilities and insurance companies.

JOB DESTROYERS

Government regulation has driven the railroads to the point of near extinction, hampered the small businessman with a network of controls, created problems in our cities with ill-conceived programs which have caused a net loss of at least half-a-million units of low cost housing since the 1930s. Yet the same bureaucrats and regulators who have created these problems now say they are going to cure them—and that for this purpose they must have still more authority over our lives.

The regulators talk a great deal about unemployment, and the need for still more government power to cure it. Yet Prof. Brozen has shown at length that government wage regulation has caused unemployment, pricing youthful and other marginal workers out of the labor market. Federal wage minimums have caused a doubling of unemployment levels among minority youth since 1954—from 16.5 per cent to well over 30 per cent.

In their effort to control everything, the regulators are trying to dictate virtually every phase of the business process—from the content of peanut butter and breakfast cereals to the packaging of soap flakes and the advertising of tooth paste. The Federal

Trade Commission has recently decided it has the right to halt "special" sales in stores and back its decrees with a \$5,000 fine.

In a similar move, attorneys for the Equal Employment Opportunity Commission have argued that businessmen cannot relocate if this would deprive minority workers of employment—claiming such relocation would violate the 1964 Civil Rights Act. Examination of the act shows it contains no such sweeping provision, and that this interpretation is purely something dreamed up by the bureaucrats to extend their own arbitrary power over business.

Members of Congress are helping the bureaucrats by holding hearings, spending government money by the millions to prove we probably shouldn't be eating cranberries at the wrong time and that cyclamates might poison your neighbor's dog. Think of the time, effort and money that have been wasted on just those two things alone, which accomplished nothing whatever.

Perhaps the clearest example of the way in which the regulators achieve the opposite of what they say they are going to may be seen in the current controversy over pollution. In one case regulatory fever brought the closing of a plant in Northern California which was not in violation of pollution standards and whose termination meant the loss of 800 jobs. A similar story was written in Marietta, Ohio, where Federal pollution standards if enforced would require the closing of a key industrial plant and the loss of 625 jobs. In the most serious case of all senseless regulation threatened the closing of a Connecticut plant where some 40 per cent of the nation's supply of penicillin is produced.

TIPPING THEIR HAND

The arrogance of the bureaucrats was blatantly emphasized when they proposed a special tax break for themselves. These bureaucrats already enjoy job pay increases more frequently than most Americans and they have all sorts of benefits and special privileges which put them in a class apart from and above the average citizen. The plan now being studied to give them special tax exemption is the last straw. Special exemptions from Federal taxes on the top \$3,000 of salaries paid to bureaucrats in the highest of three civil service classifications are proposed. These salaries range from \$28,000 to \$38,000 a year. A diminishing scale of tax breaks is provided for the lower classes. All bureaucrats will get a tax break if this plan is accepted, while we know of no other group of Americans who are going to receive any such tax breaks.

As their control over our economic life has grown, the bureaucrats and regulators have shown their intentions more and more openly. In a wide variety of cases they are advancing the idea of "social engineering"—the notion that government "experts" should take children away from their parents, break the ties of family life, and mold American youngsters into the image of the bureaucrats themselves. In the dispute over "busing," for example, we have seen Federal regulators disrupting the life of local communities, ordering children transported to schools far from their homes, overriding the wishes of parents and city officials.

The motive behind this is spelled out clearly by spokesmen who say "disadvantaged" children have to be taken away from the influence of their parents and placed increasingly under the influence of the bureaucratic experts. "It is important," says one spokesman, "to replace this family environment as much as possible by an educational environment—by starting school at an early age, and by having a school which begins very early in the day and ends very late."

Busing is opposed by 76 per cent of the American people, including black, white and yellow. It has become a national headache and a national scandal. This never would have happened had it not been for the zeal-

ots among the career people in HEW, who are determined to demonstrate their power.

How far the problem of bureaucracy and dictatorial control of American economic life can be carried is suggested by the case of Ralph Nader. Here is a man without any official authority or credentials of any kind, forcing American industry into submission, threatening Federal prosecution if industry doesn't agree with his plans, bullying his way toward being the supreme dictator of all industrial production in this country. I want to quote here from a speech made by Thomas R. Shepard Jr., publisher of Look Magazine, regarding Nader's program and objectives.

Mr. Shepard says, "I have heard many businessmen dismiss Ralph Nader and his associates as well-meaning fellows who sincerely want to help the American consumer by improving business methods. Forget it. Mr. Nader isn't interested at all in seeing American industry clean house. What he wants is the house—from cellar to attic. His goal is a top-to-bottom takeover of industry by the government, with Mr. Nader, himself, I would guess, in charge of the appropriate commission."

"Find it hard to believe? Then listen to this Associated Press report of a speech he made last September, and I quote: 'Consumer advocate Ralph Nader has proposed that corporations that abuse the public interest should be transferred to public trusteeship and their officers sent to jail.'"

Among the proposals Nader favors are having "publicly elected" members imposed on corporation boards of directors to serve the "public interest" as defined by Nader, abolishing corporate trade secrets on the grounds that "a corporation doesn't have the right of privacy" and making all corporate tax returns public on the same grounds.

Still more incredible are Nader's proposals that corporate executives be suspended from their jobs through "sanctions" he wants to impose and that entire companies be driven out of business if they don't live up to what he calls a "social cost test."

NADER'S FINANCES

Who has appointed this man to play God over American business? Who has given him and the bureaucrats who are helping him the right to destroy the investment and effort of thousands of Americans who have entered into the voluntary associations of corporate endeavor? Who has commissioned them to dictate, suspend, or bankrupt organizations in which the resources and energies of countless American citizens have been invested?

Unbelievably enough, many of his assaults on our business system are financed by elements in the business community itself. He receives a good deal of money from foundations—including the prestigious Carnegie Foundation. He is also supported by the Philip M. Stern family fund, the Norman Fund, the Jerome Levy foundation, and Gordon Sherman of the Midas Muffler Company, among others.

Even so, Nader never would have gotten to first base with his crusades if he had not had the help of the bureaucrats.

Recently Professor C. Northcote Parkinson, noted for his numerous laws governing human behavior, predicted that, if the present trend toward government employment continues, everyone in Britain will be working for the government by the year 2195. Following this prediction by Dr. Parkinson the Morgan Guaranty Trust Company of New York prophesied that if this trend in America goes on, every American will be working for the government by the year 2000.

The significance of all this for the American press should be apparent. The collectivists and regulators like to say they are in favor of freedom of expression, and that the controls they have placed over our economic

lives will not endanger other aspects of our liberty like the free press and freedom of speech.

The argument they use is that "human rights" can be separated from "property rights," and that economic controls do not mean political controls. The whole record of what has been happening in this country shows such an argument to be false. Those of us in the newspaper business have long argued, and correctly, that the rest of the nation cannot remain free unless the press is free.

By the same token, it is impossible to have a society and economy supervised in every detail by Washington regulators and at the same time expect the press to be free.

The mission of the American press always has been to keep this country free and never before has there been a time when the American press should give first priority, regardless of other considerations, to the job of keeping a free press functioning in this country. The networks are having a very serious battle with the bureaucracy. They cannot fight their own fight because they have one hand tied behind them by bureaucratic controls. We do have an obligation to fight their battle for them because the networks have the same basic right of free expression as we do. The right of free expression is the fundamental right of liberty and we should remember always that America is the greatest country only because America is free.

The bureaucrats have been able to bully and blackmail television into accepting all kinds of unfair regulations. They attempted the same thing with the press. They realize their goal cannot be accomplished until they have control of the press, and now they are using the FCC to do that very thing. They are also using the office of the Attorney General, frequently without his knowledge or consent, to send out threats, directives and regulations unsanctioned by Congress, but with the full force and effect of law nonetheless.

Take two or three of the most recent cases. In 1968 Congress, after two years of debate, passed Senator Carl Hayden's failing newspaper bill. President Nixon signed that bill. Yet two months ago, the same crowd in the Attorney General's office who were there when they made such a terrific fight against the bill and were holdover Civil Service employees—most of them Socialists at heart who believe in statism and state control—sent out letters to a group of 50 newspapers, demanding all kinds of reports and statements under threat of being hauled before the Senate and anti-trust division for violation of the anti-trust laws.

That law was passed by Congress. It hasn't been repealed. It hasn't been violated. And yet these bureaucratic lawyers in the Attorney General's office go right ahead and cause unmitigated annoyance and expense to the newspaper industry, their one object being to get the newspapers to agree to some form of government regulation. Well, thank God, most of the newspapers ignored the Justice Department.

FCC DECREES

Then the FCC gets into the act again by issuing a decree, without the consent of Congress, simply on its own volition, telling the networks they must devote so much time to this and so much time to that and so much time to public broadcasts which are put out by the NEA, hardly a source of unbiased information. And what do the television people do? They must comply or else. Now the FCC had no authority to make such a decision and thank God one judge told the FCC to go jump into the lake until it got authority from Congress to issue such a decree. But that didn't stop the bureaucrats. The Justice Department has jumped onto the agreement which was made by the New York Times and the Chicago Daily News

wire services. The cost of the wire tolls was increased and the two companies decided to split a day and night wire in order to save money.

The irony of this situation is that in April of 1970 the Federal Communications Commission told the two wire services that they would have to do just exactly what they are doing if they wanted to use the services of the AT&T, and the Commission itself proposed that the two services share the wire with another user simply as an economical manner in which to serve their clients. And the New York Times and the Chicago Daily News entered into an agreement positively dictated and approved by the FCC.

Now along comes the Justice Department and says, "You can't do this. It is a violation of the anti-trust laws."

Let's take the case of tobacco. The FCC, without the consent of Congress—which it later obtained—told the television stations they could not advertise cigarettes. Yet the very same government which the FCC represents is spending \$660,000,000 a year to promote, encourage and carry on the sale of tobacco. This order of the FCC is clearly unconstitutional unless the United States government absolutely prohibits the growing and sale and manufacture of tobacco and its products.

From the other direction, the U.S. government is subsidizing programs over the Public Broadcasting Service network which are often slanted to the radical side. The nature of this bias came to light in an "educational" TV attack on the FBI which was cancelled from its regular broadcast slot after J. Edgar Hoover protested. The Corporation for Public Broadcasting will receive an estimated \$35 million from the taxpayers this year, some \$9.2 million going to PBS. Why should bureaucrats force the taxpayer to underwrite one-sided propaganda?

A related case involving abuse of the regulatory power of the Federal Communications Commission is the interpretation that has been given the so-called "fairness doctrine." A memorandum prepared by the Reuther brothers in 1961 urged that this doctrine, which is supposed to insure balanced programming, be used as a device for attacking conservative broadcasters, most of whom appear on a local and not a network basis. Over the past 10 years the "fairness doctrine" has repeatedly been invoked against broadcasters and station owners whose views are different from those of the collectivists, but has not been invoked against network figures whose views are more in keeping with the Reuther memorandum outlook.

PRESS IS NEXT

Two years ago a member of the Federal Communications Commission urged that this dictatorial formula be used against newspapers as well. In an August 1969 speech in Dallas, Tex., Kenneth Cox of the FCC said that "Congress could constitutionally apply counterparts of our equal time and rights of reply obligations to most newspapers, since they move in, or clearly affect, interstate commerce, and since the public interest in their providing their readers with both sides of important questions is clear."

Give these bureaucrats the right of regulation over the American press and you have lost America to bureaucratic statism.

This country was founded as a republic with a representative government, but has degenerated into a democracy run by organized minorities, the strongest of which is the Federal bureaucracy. Never in the history of man has a democracy survived more than 200 years, and ours will not survive unless we make it a representative government and abolish the power of the Federal bureaucrats.

Most democracies have been destroyed by centralized bureaucracies—or at least by the rule of organized minorities. The newspapers

of this country owe it to America and to the world to make sure that representative government survives in this country—that freedom of the press and the right of free expression are never destroyed by a bureaucracy or any minority group. If we prove here that representative government can work, then freedom will spread to all corners of the world in time.

The United States spends billions of dollars every year to oppose Russia's determination to impose its autocratic rule of complete domination on other countries and to control individual freedom, industrial production, education and everything that approaches freedom of speech and freedom of expression. Here in America the bureaucrats are forcing the United States, step by step, to accept a system of government that will destroy free enterprise, local control of our educational system and, most important of all, the right of free expression, the fundamental right of liberty. If the bureaucrats succeed, freedom as we know it in America will be lost—maybe forever.

CANCER RESEARCHERS REJECT IDEA OF SEPARATE CANCER AUTHORITY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. ROGERS. Mr. Speaker, I have received a letter signed by 14 men of medicine and science who are actively involved in finding a cure for cancer. They have signed a letter which bolsters the position taken by the Subcommittee on Public Health and Environment when it unanimously reported out H.R. 10681, the cancer attack bill.

Basically, they say that to take the National Cancer Institute out of the National Institutes of Health would be, in their words, "leading the way toward the destruction of the National Institutes of Health."

I think this letter, one of many from noted and highly esteemed scientists and medical authorities, completely dispels the story that some have told that critics of the Senate passed bill are outside or not engaged in cancer research and clinical investigation. All of the signees are just that and annually deal with thousands of cancer patients.

I include this letter in the RECORD at this time.

I would also like to insert into the RECORD the text of two letters to the editor. One of these letters appeared in the October 26 issue of the Washington Post and was signed by seven outstanding scientists including Charles Huggins, M.D., who received the Nobel Prize for the treatment of cancer patients. Also signing this letter were Dr. David Baltimore and Dr. Howard Temin who concurrently arrived at a major discovery in the area of tumor causing viruses. Dr. Robert Handschumacher is director of biological sciences of Yale University and American Cancer Society professor of pharmacology. Paul Berg, Ph. D., is chairman of the Department of Biochemistry at Stanford University.

A letter similar to the one I received appeared in the October 26 issue of the

New York Times, and was signed by 13 of the distinguished cancer researchers listed on the letter sent to me, however, this letter covered additional areas and I am submitting it for insertion in the RECORD as well.

Material referred to follows:

HARVARD MEDICAL SCHOOL,
October 14, 1971.

Mr. PAUL ROGERS,
House of Representatives,
Washington, D.C.

DEAR Mr. ROGERS: As you know, the House Subcommittee on Health and Environment has been conducting hearings on S. 1828, The Conquest of Cancer Bill, and also on an alternative bill introduced by Representative Rogers, H. R. 10681.

Very many members of the biomedical research community of the United States have expressed their opposition to S. 1828 in no uncertain terms. In the eyes of most critics, the chief fault of the Act lies in the creation of an independent cancer agency—a precedent-making step viewed by many as leading the way toward the destruction of the National Institutes of Health.

The Act has other serious weaknesses. For example, it fails to require the elaboration of a formal plan for the attack on cancer, nor does it set up a mechanism which requires that the concerned scientific personnel of the Country actively participate in such planning. In fact, the administrative structure is such as to open the door to unlimited contract research under the control of a small intramural cadre. Furthermore, the Act fails to provide for the independent periodic evaluation of the Agency's methodology and accomplishments.

It has been said that the only critics of S. 1828 in the biomedical research community are those who are *not* engaged in cancer research and clinical investigation. This is not so at the Harvard Medical School where opposition to the bill is to be found among those who have major responsibility for various cancer programs.

As a group of individuals who have long been interested in cancer research, and most of whom are also concerned with the treatment of some thousands of cancer patients per annum, we urge you to reconsider your position.

We believe that you should withdraw your support of S. 1828.

We believe that H. R. 10681, although not necessarily the ideal bill, points the way to a more reasonable, vigorous, and profitable course of action. We therefore urge that you join with others in making that bill the best one possible, and in speeding its passage through both Houses.

Very sincerely yours,

Samuel Hellman, MD, Fuller-American Cancer Society Professor of Radiation Therapy; Director, The Joint Center for Radiation Therapy.

Henry I. Kohn, PhD, MD, Galser Professor of Radiation Biology; Director, Shields Warren Radiation Laboratory, New England Deaconess Hospital.

George Nichols, Jr, MD, Clinical Professor of Medicine; Scientific Director, Cancer Research Institute, New England Deaconess Hospital.

James L. Tullis, MD, Associate Clinical Professor of Medicine, Chairman, Department of Medicine, New England Deaconess Hospital.

Francis D. Moore, MD, MCh, LL.D., SD, Moseley Professor of Surgery; Surgeon-in Chief, Peter Bent Brigham Hospital.

William C. Moloney, MD, DSc (hon), Professor of Medicine; Head, Hematology Division, Peter Bent Brigham Hospital; former President Massachusetts Branch, American Cancer Society.

Richard E. Wilson, MD, Associate Professor of Surgery and Director, Surgical Research Laboratories; Surgeon and Director of the Tumor Service Peter Bent Brigham Hospital.

Alan C. Aisenberg, MD, PhD, Associate Professor of Oncologic Medicine; Head, Oncologic Medicine, Massachusetts General Hospital.

John W. Raker, MD, Associate Clinical Professor of Surgery; Chairman, Tumor Clinic and Visiting Surgeon, Massachusetts General Hospital.

Milford D. Schulz, MD, Professor of Radiation Therapy and Radiotherapist at the Massachusetts General Hospital.

William Silen, MD, Professor of Surgery; Surgeon-in-Chief, Beth Israel Hospital.

Chester B. Rosoff, MD, Assistant Professor of Surgery and Head, Tumor Clinic at the Beth Israel Hospital.

Howard H. Hiatt, MD, Herrman Ludwig Blumgart Professor of Medicine; Physician-in-Chief, Beth Israel Hospital.

John F. Enders, PhD, DSc (hon), LLD, LHD, University Professor Emeritus; Chief, Research Laboratories for Infectious Disease, Childrens Hospital Medical Center.

[From Letters to the Editor, Washington Post, Oct. 26, 1971]

MORE ON THE CANCER BILL

On October 12 full page advertisements by unnamed sponsors appeared in The Washington Post, The New York Times, The Washington Star and 21 other papers. Some of the advertisements carried a letter by H. Marvin Pollard, President of the American Cancer Society. A number of false allegations appeared in that letter. One allegation was that mainly noncancer scientists oppose the Senate Bill, S1828, which would establish a Conquest of Cancer Agency.

Heads of 72 medicine departments of medical schools throughout the country have publicly opposed certain provisions of S1828. Some of the panel of experts which originally proposed S1828 now oppose this legislation. Extensive opposition by cancer clinicians and cancer researchers has been heard by the House Committee currently reviewing this legislation. In addition, each of the undersigned is a bench scientist working in some area of cancer research, or a clinician working with cancer patients. Each receives or administers funds from the National Cancer Institute or the American Cancer Society. Each opposes the organizational provisions of S1828.

Other of Dr. Pollard's allegations have been repeatedly answered in hearings before both the House and Senate and in editorials in The Washington Post, The New York Times, The Washington Star and scientific journals such as Nature, Science and the New England Journal of Medicine. Specifically, S1828 in its present form is detrimental to the National Institutes of Health, and it will lead to a lack of coordination of cancer research with research in other branches of medical science, which in turn will impede progress in cancer research.

ROBERT MARTIN, M.D.,

HOWARD TEMIN,

HARVEY OZER, M.D.,

DAVID BALTIMORE,

PAUL BERG,

ROBERT HANDSCUMACHER, M.D.,

CHARLES HUGGINS, M.D.,

(Dr. Huggins received the Nobel Prize for the treatment of cancer patients).

WASHINGTON.

[From Letters to the Editor, New York Times, Oct. 26, 1971]

CANCER BILL

TO THE EDITOR: In a full-page advertisement (Oct. 12) Dr. H. Marvin Pollard as

president of the American Cancer Society urged that all Congressmen vote for the Conquest of Cancer Act (S. 1828). "The objections to the bill," wrote Dr. Pollard, "have come mainly from people who do not have expert cancer knowledge."

We wish to state that this is not so at the Harvard Medical School. We are a group of thirteen faculty, long interested in cancer research, most of whom are also concerned with the treatment of some thousands of cancer patients a year. We want the attack on cancer to be intensified. But we consider S. 1828 a poor bill to achieve that objective.

In the eyes of most critics, the chief fault of S. 1828 is the creation of an independent cancer agency—a precedent-making step viewed by many as leading the way toward the destruction of the National Institutes of Health. [Editorial Oct. 14.]

The act has other serious weaknesses. It fails, for example, to require the elaboration of a formal plan for the attack on cancer, nor does it mobilize the concerned professional personnel of the country to participate in such planning on a continuing basis. In fact, it opens the door to unlimited contract research under the control of a small intramural cadre. Furthermore, the act fails to provide for the independent evaluation of the agency's methodology and achievements.

We therefore urge—since the American Cancer Society has made of S. 1828 an all-or-none proposition—that the bill be defeated.

Dr. Pollard's appeal failed to mention the alternative National Cancer Attack bill, H.R. 10681. We believe that this bill, although not necessarily ideal, points the way to a much more reasonable, vigorous and profitable course of action.

The framing and enactment of legislation to discover the cure of disease requires the exercise of thoughtfulness, prudence and wisdom. Congressional approval should not be a rubber-stamp for the opinion of any interested group, no matter how highly motivated that group may seem to be.

A noble objective does not compensate for poorly written legislation.

We urge the Members of Congress to consider H.R. 10681 as a basis for a heightened attack on cancer—and that they do so in a critical and constructive spirit to make that bill the best one possible.

SAMUEL HELLMAN, M.D.

HOWARD H. HIATT, M.D.

HENRY I. KOHN, M.D.

FRANCIS D. MOORE, M.W.

JOHN W. RAKER, M.D.

Boston, Oct. 15, 1971.

The five names above are drawn from those of thirteen heads of tumor clinics, experimental laboratories and departments of medicine and surgery at the Harvard Medical School and its associated hospitals who signed this letter.

EXPULSION OF NATIONALIST CHINA FROM U.N. IS UNFORTUNATE AND UNWISE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. OBEY. Mr. Speaker: last night the Government of Nationalist China was ousted from the United Nations—that body of nations set up 25 years ago as a forum for peace, supposedly open to all nations in the world.

For all of those years that forum has been closed to some nations. It has just been in the past few weeks that the United States has acted to rectify a long-

standing mistake of trying to ignore 800 million people in the Republic of China. But apparently the United Nations has not learned from our mistake for it has now voted to prohibit a nation of 14 million people—a nation whose population is larger than one-third of the present members of the U.N. from participating in this world council.

Furthermore, there is ample precedent for countries with "less than clear sovereignty" have votes in the United Nations.

Mr. Speaker, I consider the action taken last night unfortunate and unwise. It sets a precedent that is unworthy of the idea of the United Nations.

Nevertheless, it would be a mistake for the United States to, in the wake of last night's defeat, threaten to withdraw support for the U.N. We have often criticized Russia for threatening to pick up its marbles and go home when it was not able to have its own way. I certainly would not want to see our country emulate the kind of conduct we have condemned in the past.

TITO HONORED BY PRESIDENT NIXON

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. RARICK. Mr. Speaker, following his visit to the captive nation of Yugoslavia last year, President Nixon in one of his many gestures of friendship towards communists invited Yugoslav General Josip Broz Tito, chairman of the Yugoslav communist party, to pay a state visit to the United States.

This act of the President is another in a growing list of broken promises made by candidate Nixon to the American people. Prior to the 1968 election, candidate Nixon promised, and those Americans voting for him took him at his word:

We will never write off the millions of people enslaved behind the Iron Curtain. Their freedom shall always be our objective.

How could any American honor the Yugoslav dictator knowing of the blood bath suffered by our Allies of World War II—those Christian Chetniks and their leader Draza Mihailovic—at the hands of the Soviet puppet, Tito?

The facts of history strangely disappear in time. Books are burned and rewritten, facts deleted, and the truth unfavorable to communism is suppressed. Far too few remember even the name of Mihailovic and his fate for being an ally to the West—his betrayal to his death.

Some 432 American airmen shot down over Yugoslavia were given a new lease on life because they were rescued by Mihailovic during World War II. Are we now to condone the betrayal of Mihailovic by honoring Tito who with his terroristic government have been accused by many Yugoslavs in this country of the murder of 400,000 political opponents, most of them without any trial? And latest reports from his police state indicate he rules with an iron hand suppressing all dissent and any opposition to his Communist Party.

So that our colleagues may amply refresh themselves on the background of the present so-called Socialist Republic of Yugoslavia, which was established by the massacre of thousands of Christian anti-Communists, I insert in the RECORD at this point an official study by the subcommittee of the U.S. Senate Committee on the Judiciary captioned, "Yugoslavia Communism—A Critical Study," followed by pertinent newscippings.

YUGOSLAV COMMUNISM—A CRITICAL STUDY
(Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and other Internal Security Laws of the Committee on the Judiciary, U.S. Senate, October 18, 1961)

Resistance

CETNIKI AND DRAZA MIHALLOVIC

As soon as the unconditional surrender of the Yugoslav army on June 15, 1941, was accepted by the Germans, and while the Axis forces were busy gathering Yugoslav soldiers and sending them to prisoner-of-war camps, some groups of patriotic officers who refused to accept the capitulation took to the hills and woods with their small detachments and light armament. With the arrival of civilian refugees fleeing from the ustase, these groups soon expanded. A colonel of the former Yugoslav General Staff, Draza Mihailovic, united the groups under his command and began to harass the occupying troops in Bosnia and Serbia. These patriots called themselves cetnici. In May, 1941, Colonel Mihailovic established his headquarters in Ravna Gora in western Serbia. Mihailovic's prestige was greatly increased among the civilian population and his cetnici when he was promoted to general and appointed Minister of War of the Royal Yugoslav Government in exile. From April to October, 1941, the cetnici made serious trouble for the Germans by attacking and disorganizing their armed forces and military transports, and for Croatian ustase who persecuted the Serbian population in Croatia, Bosnia and Hercegovina. It must be noted that, while Communist partisan units which had come into existence after the invasion of Russia, also participated in the fighting, it was primarily the cetnici who fought the Germans. "For almost three months the better part of Montenegro, Serbia, and Bosnia was in the hands of the insurgents."¹

However, German and Italian reprisals on the civilian population were horrible. With his decree "Nacht und Nebel" Hitler ordered reprisals hitherto unknown in modern European history; 100 Yugoslavs were to be executed for every German killed, and 50 for every German wounded. The Germans began to shoot hostages, *en masse*, 400 to 500 at a time,² and to deport civilian population by the thousands.³

An attack by cetnici and partisans, on October 16, 1941, against a train transporting German troops near Kragujevac, which resulted in about 100 Germans killed and about 50 wounded, was the pretext for frightful reprisals. The Germans first completely destroyed three nearby villages, Meckovac, Marsic and Grosnica, killing at least 266 inhabitants. Then they gathered the population of the town of Kragujevac and its surrounding area, including people over seventy years old and all pupils from the fifth grade on of the local Gymnasium and normal school, together with their professors, led them by groups of several hundreds to the fields and machine-gunned them. According to an official statement, on October 20 and 21, about seven thousand men and children were massacred.⁴ Kragujevac had at that time, a population of about twenty thou-

sand. On October 19 and 20, in another small town of about eight thousand population, Kraljevo, 2,300 civilians were executed for 23 Germans killed.

These reprisals carried out against villages and small towns had quite a different bearing on Mihailovic's and Tito's movements. While the sympathizers of Mihailovic were known by everybody, those of Tito always operated surreptitiously. This is the reason why Germans picked hostages mainly from among non-Communists. On the other hand, the partisans themselves often raided the anti-Communist villages for supplies. The result was that the villagers then joined the partisans from fear of German and Italian reprisals.⁵

Winston Churchill justified British support of Tito on the ground that the partisans were killed more Germans than the cetnici and that certain cetnik "commanders made accommodations with German and Italian troops to be left alone in certain mountain areas in return for doing little or nothing against the enemy."⁶

The British insistence on "killing Germans" at all time and under all circumstances, was both inhuman and politically blind. To the resistance forces in France and Belgium and other North European countries, the instructions were to be low, to husband their forces, to avoid premature action that might bleed them, to prepare themselves for the final act of liberation. Apparently another standard applied to the Balkan peoples. The killing of one German soldier in Yugoslavia was of greater importance than the massacre of 100 Yugoslav civilians in reprisal.

While Tito may have killed somewhat more Germans than did Mihailovic, from the standpoint of military consequence this killing of Germans added up to very little. German losses in Yugoslavia during the occupation were very light and, by and large, they moved their forces about at will. From the standpoint of political consequence, however, the strategy of "killing Germans" played directly into the hands of the Communists by provoking the Germans to mass reprisals. Every destroyed village meant so many more recruits for the partisan army.

Neither Mihailovic nor any other national leader could have been indifferent to the mass reprisals that every anti-German action was bound to provoke. As Mihailovic saw it he was performing a far greater service by tying down German divisions than the partisans were performing by killing a few Germans here and a few Germans there. On this point, the record of the occupation will reveal that, from the beginning of the war until the end, the Germans were obliged to maintain far more troops in Serbia proper which was Mihailovic's stronghold, than they maintained in the territory where the partisans were active. But despite mass reprisals, Mihailovic did not hesitate to engage in action against the Germans when he felt that the objectives justified the sacrifice.

In 1941, in 1942, and in the late 1943, cetnici were engaged in large-scale actions against the Germans. However, from January to December 1944, having been under repeated attacks by the partisans, who had been trained and equipped by the western Allies, Mihailovic's forces observed a more or less tacit truce with the Germans. But even during this period, cetnici were performing acts of sabotage against German communications, engaging in minor battles, and rescuing Allied airmen who were shot down in Yugoslavia. A Canadian journalist, David Martin, who was the first western author, to study the problems of Yugoslav guerrilla fighting and its political intricacies, and who interviewed most of the members of the British and American military missions to Mihailovic's headquarters and also a great number of Allied airmen rescued by Mihailovic's forces, describes how—

"between August 9 and December 27, 1944, the American Air Crew Rescue Unit evacuated from Mihailovic's territory 432 American airmen who had been shot down at various times in various parts of Yugoslavia, had been rescued by the Chetniks, and had been brought together at several concentration points where American aircraft could land. In addition to 432 Americans, the Rescue Unit evacuated 4 British airmen, 2 Canadians, 2 Belgians, 30 Russians and 76 Italians."⁷

The same author vividly describes how, in October 1943, cetnici blew up three small railroad bridges near the town Visegrad, in Bosnia, overpowered an enemy garrison of more than 800 in Visegrad, destroyed another garrison of 300 enemy troops at the main bridge itself and blew it up. The destruction of this 500-foot double-track steel bridge "was probably the biggest single bridge-busting job carried out by Balkan guerrillas during the war."⁸ British Brigadier Armstrong and American Colonel Albert Seitz⁹ who had arrived at Mihailovic's headquarters a few weeks earlier, in mid-September 1943, to assume command of the respective British and American military missions, were eye witnesses of the cetnik performance. They sent reports to their headquarters. What was their astonishment when, a few days later, they heard a B.B.C. broadcast which attributed the destruction of four bridges of the railroad Uzice-Visegrad to the partisans. Brigadier Armstrong asked the British command in Cairo to rectify the broadcast, but his request was ignored; B.B.C. reproduced instead a partisan communique, describing the action and giving it thus an apparent authenticity.¹⁰

Additional testimony concerning the fighting of resistance forces in Yugoslavia was given by Colonel Robert McDowell, chief of the final American military mission to Mihailovic. The question of how much damage cetnici did to the German war machine was answered by Colonel McDowell thus:

"On the basis of all the evidence available, it is my judgment that the Germans held greater hatred and fear of Mihailovic than of Tito and concentrated proportionally more Axis troops in cetnik than in partisan territory. . . . The most important acts of sabotage against Axis communications were performed by Chetniks."¹¹

Mihailovic was not a politician. He was a Serbian patriot, and, as an officer, devoted to the king.¹² He depended on political advisers, all of whom, domestic and foreign, failed him terribly.

Until the end of 1943, most of Mihailovic's counsellors in the Serbian mountains had no program other than the restoration of the pre-war political order, viz Serbian hegemony in a unitary Yugoslavia, or rather, in a Greater Serbia, and revenue upon the Croats as a nation.¹³ The chief of Mihailovic's political committee "was a rabid pan-Serb by the name of Dr. Molyevich" (Moljevic). "Serbian cetnici rejected Yugoslavia and demanded a 'Great Serbia' in which they could wreak vengeance on the non-Serbian population for previous slaughtering of Serbs by the ustase,"¹⁴ writes Dr. Topalovic. "The anti-Yugoslav and anti-Croatian policy of Serbian cetnici created such a gap between Draza Mihailovic and the Croatian and Moslem population, that all Mihailovic's effort to win collaboration of this population had to end in failure."¹⁵

The unfortunate situation that existed in the Yugoslav government in London already has been discussed. From his source Mihailovic received advice that only served to further confuse and misdirect him.

Toward the end of 1943, Mihailovic apparently realized that he had to have a program broadly acceptable to the Yugoslav peoples, and that the government-in-exile could not provide him with such a program or with any meaningful advice or help. In January of 1944, he convoked a National Congress in the town of Ba, near the moun-

Footnotes at end of article.

tain a Suvobor in Serbia. In effect, although nothing was said about this, the act of convening the Congress constituted a repudiation of the worthless government-in-exile. Though the program adopted by the Congress was vaguely worded, it did commit the Mihailovic movement for the first time to a federal state structure. More significant was the fact that Moljevic and other pan-Serb extremists who had previously served as Mihailovic's chief advisers, were replaced in this capacity by more moderate elements like Adam Pribicevic, head of the Independent Democratic Party, and Zivko Topalovic, head of the Social Democratic Party.

Pursuant to the Congress of Ba, Mihailovic sent Mr. Predavec, a Croatian engineer and son of the first vice-president of the Croatian Peasant Party, to Zagreb, in an effort to reach an entente with Dr. Macek. Predavec's mission came to naught, and he was finally arrested by the Germans.

A Mihailovic-Macek entente was the one thing that might have saved Yugoslavia. But, in the absence of British support for such a move, the Congress of Ba and the Predavec mission came too late. It is, however, to Mihailovic's credit that he made this effort, however belated. From the British side and the side of the Croatian Peasant Party no move was made in the direction of this obvious and only solution.¹⁷

COLLABORATION WITH THE ENEMY

The problem of cetnik fighting and occasional collaboration with the Axis forces was extremely complex.¹⁸ It is all the more complex because "accommodations with the enemy" are, traditionally, an essential part of guerrilla strategy. The successful guerrilla movement attacks when it is to its advantage to attack; it avoids engagements, and even seeks temporary accommodations, when engagements or accommodations are to its advantage.

At the beginning of the occupation, the cetnici did fight the occupying troops; as a matter of fact, at that time, they were the only ones who fought. After the ustasa massacres of Serbs in Croatia and Bosnia in 1941, the fighting degenerated into a "war of peoples,"¹⁹ of Serbian and of Croatian peoples. During this, first, civil war—

"Draza Mihailovic set as his task to begin fighting the ustasa authority, which he correctly estimated as an ordinary occupation authority, and therefore this struggle seemed to him to be identical with the war against Italian and Germany occupiers."²⁰

However, for cetnici in Hrvatsko Primorje and western Bosnia, that is in the regions far from General Mihailovic's headquarters, this "war of peoples" became more important than the war against foreign occupiers, and consequently soon made accommodations with the Italians and were left by them more or less undisturbed. These accommodations were facilitated by the anti-Croatian attitude of the Italians, who gave shelter in Dalmatia to Serbian refugees from the ustasa massacres and even protected Serbian villages against ustasa militia units.

These subordinated commanders—among them certain *vojvode*²¹—usually operated far from Mihailovic's headquarters in Serbia. They acted out of vengeance against Moslems and Croats in Bosnia and monarchy. If on the question of federalism the declaration was rather vague, it emphatically stressed the reaffirmation of allegiance to King Peter. The resolution envisaged a Yugoslavia divided into three federal units: Slovenia, Croatia, and Serbia, or rather Greater Serbia (combining Serbia proper, Vojvodina, Montenegro, Bosnia, Hercegovina, and Macedonia).²² Whatever this political organization was, or was to become, the action came very late—almost too late to have any chance of success.²³ The sole remaining hope was that somehow Great Britain and the United States could be persuaded to reverse their

policies, and give their moral and material backing to a broadened anti-Communist resistance movement, based on a Mihailovic-Macek entente. It seems that the Congress of Ba was aware of this. Consequently, it sent a four-man delegation,²⁴ headed by Dr. Zivko Topalovic, to Italy to make contact with the Allied forces and governments in a last attempt to save their cause. Simultaneously it dispatched a young Croatian engineer by the name of Predavec to Zagreb in a desperate effort to achieve an entente with Dr. Macek.

Dr. Topalovic's plea fell on deaf ears. During a conversation with the British ambassador in Rome, on October 21, 1944, Dr. Topalovic handed him an *aide-memoire* by which he notified the British commander-in-chief of the Mediterranean theater that General Mihailovic was prepared to give the Allies 50,000 cetnici, quartered at that time in Bosnia. In case this offer was unacceptable, General Mihailovic would like to know if the Allied commander-in-chief was interested in the fate of the Royal Yugoslav Army. The *aide-memoire* of October 21, and two letters, of November 13 and 29, dealing with the same problem, remained unanswered.²⁵

ANNIHILATION OF ANTI-COMMUNIST FIGHTERS; THE ROLE OF THE RED AND BRITISH ARMIES

Mihailovic's cetnici lost their battle for Serbia in September, 1944, when the Red Army entered northern Serbia and the Bulgarian Army entered southern Serbia.²⁶ The cetnici split into two groups. One group retreated to the north trying to reach the Soviet forces and surrender to them rather than to the partisans. In the Yugoslav revolutionary war, the fate of prisoners of war was always uncertain. In the life-and-death struggle, there were few prisoners taken. Only a part of the northern cetnik group reached the Red Army. Most of them were captured and annihilated by the partisans. At any rate, the fate of those captured by the Soviets or by the partisan forces did not vary—both groups disappeared. The second group of cetnici, under the command of General Mihailovic, refusing to surrender, went into central Bosnia in the same mountains where the partisans had engaged in guerrilla tactics during the earlier years of the war. This group intended to continue the resistance against the Communists. Until May, 1945, they were constantly fighting the partisans who were far better equipped, having Allied arms and air support.²⁷

Early in 1945, the Montenegrin cetnici, under the command of Pavle Djuricic, decided to march north, but after they had lost contact with Mihailovic's main forces and entered the area controlled by ustase, they were destroyed by the latter, near Lijeve Polje, between the Vrbas and Sava Rivers, in northern Bosnia.²⁸

The cetnici fought a decisive battle on the Sutjeska River in Bosnia on May 12. After a week-long battle the last cetnik group began to disintegrate. General Mihailovic was able to escape with a small number of faithful followers and avoided capture for almost a year.

It seems that Tito, when he fled from Vis in September, 1944, was not very sure of his military strength. He asked for and received from Stalin necessary aid in the form of tanks and troops for the liberation of Serbia and Yugoslavia's capital, Belgrade. Liberation of Belgrade would be of great political significance, especially in the development of the civil war in Serbia. The leader who held the nation's capital would gain great political and military prestige. The presence of the Red Army in Yugoslavia had not only military, but "also favorable political consequences," acknowledged Professor Makso Snuderl; "it spread the demoralization in the ranks of the pro-fascist reactionary [i.e. anti-Communist] elements. It consolidated the position and authority of the National

Liberation Movement and the new people's authority of Yugoslavia."²⁹

The last phase of the Yugoslav civil war was marked by the intervention of the Soviet, Bulgarian and western Allied forces on the side of partisans.³⁰ Tito asked the western Allies not only to bomb certain cities, but also, to send heavy artillery units into Bosnia.³¹

The other anti-Communist forces, comprising Serbian nationalists of the Ljotic movement, General Nedjic's cetnici, Croatian ustase, and Slovenian *domobranici* (Home Guards) of General Leon Rupnik, retreated toward Carinthia which was occupied by British forces. The British extradited to the partisans thousands of these anti-Communists without any distinction as to who had collaborated with the Axis forces and who had merely fought against the Communists. Most of these anti-Communists were liquidated immediately after their repatriation. Only those who were able to take haven in the American Zone of Austria were saved. Under the pretext of transferring them to Palmanova, Italy, the British military authorities extradited to the Yugoslav Communists over 11,000 Slovenian *domobranici* and civilians.³² Almost all of them were executed without any trial.³³ The British extradited also several thousand Croatian soldiers, about 3,000 anti-Communist fighters belonging to Ljotic's movement, and about 1,000 Montenegrin cetnici.³⁴

General Draza Mihailovic was finally captured in March 1946. On March 24, Aleksandar Rankovic, Minister of the Interior and chief of the secret police, announced the news to the members of the People's Assembly in session in Belgrade. According to the principle that "the revolution, if successful, is *summum ius*, and if unsuccessful *summa iniuria*," the defeated general was tried, condemned to death, and executed on July 17, 1946, as it was reported in the Yugoslav press. His mock trial could hardly qualify as a trial in most uncivilized countries. The general's execution and burial was performed under most secret circumstances.

Characteristic of the trial of General Mihailovic is the fact that, soon after its end, his defender, Dr. Dragic Joksimovic, was imprisoned as a "people's enemy" and sentenced to three years in jail. He "died" while serving his prison term. The request of the lawyer's family for the body was denied under the pretext that it could not be handed over "until the end of the prison term."³⁵ Dr. Topalovic's conclusion is that the real reason of the denial was to "retain Joksimovic's dead body in jail until it became decomposed and disintegrated, and with that disappeared the trace of a premeditated murder."³⁶

AN ANALYSIS OF THE COMMUNIST SUCCESS

Analyzing the Communist revolution, Mosa Pijade gave the following reasons for the success of the CPY:

(a) The CPY was capable, at the very beginning, of taking for itself the undivided and undisputed leadership of the National Liberation Struggle;

(b) The CPY saw clearly that the destruction of the old state apparatus was indispensable for the success of the revolution;

(c) The CPY saw that it was indispensable to organize a people's army;

(d) The CPY was aware of the necessity to insure the revolutionary character of the people's army by the creation of proletarian brigades.

FOOTNOTES

¹ Martin, *op. cit.*, p. 127.

² Churchill, *Second W. W.*, pp. 461-462. Cf. also Goritz, *op. cit.*, II, p. 133.

³ On the basis of Hitler's decree, the Chief of the OKW (*Oberkommando der Wehrmacht*), Field Marshal Wilhelm Keitel, issued his famous "Richtlinien für die Verfolgung von Straftaten gegen das Reich oder

die Besatzungsmacht in den besetzten Gebieten vom 7. Dezember 1941." Document 090L, International Military Tribunal, Nuremberg, *Trial of Major War Criminals* * * *, XXXVI, pp. 570-576.

The German diplomatic and economic coordinator for the Balkan area, Hermann Neubacher, published a telegram which he had sent to the German Foreign Minister. It reads in part: "Political consequences of such misadventures are * * * catastrophic. It is clear madness to massacre babies, children, women and the aged because heavily-armed red bandits took up by force quarters in their houses and because they killed two German soldiers in the vicinity of their village. Political consequences of this insane butchery without any doubt by far surpasses the effect of all propaganda efforts in our fight against communism." *Op. cit.*, p. 142.

⁴ Yugoslavna, Drzavna komisija za utvrdjivanje zlocina okupatora i njihovih pomagaca, *Izvestaj Medjunarodnom vojnom sudu u Nurnbergu* [Report to the International Military Tribunal in Nuremberg] (Beograd, 1947), pp. 19-20. Cf. also Odbor za izgradnju spomen-parka oktobarskim zrtvama 1941 godine u Kragujevcu, *Zbornik dokumenata i materijala o Oktobarskom pokolju 1941 godine u Kragujevcu* [Collection of Documents and Materials on the October 1941 Massacre in Kragujevac] (Kragujevac, 1953); and Bosko Kostic, *Za istoriju nasih dana; odlomci iz zapisa za vreme okupacije* [For the History of Our Days; Fragments from the Notes during the Occupation] (Lille, 1949).

⁵ Rendel, *op. cit.*, p. 227. Cf. also Pridonoff, *op. cit.*, p. 14.

⁶ Churchill, *Second W.W.*, V, p. 462.

⁷ Martin, *op. cit.*, pp. 245-259.

⁸ *Ibid.*, 41.

⁹ Colonel Albert Seitz, who also organized the repatriation of American airmen from Yugoslavia, recorded his impressions on the cetnik movement in the book *Mihailovic Hoax or Hero?* (Columbus, Ohio: Leigh House Publishers, 1953).

¹⁰ Martin, *op. cit.*, p. 42.

Other illuminating chapters on how the Communist propaganda, contributing to the making of Tito and the belittling to Mihailovic, worked in London, and how the Allied military intelligence was falsified, are to be found in the same work, pp. 34-46, 84-102, esp. 189 ff.

¹¹ As quoted by Martin, *ibid.*, p. 151.

¹² "Mihailovic was a patriot, but a Serb rather than a Yugoslav patriot," writes Wolff in his *The Balkans in Our Time*, p. 207.

Mihailovic himself admitted that "Destiny was merciless toward me when it threw me into the most difficult whirlwinds; I wanted much, I began much, but the whirlwind, the world whirlwind, carried me and my work away." As quoted by C. L. Sulzberger, "For Eden Destiny Held no Mercy," *The New York Times Book Review*, Feb. 28, 1960, p. 1.

¹³ In his telegram No. 1181 of December 22, 1942, to the Royal Yugoslav Government in London, General Mihailovic said: "We are exterminating the Ustashi wherever we find them. We shall destroy everything that is of the Ustashi mercilessly because of the 600,000 Serbians massacred by them. At present, the Ustashi are maintaining contact with the Communists. My collaborators, Bircanin and Jevdjic, have never worked for the Italians and are always ready to attack them on my orders, but, for the present, my first aim is to annihilate the Ustashi and their creation, the Croatia of Pavelic." Zivan Knezevic, *Why the Allies Abandoned the Yugoslav Army of General Mihailovic, with Official Memoranda and Documents*, by Lt. Colonel Zivan Knezevic. Reproduced from typewritten copy. (Washington, 1945), p. 8.

That Jevdjic had not worked for, or with the Italians before December 1942 may be possible. However, the fact is that during

1944 he was in Rome with a band of his cetnici and moved around quite undisturbed either by the Italian fascists or Germans.

¹⁴ Martin, *op. cit.*, p. 63.

According to the same author, "Molyevich did not completely dominate Mihailovich, but his influence was strong enough to create a very bad impression on both the British and American officers at the General's Headquarters," *Ibid.*, p. 64.

¹⁵ *Pokreti narodnog otpora u Jugoslaviji 1941-1945*, p. 103.

¹⁶ *Ibid.*, p. 104.

¹⁷ Cf. Martin, *op. cit.*, p. 190.

¹⁸ Mihailovic, defendant, *The Trial of Dragoljub-Draza Mihailovic*, pp. 303, 348, 353, 431-434, 449-450, 459. See also Evgueniye Yourichitch, *Le Procès Tito-Mihailovitch* (Paris: Société d'éditions françaises et internationales, 1950).

¹⁹ The noted French historian and expert in Yugoslav affairs, Professor Albert Mousset, who had defended Serbian centralism for two decades, finally reviewed his opinion with regard to the Serbo-Croatian question: "The national question, the key of which is the arrangement of Serbo-Croatian relations, remains. * * * In their innermost heart, the Croats—in spite of the catastrophic adventure of Pavelic—keep hoping to have, a day, their own state. * * * Radic gave to the Croatian people a social and national consciousness which is more alive than the consciousness which formerly they derived from their 'historical rights' and passive resistance to the Magyar domination. His assassination in the Parliament of Belgrade dug between the Serbs and Croats a bloodstained ditch which has never been filled up. And there was in 1941-1943, a war between them which was not a civil war, but a war of peoples." "Un Bonaparte Marxiste: Tito; a propos d'un congrès," *Le Monde* (Paris), Nov. 8, 1952.

²⁰ Radotic, *op. cit.*, p. 134.

²¹ *Vojvoda* means military leader or leader of a detachment. During the Serbian fighting against Turks, there were several heroic leaders whom the people called *vojvode*. Some of these guerrilla leaders covered themselves with glory during World War I, while during World War II, certain *vojvode* became the first collaborators with the enemy.

"Individual cetnik leaders [*vojvode*] often acted independently and made accommodations with the enemy without the consent of their 'supreme command.' Loose organization and lack of discipline, together with the brutal excesses perpetrated on non-conformists by a number of cetnik commanders, were the main reason, according to observers, for Mihailovic's failure to produce an efficient army." Wayne S. Vucinich, "The Second World War and Beyond," R. Kerner (ed.), *Yugoslavia*, p. 360.

"Djukanovic, later Djuricic, Jevdjic and Djulic, also formally recognized Draza Mihailovic as supreme commander, but in reality they acted as they wanted and, especially, they continued keeping good relations with the occupier." Radotic, *op. cit.*, p. 134.

²² Cf. Martin, *op. cit.*, p. 191.

²³ Some chances for a successful action perhaps still existed even at that time, if the Serbian and Croatian democrats in Yugoslavia joined their forces and efforts. For any such action, Dr. Vladko Macek's participation would be indispensable. But during the entire war, Dr. Macek remained in a state of complete aloofness, which seems not to be the mark of great politicians and statesmen. Anyhow, Dr. Macek preferred to follow the example of Abbé Sievès and when, in 1945, Dr. Macek left the country and came to Paris, all he was able to say about his activities during the war, was: "J'ai vécu."

²⁴ Dr. Zivko Topalovic, Adam Pribicevic, Dr. Vladimir Bjelajcic, Ivan Kovac, Topalovic, Pribicevic and Bjelajcic were Serbs and representatives of Socialists, Independent Democrats, and the Gymnastical Society Sokol,

respectively; Kovac, a navy officer and former gymnastics coach of King Peter, was Slovene. ²⁵ Topalovic, "Poslednji pokusa" [The Last Endeavor] *Poruka* (London), no. 37 (June 13, 1956), pp. 5-7.

²⁶ For the movements of the Soviet and Bulgarian armies in Yugoslavia see map "Opérations principales de nos forces dans la deuxième moitié de 1944," Belgrade, Vojni istorijski institut, *Les efforts de guerre de la Yougoslavie, 1941-1945* (Beograd, 194—); issued also in English as *The War Effort of Yugoslavia, 1941-1945*.

Cf. also Belgrade, Vojni istorijski institut, *Završne operacije za oslobodjenje Jugoslavije 1941-1945*; for the joint military operations of the Yugoslav Army, the Red Army, and the Bulgarian Army in Serbia and Vojvodina, pp. 94-140; for the Red Army in Serbia and Vojvodina, pp. 191-196; and for the Bulgarian Army in Macedonia, pp. 158-189.

²⁷ Yourichitch, *op. cit.*, p. 79. Cf. also *Conf. Yalta*, p. 801.

²⁸ Topalovic, *Pokreti narodnog otpora Jugoslaviji 1941-1945*, pp. 166-169.

²⁹ Snuderl, *Zgodovina ljudske oblasti*, p. 307.

³⁰ Tito, *Pol. Rep. V Con.*, pp. 103-104.

³¹ Dedić, Tito, p. 233.

In regard to the bombardment of Yugoslav cities, Representative Wayne L. Hays, of Ohio, gave, on December 13, 1950, in the House of Representatives, the following statement: "I do know this, that on [Orthodox] Easter Sunday in Belgrade during the last year of the war... Tito asked that American bombers bomb the city of Belgrade, which was not strategically important; he specified that day and he specified that hour. That day and hour happened, purely by accident I suppose, to be on Easter Sunday when the Serbs were coming out of the Orthodox churches." *U.S. Congressional Record*; Proceedings and Debates, 81st Cong., 2d Sess., Dec. 13, 1950, XCVI, Part 12, p. 16532.

³² Janez Martinic, "Ob desetletnici vetrinjske tragedije" [The Tenth Anniversary of the Vetrinje Tragedy] *Svobodna Slovenija; zbornik koledar, 1955* (Buenos Aires; Založba Svobodne Slovenije, 1954), pp. 23-24.

³³ See the note in English in Tine Debeljak, *Velika crna msa za pobite Slovence* [Requiem for Massacred Slovenes] Buenos Aires: Založba Svobodne Slovenije, 1949), p. 214, which reads "In May 1945 * * * the British military authorities gave orders that this army of voluntary anti-Communist fighters should be repatriated to Yugoslavia, and more than 12,000 young Slovenes were handed over to Tito's bands. All were massacred. * * * The quiet mountains and hidden valleys of Slovenia were the scene of mass executions during the whole of the months of May and June 1945. By a terrible mistake the Christian leaders of the Western world had sent to their deaths over ten thousands of convinced anti-Communists; these young men were the first victims in the defence of the West against Eastern barbarism."

Cf. also Extension of Remarks of Representative Walt Horan of Washington in the House of Representatives, January 28, 1957, which includes an article by Bishop Bernard J. Topel of Spokane. The article reads in part: " * * * Not only men, but also women and children, even babies and grandparents were murdered at Tito's whim. Sometimes the killing came after sadistic torture that is so much a part of Communism. * * * Early that summer of 1945 some 11,000 refugees were forced by the British Army to return to Yugoslavia. Ten thousand of them * * * were killed." *U.S. Congressional Record*; 85th Cong., 1st Sess., Appendix, CIII (Jan. 28, 1957), p. A531.

³⁴ *Vetrinjska tragedija: v spomin nesmrtnim junakom izdanim v Vetrinju od 27-31. maja 1945 in pomorjenim za velike ideje*

svobode [The Tragedy of Viktring; in Memory of Immortal Heroes Betrayed in Viktring, May 27-31, 1945 and Slaughtered for the Great Ideas of Freedom] (Cleveland: Zveza slovenskih protikomunističnih borcev, 1960), p. 41.

Cf. also Bor. M. Karapandzic, *Kocevje, Titov najkrvaviji zločin* [Kocevje, Tito's Bloodiest Crime] (Kilivland [i.e., Cleveland] Ohio, 1954), p. 61.

²⁸ Topalovic, *Pokreti narodnog otpora u*

²⁹ *Ibid.*, p. 26.

[From the Washington Post, May 6, 1971]

TITO'S SPEECH

SARAJEVO, YUGOSLAVIA.—President Tito called for the further development and perfection of Yugoslavia's unique social system, which he said was "humanistic," "Marxist," and an inspiration to the world's proletariat.

Yugoslavia started down the path of revisionism 20 years ago by inaugurating workers' councils in the country's enterprises. The system of "workers' self-management" has been criticized from all sides, including Soviet Communists as well as Yugoslav centralists who fear that it is draining power away from the Communist Party.

Tito, opening the 20th anniversary "congress of self-managers," said the experiment was a success and would proceed.

[From the New York Times, May 2, 1971]

TITO ASSAILS CRITICS AT HOME AND ABROAD
(By Alfred Friendly, Jr.)

BELGRADE, YUGOSLAVIA, May 1.—President Tito today placed much of the blame for Yugoslavia's current political crisis on opponents abroad but also intimated that he would crack down on domestic dissent and probably shuffle both the Government and Communist party.

In a rambling, 40-minute May Day address, broadcast on radio and television from the town of Labin near the Italian border, the 78-year-old leader reserved his sharpest remarks for Yugoslav newspaper and television journalists, university students and professors and "megalomaniac" investors. These groups have often been targets for his wrath.

But the speech, which revealed few details of the three-day leadership meeting President Tito held this week, had a new tone of harshness toward critics at home and abroad.

"We have placed democracy on a very high level, on a strong foundation," the President said in a reference to the open discussion that makes Yugoslavia unusual among Communist nations. "But there cannot be democracy for the enemies of our social system who fight against everything we wish to achieve."

"Up until now we have tolerated too much," he said as applause from the well-dressed crowd in the coal-mining town interrupted him. "We have tolerated such enemies and their actions too much, and they are at work in many areas."

The President, who will be 79 on May 25, said that the mass of Yugoslavs still gave him and his associates in the party full support. On a recent trip through backward areas in the south, he said, he had been received "with the same faith" as was shown him after World War II, when he turned his victorious Partisan movement into a government.

Toward the end of that trip, Marshal Tito made several angry speeches indicating that nationalist rivalries among leaders of the country's six republics were becoming a danger to Yugoslavia's development and unity. It was then that he announced this week's leadership meeting, which observers thought would be a major showdown on economic and political issues.

In discussing the meeting on his island retreat of Brioni, however, the President said only that "very sharp discussion" had ended in unanimity. He did not say how outstanding economic questions had been reconciled

nor did he point to any change in existing policy beyond "more energetic" application of party and governmental discipline.

GREATER AUTONOMY FOR REPUBLICS

Stating that Yugoslavia was not in danger of disintegration, he said the current reorganization giving greater autonomy to the governments of the six republics would strengthen the nation.

"We have settled the national question, not only in theory," he maintained. "All that remains is to implement our decisions. There is no nationality in Yugoslavia that wants to be outside Yugoslavia."

Part of the reorganization, he added, would probably be a shuffle of federal posts, which many expect this summer. Beyond that, President Tito said, it may prove necessary to remove prominent party members from posts that they have become "too weak" to occupy.

As for bankers, business managers and others who follow policies opposed by the Government's economic stabilization measures, he declared, "They will not only be expelled from the party but also from their jobs."

[From the Washington Post, May 1, 1971]

YUGOSLAVIA'S LEADERS AVERT SPLIT

(By Dan Morgan)

BELGRADE, April 30.—Yugoslavia's top leadership today averted a public split in its ranks by "unanimously" subscribing to a declaration that singled out nationalism as the main threat to the country's unity.

The declaration came at the end of a three-day meeting of about 80 top Communist and government officials at President Tito's Adriatic island retreat of Brioni. It was called by Tito himself as a step to restore unity to the Yugoslav Communist Party's quarreling factions.

It was not clear from the communique issued today to what extent this aim had been achieved. But an announcement that a conference of the Yugoslav League of Communists would be called soon came as a surprise and suggested to observers that Tito intended to press further with his campaign to heal divisions within the party.

The first such conference in Yugoslavia's history was held only last November and none had been anticipated for this year.

Rivalries have become more pronounced in recent weeks as Communists from Yugoslavia's diverse regions have used a period of decentralization and political relaxation to argue for more local say.

The most explosive issue was raised by Croat Communists who charged that they had been smeared by a conspiracy to link them with the terrorist Ustashi exile organization.

Frictions between Serbs, the largest national group in the country, and Croats, the second largest, have been on the rise.

The party presidium in effect accepted a Croat allegation of a conspiracy. The communique cited an effort by "hostile, subversive forces to exploit our internal difficulties and to seek support from the enemy in our own country."

But the presidium denied earlier insinuations by Croat leaders that federal security police in Belgrade may have had a hand in the smear campaign, details of which have never been revealed. The presidium said "some weaknesses" in the security services had come to light and these agencies would have to be strengthened.

Rumors that the session might signal a major party purge did not materialize. The presidium was unanimous in its estimate of the "seriousness" of the economic situation.

It noted the dangers of bureaucratic, technocratic and centralist tendencies—which are taken as a euphemism for outmoded orthodox ideology. The leadership warned against nationalism, which it de-

scribed as a basis for "the gathering for all anti-Communist forces undermining the confidence and unity of our peoples."

[From the Washington Post, May 9, 1971]

TITO MAKES APPEAL FOR YUGOSLAV UNITY

(By Dan Morgan)

SARAJEVO, YUGOSLAVIA, May 8.—President Tito today reasserted his rule as Yugoslavia's premier political institution in what was described as his most powerful appeal for unity in many years.

His target was all those who undermined that unity, from critical intellectuals to retired, high-pensioned generals who sit in Balkan cafes and grumble about "what does not suit them."

The audience he appealed to was the Yugoslav working class, which he deputized as the "watchdog" against the possibility that new forms of political centralism could arise in the six constituent Yugoslav republics, which will receive broad new powers in a coming constitutional reorganization.

His brisk, barbed remarks, delivered off the cuff, were frequently interrupted by delegates to a congress of factory employees representing the country's workers' councils.

One Western observer who has followed Yugoslav politics since World War II said the speech was Tito's best "in 20 years." A Yugoslav official said the address would rally thousands of persons behind him once again and create the psychological atmosphere in which concrete changes could be made in political, economic and social structures.

FACTIONAL BICKERING

These changes, stalled recently by factional bickering were initiated by President Tito last fall. Yugoslavs have described this as an effort by the 78-year-old leader to vent the potential crisis of the post-Tito era while he was still around to control it.

Rivalries between the country's diverse republics and national groups quickly surfaced and at times Tito had seemed unwilling or powerless to step in. But today he threw his full personal prestige behind the campaign to submerge differences and work out a viable system for the future.

To observers who have watched him for years, he seemed as dynamic and full of fight as he did in 1945 when he and his partisans followed the retreating Germans out of the country and established a Communist regime.

They said the style of the speech, as much as its content, demonstrated his political touch and his special position as the pillar of Yugoslav unity.

SELF-MANAGERS

He was addressing the second congress of Yugoslav self-managers, made up of factory employees who are most active in the system of "self-management"—the method of industrial democracy and worker ownership of enterprises.

Yugoslavia's decentralized system was introduced in 1950, as an alternative—and a challenge—to the rigid systems in the Soviet bloc. Assets of the state monopolies were distributed to enterprises and councils of workers were set up to run them.

Yugoslav workers, he said, were not going to "go back" to capitalism.

President Tito made clear there is only one Yugoslav working class and only one Communist Party. Just because the six republics are to have more power, they are not going to become new centers of "republic statism," he said.

Nevertheless, it remains to be seen whether Tito's appeal to the workers—over the head of the leaders in the republics—will have enough momentum to result in a system of consultation between the republics that will assure equality between them and be an efficient decision-making apparatus. Sometimes this summer, a 23-member presi-

dency will be inaugurated to run the country.

LEAVING PARTY

But President Tito left no doubt that he expects those who oppose his course to "go out" of the League of Communists, Yugoslavia's Communist Party.

"We shall see who among us leaders accepts the right course we are going to initiate," he said.

Tough work is still ahead, including adoption of sweeping constitutional changes that will mean a drastic reduction of federal powers; a party conference to fix the relationship between the Communist Party organization in the republic and the Yugoslav League of Communists; and "gentlemen's agreements" between republics on economic questions that will determine regional say in economic matters.

But today the audience gave its loudest applause for Tito's attack on intellectuals who "only criticize" and who want to take over now that Yugoslavia has been built up into a strong state.

But he said, "There are also generals, retired ones, who draw large pensions and engage in coffee shop talk, assessing negatively what does not suit them . . . all the while drawing 350,000 (old) dinars (\$2,300) a month."

[From the Sunday Star, May 9, 1971]

TITO THREATENS TO PURGE DECENTRALIZATION CRITICS

(By Dennison I. Rusinow)

SARAJEVO, YUGOSLAVIA.—President Josip Broz Tito yesterday threatened a purge of Communist party members and bureaucrats who oppose a series of constitutional changes designed to limit the power of the central government and strengthen the authority of the six national republics.

Addressing the closing session of the second congress of self-managers, Tito referred to past failures to follow word with action and to a Western news report that his words were "an empty gun." He promised that "this will not happen this time. The gun is not empty, we have plenty of ammunition."

A sense of nervousness and bitterness among Yugoslavia's diverse nationalities has been growing in past months to the point that plans for decentralizing the nation have been threatened.

EARLIER MEETING HELD

The three-day congress of self-managers follows a special meeting last month at Tito's island retreat of Brionj of the presidium of the League of Communists that, according to Tito and others who attended, began with "very sharp words." But the meeting reportedly ended in agreement to maintain an ideologically unified Communist party while going ahead with a radically decentralized government.

At the Sarajevo meeting of some 2,300 delegates from factories, firms and institutions, Tito vigorously supported the concept of decentralization and sought to stem the open criticism among the country's nationalities, particularly the most numerous groups, Serbs and Croats.

The workers in self-management, said Tito, would insure that local "statism" and "bureaucratism" would not replace the national "statism" and "bureaucratism" now being dismantled.

The United interests of the working class and the impact of a united market would prove stronger than bureaucratic forces thriving on centrifugal trends, he said.

"We shall also have to see who is among us leaders who does not accept the rigorous course we are going to institute," he said in a threat to those who oppose the current policies.

CRITICIZED BY RICH

Criticism of the system, Tito said, did not come from poor pensioners and low income workers who had a right to criticize, but from those with large pensions and cars who had done better than they deserved out of the system.

Naming those who oppose the Yugoslav kind of Communism within the Communist party would only create "even greater confusion in the present artificial psychosis," Tito added, "but I know who they are."

He referred to "some general on the retired list," whose real complaint was disappointment in "megalomaniac" ambitions to "become president of the republic or at least a minister."

[From the New York Times, Mar. 30, 1971]

TITO MAKES PLEA FOR ARABS IN TALK WITH POPE

(By Paul Hofmann)

ROME.—In a 75-minute audience surrounded by Vatican pageantry, President Tito of Yugoslavia and Pope Paul VI today discussed the Middle East, East-West affairs and other international problems.

President Tito was the first Communist chief of state to pay an official call on the head of the Roman Catholic Church. A visit by the Soviet President, Nikolai V. Podgorny, to Pope Paul in the Vatican in 1967 was described as private.

Churchmen said today that the Yugoslav leader in his talk with the Pontiff had made a strong presentation of the Arab case in the Middle East conflict.

President Tito, who ended a five-day visit to Italy today, conferred near Pisa on Saturday with the Foreign Minister of the United Arab Republic, Mahmoud Riad.

Pope Paul reportedly restated the Vatican's request for an internationally guaranteed special status for Jerusalem and other holy places in Palestine.

[From the Washington Post, Oct. 26, 1971]

TITO: LAST OF FOUR WHO SPOKE FOR "THIRD WORLD"

(By Murrey Marder)

President Josip Broz Tito's first state visit to Washington this week will underscore special American interest in supporting an unaligned Communist nation wedged between two power blocs.

The fine gradations of diplomatic ceremonies are usually of little interest to laymen. But in the case of this Tito trip, there is an important distinction drawn by officials on both sides—and also by American emigres of Yugoslav descent who seek to disrupt Tito's visit.

For while Marshal Tito met with President Eisenhower at the United Nations in 1960, and conferred with President Kennedy at the White House in 1963, never before has he received the full-scale state welcome he long has sought in the United States, to help reinforce his often-precarious position in the power balance.

Among anti-Communist emigre groups in this country, Serbs, Croats and others, there is acute awareness of this distinction, according to officials responsible for President Tito's security here. There is reportedly added antipathy among many emigres over the fact that President Nixon, once the great favorite of these groups because of his staunch anti-communism, has made the warmest overtures to Romania, Yugoslavia and other Communist nations.

The record of past assaults on official Yugoslav offices in this country has caused U.S. planners to take special precautions for Tito's safety. The incidents that have marred Soviet Premier Alexei Kosygin's Canadian visit, despite extra security measures, underline the problem.

President Nixon on Friday made a special

appeal for Americans to accord full courtesy to Tito, mindful of the previous demonstrations against the Yugoslav leader on earlier visits of lesser stature. By providing his mountain retreat at Camp David, Md., Wednesday night as an arrival rest stop for Tito and Mrs. Broz, as the Yugoslavian President's wife is called, President Nixon doubly associated his prestige with their visit.

Tito, now 79, is openly engaged in attempting to assure that Yugoslavia's independent brand of communism survives both the fractionalization hazards of its multiple nationalities and the risk of new Soviet domination. He led Yugoslavia out of the Soviet orbit in 1948, in a historic break with Moscow.

Tito is the last survivor of the quartet of dynamic figures who aspired to lead the unaligned "third world": India's Nehru, Egypt's Nasser, Indonesia's Sukarno. President Nixon, making the first visit of an American President to Yugoslavia, last fall, confirmed there that this administration accepts and supports Tito's brand of unalignment. American officials said yesterday that the full-dress welcome to be accorded Tito here this week will be added evidence of that policy.

President Nixon told Tito last year that the United States would try to encourage American equity capital to invest in Yugoslavia. An amendment to help fulfill that goal is included in the present foreign aid bill now on the Senate floor. It would authorize guarantees for American investment in Yugoslavia and Romania, through the Overseas Private Investment Corporation.

The United States also recently agreed to reschedule \$58.6 million in Yugoslavian debts to the United States, as American support for Yugoslavia's stabilization program.

In addition to its attempts to sustain its own non-doctrinaire brand of market economy, Yugoslavia last month played host to Soviet Communist Party leader Leonid Brezhnev, seeking to gain a guarantee of Soviet respect for Yugoslav sovereignty. The results reportedly were some gain, but with some ambiguity remaining about the Brezhnev doctrine of "limited sovereignty" of Communist nations.

Yugoslavia earlier this month reemphasized its independent stance with military maneuvers marking the first major test of its doctrine of "peoples' war," drafted after the 1968 Soviet-led invasion of Czechoslovakia.

DAY OF UNITED NATIONS INFAMY

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. PELLY. Mr. Speaker, as Ambassador George Bush said last night after the United Nations General Assembly vote to seat Communist China and expel Taiwan, it was a day of infamy.

The United States lost a friend who consistently supported us. At the same time, one unfriendly nation becomes a member and will consistently vote against our interests.

More grievous, however, is the precedent that means a simple majority of United Nations members any time it suits them can expel a member.

Mr. Speaker, there was great jubilation after that tragic vote and let us not forget that in the cheering section were Representatives of Belgium, Britain, Canada, and Mexico.

Obviously, we cannot defend ourselves against our friends.

DENUNCIATION OF U.N.-CHINA OUSTER

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. PRICE of Texas. Mr. Speaker, I rise today for the expressed purpose of denouncing the unconscionable act of the United Nations General Assembly in voting to expel the Republic of China from its membership. During the past several weeks we have watched with growing apprehension the jockeying and maneuvering going on in New York by the nations actively supporting the ouster of the Republic of China and the astonishing groundswell of support for membership for the Communist dictatorship of mainland China.

I would commend President Nixon and Ambassador to the United Nations George Bush for their efforts to forestall what was becoming an increasingly unfavorable situation by proposing a "two China" policy to keep the Republic of China in the United Nations. I personally feel that we could have and should have taken a stronger stand at various points along the way to defend the Republic of China's membership, but it is evident that both the President and Ambassador Bush saw the handwriting on the wall and realized that we were simply outvoted.

Mr. Speaker, the action of the United Nations General Assembly last evening brings chilling thoughts to mind to those of us who recall the decision by President Franklin D. Roosevelt back in 1933 to grant diplomatic recognition to the U.S.S.R. Ever since the Bolsheviks had come to power in 1917, the United States refused to do business with the ruling Communist dictatorship of the U.S.S.R. Then all of a sudden in 1933 our Government concluded that the "time was ripe" for a "normalization" of relations with Russia. By granting the Soviet government diplomatic status, it was reasoned, we could better pressure them to act more responsibly and to reduce their worldwide outlaw-tactic activities. Furthermore, it was assured that recognition would make a new market available to American business. Unfortunately, the lesson of history has shown that these hopes were but a wisp of smoke, that our assumptions that the Russians would "behave" were naive and groundless, and even the hopes for greater business activity came to nothing—until the United States began donating and shipping large amounts of war aid to Russia in World War II, aid for which we have received neither repayment nor thanks.

And so, now the General Assembly, using the same false reasoning, has opened the door of membership to yet another Communist government, thereby allowing the Communists one more beachhead for the purpose of subverting the Free World, and for weakening the prospects of a lasting world peace. Once again, the American people, who shell out over a third of the United Nations budget, have been betrayed by the countless nations long the recipients of Amer-

ican generosity. The American people will no longer tolerate being the patsy of the rest of the world. We cannot be expected to shoulder the lion's share of the burden of defending freedom while other nations who are the beneficiaries of our generosity openly undermine our leadership.

Mr. Speaker, the time has come for the Congress to take a long and hard look at our commitments to the other nations, and to adjust those commitments to levels which clearly indicate that "Uncle Sam" has been held up for the last time. And, I can think of nowhere for a better place to start than by trimming our outlays to the decrepit, misguided, and myopic United Nations.

BRIG. GEN. JOHN R. BROWN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. BIAGGI. Mr. Speaker, yesterday we celebrated Veterans Day.

I can think of no better time to honor one of my constituents who is an outstanding veteran, Brig. Gen. John R. Brown.

General Brown, who presently skips the New York National Guard's 1,200-man Sixth Area Command, has announced his retirement at age 64.

His 42-year career in the Guard started when he enlisted illegally at the age of 16 in his native town of New Bedford, Mass. In 8 years he rose to the rank of first sergeant in that unit. He later moved to New York where he joined the 71st Infantry Regiment.

After attending Officers' Candidate School, he was commissioned a second lieutenant in 1937. He entered the regular Army's 44th Infantry Division in 1940 and went on to fight in the Middle East theater, in the North African campaign, and the Battle of the Bulge. He was awarded the Combat Infantryman's Badge and the Purple Heart.

Known as "The Old Man" to guardsmen, this ex-prize fighter now commands over a 70-mile area comprised of eight countries—Westchester, Rockland, Ulster, Putnam, Dutchess, Sullivan, Orange, and Green.

He has combined tough soldiering with a human kindness that has made him well loved and respected by his troops. He recently said:

I've been a soldier all my life, I've bent the law a little to get into the National Guard and someone was nice enough to allow me to stay in. I've always remembered that when some of my men committed minor infractions.

The general will be honored at a testimonial dinner sponsored by the Hendrick Hudson Veterans of Foreign Wars Post 3300 to be held at the Kingsbridge Armory in the Bronx this Saturday. Earlier in the day his unit will mark his retirement amid a panoply of drum rolls and bugle flourishes.

General Brown has lived in the Bronx since 1930. He is married to the former

Theresa Carraccio, and has worked for Con Edison for the past 40 years.

Mr. Speaker, it is with great pride that I count this man among not only my constituents but my friends. This country would do well to have more like him.

MINNEAPOLIS HEALTH HEARINGS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. FRASER. Mr. Speaker, at the hearings I recently held in Minneapolis, the Minnesota Nurses' Association was represented by Mrs. Ruth Lunde. Mrs. Alberta B. Wilson, the director of nursing for the Minnesota Department of Health at the request of Mrs. Lunde provided additional information on the need for home health services. Mrs. Wilson provided an interesting chart showing the need for nursing services for Minnesota residents over 65 years of age.

Mr. Bruce Stanley, representing the community health and welfare council, also discussed the home health services. He pointed out that patients who would have to be institutionalized are getting care in homes at greatly reduced cost. He urged that medicare home health care limits be removed or revised so that home health care would be provided on the basis of need. Mr. Stanley pointed out that in 1969 service cost only \$2.3 million. Home health care is a necessary and important part of a total health care system. It should receive stronger emphasis.

MINNESOTA NURSES ASSOCIATION

DESCRIPTION OF COUNTY PUBLIC HEALTH POSITION

The public health nurse is a registered professional nurse who gives skilled nursing care, including health counseling, in a variety of community settings to individuals and families, sick or well, according to their health needs. She identifies needs of patients who have physical or mental illnesses or disabilities, and with the physician helps families plan for and secure the necessary services. Her primary objective is to help individuals and families develop and strengthen their own abilities to manage problems related to health. The public health nurse utilizes physical care, teaching, counseling, and her knowledge of preventive and rehabilitative measures to assist people to reach the best level of health attainable in their situation. She has responsibility for selecting, teaching, and supervising other nurses, aides, volunteers, or family members who give care in her absence.

The public health nurse gives information and guidance to the agency's administrative committee in studying community health needs; identifying, planning, and evaluating appropriate nursing services and policies; and in administering the agency's services.

In her professional capacity, the nurse participates with selected community groups concerned with the well-being of community members. She interprets public health nursing and coordinates the agency's programs with others to achieve effective and efficient services.

Public health nursing practice emphasizes preventive and restorative functions carried out with individuals and families thus contributing to the physical, mental and social well-being of the community.

NURSING SERVICES TO MINNESOTA RESIDENTS OVER 65 YEARS OF AGE, 1970

	1970 population, over 65	Estimated 65-plus population needing nursing services	Number of 65- plus who were visited by P.H.N. in 1970	Estimated 65- plus who needed nursing services but did not receive them	Percent of 65-plus who needed nursing services but did not receive them
State total.....	408,919	26,580	10,369	16,211	60
Minneapolis.....	65,261	4,242	1,519	2,723	64
St. Paul.....	41,136	2,674	1,267	1,407	52
Out State.....	302,522	19,664	7,583	12,081	61

Note: Feb. 26, 1971.

FIRST AMENDMENT VIOLATED AT KILLEEN, TEX.

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mrs. ABZUG. Mr. Speaker, our war machine continues to grind along its bloody course through Southeast Asia. If our war policy ever made any sense, that sense has been long forgotten by the American people.

But our GI's and our veterans who have seen the war and sacrificed in it have not forgotten. They have not forgotten the friends they saw killed or wounded, the limbs they have lost, the horrors in which they have been ordered to participate.

One such group of conscientious GI's in Killeen, Tex. felt it was their duty to march on Veterans Day to remind us that the war goes on, and to honor their young friends who have died and still are dying today in Vietnam.

I am advised that this group of citizens planned their Veterans Day march well in advance. In late September, they applied to local authorities in Texas for a parade permit. But the town fathers, apparently not wishing to antagonize powerful military men at nearby Fort Hood, did all in their power to prevent the peaceful march from taking place. According to reports, the town first demanded a bond of \$4,000 to cover "police costs". Later, the fee was lowered to \$500, but the marchers were informed that any permit they might receive would give them only the use of the sidewalk, and that carrying of placards would not be permitted.

The GI's and veterans, who are sworn to uphold the Constitution, were understandably unwilling to accept such blatant prior restraints on the exercise of their first amendment rights. They decided to carry out their march despite the denial of the permit.

In Killeen, Tex., on Veterans Day 1971, 112 of these citizen-soldiers and their supporters were reportedly summarily arrested and thrown in jail by civilian authorities. They are now being held because they cannot produce the \$200 bail levied on each of them.

All of us should deplore these sad events. We must demand that the marchers be released and charges dropped, and that no further punitive action be taken by military authorities at Fort Hood. Further, we must see to it that when citizens request a permit to parade

peacefully in exercise of their freedoms of speech and assembly, such denial of rights as was encountered in Texas yesterday will not occur.

HANDICAPPED TO RIDE ON RAPID TRANSIT

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. WALDIE. Mr. Speaker, in a matter of months the Bay Area Rapid Transit System will commence service in the San Francisco Bay Area.

This system will be the most modern in the Nation and should contribute to the environmental betterment of the area.

The BART system is also unique in that it will be designed so that all handicapped persons will be able to use the facilities—in other words—the BART system will have 100 percent ridership.

Recently, Mr. Harold Wilson of Alameda, Calif., chairman of the Architectural Barriers Committee of the Easter Seal Society for Crippled Children and Adults, appeared before the Senate Subcommittee on Aging and gave a report on the BART system and its advantages.

Mr. Speaker, I think that Mr. Wilson's comments are worthy of consideration by all Members of the Congress.

The report follows:

THE ELDERLY AND HANDICAPPED BARRIER— FREEDOM ON SAN FRANCISCO BAY AREA RAPID TRANSIT SYSTEM

(By Harold L. Willson, Chairman Architectural Barriers Committee, Easter Seal Society for Crippled Children and Adults)

When the San Francisco Bay Area Rapid Transit System is completed in 1972, its service area will extend into three counties with seventy five miles of track and thirty nine stations. The facilities for the elderly and handicapped will surpass those of any other mass transportation system in the world providing for 100 per cent ridership within its service area. These facilities were acquired primarily due to the efforts of the Architectural Barriers Committee of the Easter Seal Society for the Crippled Children and Adults of Alameda and Contra Costa Counties.

Shortly after the inception of BART, it was noted that the BART System plan, as authorized by the public bond issue in 1962, excluded facilities for the elderly and handicapped with severe mobility limitations. Whereby, I initiated a project to secure facilities which would be easily accessible to, and usable by, these individuals, including non-ambulatory persons.

The project objectives were four-fold as follows:

1. Obtain endorsements and support for the project from the elderly and handicapped individuals and organizations devoted to the welfare of the elderly and handicapped.

2. Inform, educate and convince the BART Board of Directors and Staff that the authorized plan would prevent access for approximately 4 per cent of the population who are elderly and handicapped with severe mobility limitations.

3. Secure BART Board of Directors policy to insure that the system would be constructed whereby the facilities for the elderly and handicapped could be easily added at a later date, and to secure estimated cost of adding the facilities.

4. Since BART was not authorized nor funded by the electorate to provide for the elderly and handicapped, obtain authority and funds through the State Legislature.

OBTAIN ENDORSEMENTS AND SUPPORT

Due to the many interest facets and enormous number of individuals and organizations involved, various methods and procedures were employed to obtain endorsement and support for the project.

Since the elderly and handicapped population would be directly affected by the success or failure of the project, it was imperative that the strongest endorsement and support should be obtained from the organizations representing and/or devoted to the welfare of the elderly and handicapped. Therefore, many meetings with representatives of these organizations were concerned to discuss problems and strategy and to trigger timely letter campaigns directed to BART and the State Legislature. These meetings and letter campaigns were not only beneficial, they supplied the backbone support for the project.

On the other hand, it was evident that our project required the endorsement and support from the non-elderly and non-handicapped citizens. Therefore, many of my evenings, especially in the early years of the project, were devoted to speaking engagements at service, church and professional groups.

Rather than through the use of public demonstrations and news media publicity, the project accomplishments are primarily attributable to individual salesmanship with respect for the individual involved. As a result of this salesmanship and presentation of the facts involved, I have gained the confidence and a professional attitude from everyone contacted.

INFIRM, EDUCATE, AND CONVINCE BART

I have been a volunteer consultant to the San Francisco Bay Area Rapid Transit District Board of Directors and Staff since early in 1963 urging them to provide facilities in the initial construction which will be easily accessible to all the public including the elderly and handicapped in wheelchairs.

Since every existing public transportation system, through design, presents unsurmountable barriers to the elderly and handicapped with severe mobility limitations, a number of the BART officials and personnel understandably had difficulty in compre-

hending the necessity of special facilities to accommodate the elderly and handicapped. Nonetheless, project objectives to inform, educate and convince BART were accomplished through:

1. Presentation of the statistics from the National Health Survey.
2. Projected increases for the elderly and handicapped population.
3. BART's responsibility to provide transportation to all of the public.
4. Fair and honest salesmanship and professional attitude.

SECURE BART BOARD OF DIRECTOR POLICY

Since BART was not authorized nor funded by the electorate to provide facilities for the elderly and handicapped, it was necessary to secure a BART Board of Director policy that the system would be constructed whereby the facilities for the elderly and handicapped could be easily added at a later date, and to secure estimated cost of adding the facilities.

In 1965, the BART Board of Directors adopted a construction policy for the subway stations whereby it would be possible to easily add elevator facilities in the future, if funds were provided.

Later on February 29, 1968, the BART Board of Directors adopted the policy that they would inform all concerned that the facilities for the elderly and handicapped will require an additional \$5 to \$7 million (later revised to \$10 million) and that the State Legislature be notified that the BART District is willing to install the facilities if the additional money is provided from sources other than the BART District.

OBTAIN AUTHORITY AND FUNDS

Once BART was convinced, construction policy was obtained, and BART provided the estimated cost, our final objective was to secure authority and funds for the elderly and handicapped facilities from the State Legislature. This authority was accomplished through the enactment of the Assembly Bill No. 7, Chapter 261, which was approved by Governor Reagan on June 6, 1968. The basic provision of the law is as follows:

It is the purpose of this chapter to insure that buildings and facilities, constructed in the State by use of State, county, or municipal funds, or funds of any political subdivision of the State, adhere to the American Standards Association Specifications A 117.1-1961 for making buildings and facilities accessible to, and usable by, the physically handicapped.

This law was not directed specifically at BART but rather for all public buildings. The passage of this law required a massive statewide effort by many elderly and handicapped groups and individuals with the Easter Seal Society in the thick of the effort.

A few months later the State legislature resolved BART's funds-to-complete shortage problem and added \$10 million for the elderly and handicapped facilities.

ACCOMPLISHMENTS

Elevators will move the nonambulatory or semiambulatory person vertically from street to train platform. All elevators will be equipped with telephone for calling the station agent, and will have controls within each reach of the wheelchair occupant.

Toilet facilities also have been designed to accommodate the elderly and handicapped. The door widths are wide enough for persons in wheelchairs to pass through, and restrooms will have one stall that can be used by the wheelchair occupant.

Stairs at stations will have handrails on both sides that will extend 18 inches beyond the top and bottom steps. Special parking facilities will be provided for the handicapped, with wider-than-usual stalls located close to the station and to the elevators reserved for

the elderly and handicapped with severe mobility limitations.

The BART car was also designed with handicapped persons in mind. A wheelchair occupant can easily ride over the gap between the train platform and the car floor, can easily pass through the car door, and move from one end of the car to the other.

A combination of loudspeaker directions and easily-read signs will aid the BART patron with impaired sight or hearing. Seeing-eye dogs will be permitted and, when necessary, the station attendant can assist the blind.

Other facilities for the handicapped include special service gates and fare collection machinery in stations, a communication system that includes closed-circuit television, special directional signs, and the low placement of telephones and elevator buttons.

CONCLUSION AND RECOMMENDATIONS

This has been a very rewarding project for the elderly and handicapped of the San Francisco Bay Area and will assist in the future planning of mass transportation systems throughout the world. BART is the mass transportation laboratory and will have the all important 100 per cent ridership—A FIRST.

As mentioned, a great deal of effort was expended on my part and from many individuals and groups including the BART Board and Staff personnel. However, maybe more importantly, this project demonstrated that individuals treating each other with respect and on a professional level can accomplish what appeared to be impossible.

Through the final months of construction, BART has requested that I continue to assist them in the area of inspection for they are proud of their system and their part in providing for the elderly and physically handicapped.

After the BART construction phase, the reduced fare question for the elderly and handicapped must be resolved.

Phase II of the transportation problems for the elderly and handicapped is to provide barrier-free access to the bus systems in the San Francisco Bay Area. The major problem for wheelchair occupants and others with severe mobility limitations for accessibility to the bus systems is that one or two transportation systems cannot afford to absorb the bus redesign and tooling costs. Furthermore, the bus systems cannot afford to scrap the existing buses to purchase redesigned equipment.

Therefore, I recommend that a Federal law be enacted making it mandatory for all newly built buses to be equipped to accommodate wheelchair and other elderly and handicapped passengers, and that Federal funds be made available to the bus systems for the purchase of accessible-to-wheelchair minibuses, etc. to be used as a substitute system during an orderly and planned conversion to newly equipped buses and complete service to all the public.

Furthermore, I recommend that a Federal law be enacted making it mandatory for all public transportation systems, including air transportation, to be accessible to and usable by the elderly and the handicapped including the nonambulatory.

Except in rural areas, where public transportation is non-existent, and areas executing a planned and controlled bus conversion program, I would recommend against separate transportation systems for the elderly and handicapped. In my opinion, this type of segregation would lead to higher cost and inadequate transportation for the elderly and handicapped.

Since the San Francisco Bay Area has been labeled the transportation laboratory, I recommend that every effort be exerted at the Federal, state, and county levels to implement the total laboratory test such as the

requirements for the elderly, handicapped (including non-ambulatory), and the poor.

LADY BIRD JOHNSON FURTHERS HIGHWAY BEAUTIFICATION

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. PICKLE. Mr. Speaker, competition is growing among Texas highway maintenance foremen for the \$1,500 cash prize and plaque presented each year by former First Lady, Mrs. Lyndon Johnson—and Texas highways are growing ever more beautiful.

Our Texas highway personnel have always been proud of our long roadways—keeping them clean and landscaped beyond normal requirements. But the Lady Bird Johnson Highway Award has both rewarded these efforts and encouraged further projects, making Texas highways a delight to travel over.

It is yet another example of the contagious enthusiasm and inspiration our former First Lady has been and remains to citizens of all walks of life in our great Nation.

In addition to her award to highway personnel, Mrs. Johnson plans next year to add a \$1,000 award to the news media for "exceptional reporting on the beautification of Texas."

Crispin James of the Austin American tells us of the latest winner of the Lady Bird Johnson Award and of the future of the new awards. His article follows:

LADY BIRD HIGHWAY BEAUTY AWARD GOES TO CONROE MAN

(By Crispin James)

STONEWALL.—In Stonewall, country of cabrito and LBJ, John W. Berry received the 1971 Lady Bird Johnson Highway Beautification Award Friday during ceremonies at the Lyndon B. Johnson State Park.

Berry, Texas Highway Department maintenance construction supervisor from Conroe, was presented with a personal check for \$1,500 from Mrs. Johnson and a plaque which read, "For his contribution to the beauty of Texas highways, through landscaping, preservation of native wild flowers and maintenance of rest areas."

Former President Lyndon Johnson also gave an "LBJ award" to Rufus Jones, maintenance construction supervisor from Fredericksburg.

The award was a silver cup, inscribed to Jones from the Johnsons.

Berry has worked for the Texas Highway Department for 16 years, and is credited with making Montgomery County in Houston District 12 "a theater for natural beauty."

"Wherever natural beauty exists," said George Murson, Houston assistant district engineer, "Berry has a special talent for bringing it to the attention of the public."

The four runners-up to the top prize were Melvin E. Bayless, La Grange, District 13; Jim L. Hamilton, Hamilton, District 9; Charlie Anderson Hobbs, Seymour, District 3; and Allen Knox, Raymondville, District 21.

"These men we're honoring represent a fine highway department and are emissaries who keep our showcase in order," said E. J. Urbanovsky, chairman of the Department of Park Administration at Texas Tech and one of the 1971 selection committeemen for the

Lady Bird Johnson Award. "It was extremely difficult to select a winner, but we chose Berry because of the ability he had demonstrated in the use of natural materials, his ingenuity, and his willingness to go far beyond what was expected of him."

Mrs. Johnson announced that in the addition to this award, in 1972 she would make an award of \$1,000 to the news media for "exceptional reporting on the beautification of Texas."

The prize money will be divided, with \$500 going to a Texas newspaper reporter and \$500 to a radio television announcer who develops the best series on the environment and ecology, said Mrs. Johnson.

After Mrs. Johnson made her award, she suggested that "one other gentleman has a word to say," and former President Johnson rose to present some awards "of his own."

In an informal speech spiced with jokes and references to his wife and daughters, Johnson praised the work of Jones, and said: "I'll bet you a saddleblanket that this will never find its way onto the side of the highway," said Johnson, perhaps referring to the statement by his wife that all cans from the refreshments would be "recycled" to prevent any littering.

Johnson also gave silk scarves, designed by Molly Parnis and inscribed with Texas flowers and wildlife, to the award finalists and highway officials sitting on the stage to give to their wives.

The afternoon of awards was not over, however, until Mrs. Johnson was presented an armful of "yellow roses of Texas" by Dewitt Greer, chairman of the Texas Highway Commission.

"You have been a great inspiration to the highway department," said Greer.

AMENDMENT TO BE OFFERED BY REPRESENTATIVE MIKVA TO H.R. 7248

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. MIKVA. Mr. Speaker, at the appropriate time I intend to offer an amendment to the Higher Education Act to provide a \$1 million increase in the authorization of the Civil Rights Commission in order to enable the Commission to carry out the additional duties provided in this act.

The committee bill gives to the Civil Rights Commission jurisdiction over discrimination on the basis of sex. It is important that this not be a hollow undertaking. If we are to expect the Commission to carry out the responsibilities the committee has assigned to it, we must provide the funds necessary to do the job right. The bill reported by the committee provides no additional authorization.

When the amendment is offered on the floor, I will present the budgetary justification for the \$1 million figure requested.

The language of the amendment reads as follows:

Page 201, line 16, after "Sec. 1007." insert "(a)".

Page 201, after line 21, insert the following:

(b) Section 106 of the Civil Rights Act of

1957, as amended, (42 U.S.C. 1975e) is amended by striking out "\$4,000,000" wherever it appears and inserting in lieu thereof "\$5,000,000."

A MEMORIAL TO JUSTICE BLACK

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. HELSTOSKI. Mr. Speaker, it was with great sorrow that my colleagues and I noted the recent passing of the late Justice Hugo L. Black.

Albert Epstein, a resident of Bergen County, N.J., brought to my attention a poem he wrote which is dedicated to the memory of Justice Black. I would like to share it with my colleagues:

JUSTICE HUGO L. BLACK: A MEMORIAL—OUR HERITAGE

(By Albert Epstein)

Freedom, the Dignity of Man, rejoiced
When Independence was conceived—
The infant gasped for breath.
Then came our Constitution—
Alone, the child was weak,
Uncertain, he crawled on hands and knees.
A spark of life lay hidden within his mother's womb,
The pangs of labor burned.
A miracle—a twin, the Bill of Rights, burst forth
Endowed with all the wisdom garnered by the sages—
The spasms fled.

PEACE FOR NORTHERN IRELAND

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 20, 1971

Mr. KOCH. Mr. Speaker, the continuing turmoil in Northern Ireland deeply disturbs me. What, however, I find even more distressing is that an end to the injustices causing this violence does not yet appear in sight.

Since the treaty of 1921, which established the six counties of Northern Ireland, the Catholic minority has been the victim of blatant discrimination. The Cameron report, a 1969 official document of the British Government, cites examples of this discrimination in the areas of local government appointments, local government electoral boundaries, housing allocations, and employment. While some measures have finally been instituted in an attempt to end these injustices, the government's revival of internment policies appears to me to be a step backward.

I have become, therefore, a cosponsor of Congressman HUGH CAREY's resolution which calls for peace in Northern Ireland, and if implemented could hopefully bring a realization of this goal. One of these is the termination of the current internment policy under the Special Powers Act, and simultaneous

release of all persons previously detained. Another is full respect for the civil rights of all the people of Northern Ireland and an end to political, social, economic, and religious discrimination. A third measure calls for implementation of the promised reforms by Great Britain in the fields of law enforcement, housing, employment, and voting rights. The dissolution of the Parliament of Northern Ireland and withdrawal of all British forces is another provision.

Under this arrangement law enforcement would be placed under local control acceptable to all parties. And finally, this resolution expresses the hope for a convening of all interested parties for the purpose of accomplishing the unification of Ireland.

It is my hope for an early passage of this resolution, even though its effect is moral in that obviously our Congress cannot legally bind the parties involved in that civil war. But, silence in the midst of such bloodshed and sadness is, to me, unthinkable. The Congress should now go on record as deploring this situation.

AMNESTY NOT APPROPRIATE THIS TIME FOR DRAFT EVADERS

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1971

Mr. BRINKLEY. Mr. Speaker, may I commend the within editorial to the thoughtful attention of my colleagues. More than any words I have seen on this subject do these fit the description of "... a word fitly spoken being like apples of gold in pictures of silver."

The editorial follows:

[From the Columbus (Ga.) Ledger, Oct. 23, 1971]

FOR THOSE WHO DID SERVE—A MUCH GREATER PRIORITY

Pressure is being built to get a general amnesty for American youths who ran to Canada to evade the draft—timed specifically for the Christmas season.

Best information is that there are between 50,000 and 100,000 draft evaders and military deserters in Canada alone. About 500 men are in federal prisons for draft evasion.

Now 16 lawyers, writers and educators have issued a statement proposing they be allowed to return "freed of any legal impediments and invited to share here the opportunities and responsibilities of building a better nation."

We are not without compassion, nor without concern over the prospect of having some kind of American exile population drifting about in the world.

We are not quite ready to take up this particular group's problems this Christmas, however.

We have other worries with more priority concerning our young men affected by Vietnam.

We have sick and wounded veterans to be cured.

There are men without sight, limbs or with their mental health shattered we wish to have restored.

Appropriate honors must be rendered, and opportunities provided, for our young men

who answered their country's call, fought, returned, and now are in fact finding it hard to find opportunities and responsibilities for building a better nation. We need jobs, training and a compassionate country to handle that problem.

Later, when we have done what we should do for those who did what they should do,

then perhaps we can levy on our pool of compassion for some consideration of the lot of those who ran off to Canada.

But not this Christmas. This Christmas, we want to reserve as much of our compassion and priorities as we can for those with first call on it, and those who ran to Canada evaded any claim to priority on that matter

just as certainly as they evaded the summons their country sent to them and the war in Vietnam.

We didn't like the war, but we're not prepared yet to welcome home voluntary exiles who ran away from it while others went in their stead. Let them wait a while longer so we can all think about it a little more.

SENATE—Wednesday, October 27, 1971

The Senate met at 11 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:

O God in whom reposes all might and power and wisdom, look upon Thy servants here to whom the people have committed the welfare of this Nation. Into their hearts send Thy light and Thy truth. Teach them the lesson that it is not in the possession of power but in the uses to which it is put that all men are under divine judgment. So, amid the collision of world forces, when the channel of history seems turned from its course, when little men shrivel and perish, keep Thy servants here calm, confident, wise, and just, anchored to the faith of the Founding Fathers. And may they and we behold, in the swift changing scene, the opening of a new challenge, radiant with promise and vibrant with hope in which we shall play our full part as faithful servants of the King of Kings and Lord of Lords.

For Thine is the kingdom and the power and glory forever. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 26, 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.

ORDER OF BUSINESS

Mr. SCOTT. Mr. President, I yield back my time.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Oklahoma (Mr. HARRIS) is now recognized for 15 minutes.

AMERICA'S RURAL HEALTH CRISIS, 1971

Mr. HARRIS. Mr. President, in testimony before the Senate Labor and Public Welfare Subcommittee on Health on March 31, 1971, Dr. Robert L. Nolan, the chairman of the division of public health and preventive medicine of the West Virginia University School of Medicine, has eloquently brought to attention the actual crisis dimensions of our health care system in rural America.

Dr. Nolan's testimony points out that for many rural communities there are no practicing health personnel available at all. For a country with the best medical expertise in the world, this situation is a national disgrace. The lack of medical services in rural America has reached the shameful point wherein a person's right to a healthy life is a function of his or her place of residence. It is time we realize that the right to health in this country is exactly that: a right for all Americans, not a privilege for a few.

This is simply not the case in rural America. Statistics bear out this fact. One-half of the 1,343 maternal deaths in the United States per year occur in rural areas and small towns, although in our country 70 percent of the people live in urban areas. The infant mortality rate in rural America is one-third higher than the rest of the Nation, and there exists a 30- to 40-percent higher rate of disability and death from accidents in these areas of our country than elsewhere.

Mr. President, the reasons for the shocking lack of health care in rural America transcend the issue of health itself.

Rural Americans, for the most part, simply do not share in the good things of our society. Poverty is the central fact of life for 14 million, or one out of every four, rural Americans. Unemployment, inadequate housing, lack of transportation, poor schools, and the lack of strong public or private institutions are the hallmark of the general deterioration of rural America. We cannot isolate the health care problem from this larger problem.

Dr. Nolan's testimony before the Subcommittee on Health recognizes the health care problem of rural America as part of a larger phenomenon. With uncharacteristic vision in this age of the specialist, where problems and their solutions are categorized into neat little pigeonholes, Dr. Nolan brings to the scene a refreshing change in outlook. He knows that another hospital here, and two more doctors there, are not really going to change things. Fundamental change is necessary.

Mr. President, Dr. Nolan describes the problems of rural America with the sense of urgency they deserve. And he also proposes the urgent solutions these problems demand. I would hope that each of my colleagues will give this valuable testimony careful consideration. I ask unanimous consent that it be printed in the RECORD.

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

THE RURAL HEALTH CRISIS, 1971

Gentlemen, I appreciate your invitation to participate in this Hearing today to present some observations and recommendations concerning health matters in rural areas.

For a variety of reasons studied by countless commissions and committees, rural people do not share in the same opportunities as the rest of their fellow Americans.

Rural health conditions in this country today are the heritage of decades of continuing neglect and indifference, which has left our deprived rural regions far behind the rest of the Nation. Whatever elements we attribute to the "health crisis" in the country today, these are severely aggravated in our rural areas, where conditions similar to underdeveloped countries often prevail.

Poverty in rural America dominates the lives of an estimated 14 million people, or one out of four living in rural areas, compared to one out of eight in urban areas.

In the urban ghetto, help can be summoned from the surrounding affluent regions; people and agencies are available who can give their skills to provide assistance. In an emergency, hospitals do exist within the city, an ambulance may be found, and so may a doctor.

In the isolated rural areas there may be no ambulance, no hospital, no doctor, just no help available. The resources that we take for granted in the cities simply do not exist in many of our rural areas. These shortages in rural areas also affect those with financial resources, who must travel long distances for needed health care and also have no access to adequate emergency care.

Rural areas share the other liabilities of the ghetto: unemployment, inadequate housing, crowded dwellings, and discrimination. In addition, the rural areas are plagued by an absence of transportation (which is almost complete, and which the new Railpax will not resolve), isolation created by geography, weather, and poor roads, lack of strong public or private institutions, dispersal of population impairing political effectiveness and community organization.

In many rural areas, even water, waste disposal, electricity, and modern heating—basic needs associated with a modern civilization—are all lacking.

RURAL HEALTH ISSUES—WEST VIRGINIA ILLUSTRATION

The situation in West Virginia is illustrative of problems in other rural areas. Almost 60% of West Virginia's population is dispersed in rural areas, many living in relatively isolated "hollows," without access to